



We saw it coming, say ex-students, as brother acquitted

By Natasha Wallace

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Cleared . . . Brother John Maguire outside the court. Photo: Wade Laube

Brother John Maguire has faced eight trials on child sex abuse charges. Eight times, including yesterday, he has been acquitted, with none of the jurors ever being told of the other allegations against him.

The *Herald* can now reveal that, due to a court ruling on the risk of contamination of evidence, a judge decided that each case against Brother Maguire had to be heard separately. The ruling followed defence claims that the students making the allegations had colluded at a school reunion in 1999.

The jurors at each trial, before Judge Megan Latham at the NSW District Court since last November, were therefore unaware of the extensive allegations against Brother Maguire.

Prosecutors were also hamstrung by the time - 20 years - that elapsed between the alleged offences and when the first complainant went to police in 1997. Legal rules prevented the Crown from calling several witnesses, such as psychologists, family members, girlfriends and other teachers in all but one case.

The Marist Brother, 60, was accused of sexually and indecently assaulting six boys at St Joseph's College in Hunters Hill 20 years ago. In all, he faced 17 counts of sexually related assault of boys aged between 11 and 13 while he was the year 7 dormitory and form master.

He now lives on school grounds at Marist College, Ashgrove, in Brisbane. He was suspended as deputy headmaster when he was charged on February 13, 2002.

Yesterday, after the eighth trial ended in a not guilty verdict, some of the complainants, now aged between 30 and 33, said they were disappointed and angry that the Crown was unable to bring the allegations to trial together.

"I never expected to get a result out of the trial ... it becomes one person's word against another," one complainant said yesterday.

Another said: "To me, it was impossible from the start, as soon as they gave us separate trials. They said there was collusion, but we [the complainants] don't know each other ... I still don't know the names. I don't even know what year they were in."

Brother Maguire, a former maths and religion teacher and coach of the 12As rugby team at St Joseph's, denied all of the charges. He has said he cuddled some of the boys when they cried because they were ill or homesick but it was never of a sexual nature.