



Royal Commission
into Institutional Responses
to Child Sexual Abuse

Statement

Name LAJ

Address Known to the Royal Commission

Occupation Clinical Psychologist

Date 3 June 2014

1. This statement made by me accurately sets out the evidence that I am prepared to give to the Royal Commission into Institutional Responses to Child Sexual Abuse. The statement is true and correct to the best of my knowledge and belief.
2. Where direct speech is referred to in this statement, it is provided in words or words to the effect of those which were used, to the best of my recollection
3. My full name is LAJ and my date of birth is REDACTED
4. I began working as a counsellor in 1975 as a volunteer at Canberra Lifeline, where I was a co-ordinator and trainer. Since that time I have worked as a school teacher and school counsellor and I am currently a clinical psychologist.
5. In 1971 I obtained a Diploma in Teaching and in 1985 I obtained a Bachelor of Education majoring in psychology. In 1994 I was awarded a Masters of Education majoring in psychology and in 2001 I was awarded my Doctor of Philosophy in Clinical Psychology.
6. From mid-1990 to mid-1994 I was employed as a School Counsellor at the Marist College Canberra (the Marist College or the school). In my role as School Counsellor I was responsible for supporting Housemasters in pastoral care of students and looking after special cases, including

Signature: ... LAJ

Witness: *[Signature]*

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Statement of LAJ [redacted] continued

counselling students who suffered from depression, anxiety, trauma, grief, loss, behavioural problems and bullying, and needed special care. I was also responsible for providing ad hoc training to staff and teachers at the school on topics such as building self-esteem, positive discipline methods, bullying and preventing drug and alcohol issues.

- 7. One of the students referred to me at the Marist College was [redacted]. At first Brother Kostka referred [redacted] to me, but [redacted] failed to attend. In June 1991, [redacted] referred himself for counselling.
- 8. In late 1993 [redacted] disclosed to me that Brother Kostka used to call him out of class, take him to his office, say words to the effect *'Brother needs a hug'* and give him a hug. [redacted] told me that he felt very uncomfortable when Brother Kostka took him out of class and hugged him and that when he hugged him he could feel things he did not want to feel. I understood [redacted] to be referring to Brother Kostka's erect penis. [redacted] told me that at some point he protested and said "No" to Brother Kostka and that after that time Brother Kostka stopped taking him out of class.
- 9. After receiving the complaint about Brother Kostka from [redacted] I contacted his parents. I asked [redacted]'s parents whether they wanted to go to the police with him, but [redacted] preferred that I attend the police with him and his parents agreed. I cannot recall exactly how long, but at some point after talking to [redacted]'s parents I took [redacted] to the Civic Police Station in Canberra. [redacted] gave a statement to the police and I was provided with a copy of the statement. I do not still have a copy of the statement.
- 10. Very soon after talking to [redacted]'s parents I telephoned Brother Alexis Turton (Brother Turton). I cannot recall exactly what I said to Brother Turton, but I recall that I relayed to him what [redacted] had told me about Brother Kostka.

Signature: LAJ [redacted]

Witness: [Signature]

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11. I recall speaking to Brother Turton on two or three occasions after receiving the complaint from ACN [REDACTED]. During one of those conversations, Brother Turton said to me words to the effect, *'There have been rumours about Brother Kostka for a long time, but I have never heard anything concrete'*.
12. I also recall Brother Turton asking me words to the effect, *'Are we looking at a raging paedophile or just a very foolish man?' I told Brother Turton words to the effect, 'I have not heard anything concrete, it might be the latter'*.
13. Brother Turton told me that he would speak to Brother Kostka. I believe that Brother Turton did talk to Brother Kostka as Brother Kostka came to me at some point and said words to the effect *'ACN [REDACTED] has made a complaint against me'*. I got the impression that Brother Kostka expected me to tell him about the complaint. Brother Kostka said to me words to the effect *'I suppose he is seeing a different counsellor now'*.
14. Brother Turton also told me he would talk to ACN [REDACTED]'s parents. I recall Brother Turton coming to Canberra to meet with ACN [REDACTED]'s parents, however, I did not attend the meeting.
15. Brother Kostka did not leave the Marist College immediately after the complaint was received. My recollection is that he left at the end of the school year in 1993.
16. I would usually report a complaint of the nature made by ACN [REDACTED] to the Headmaster. However, I did not report the complaint made by ACN [REDACTED] to the Headmaster of the Marist College, Brother Christopher Wade (Brother Wade) because I was frightened of him and considered him to be aggressive.
17. REDACTED

Signature:..

LAJ

Witness:.....



REDACTED

18. REDACTED

19. The complaint from ACN [redacted] was the first complaint I received in relation to Brother Kostka. However, prior to receiving the complaint I had heard rumours about Brother Kostka.

20. I overheard senior boys at the school who I was training to be peer support leaders make comments about Brother Kostka and his 'pets' who were often in his office. I recall some of the senior students asking me, 'Does Brother Kostka bum fuck?' I asked the senior boys if they knew anything substantial about Brother Kostka and they informed me that they had only heard rumours.

21. I recall seeing students in Brother Kostka's office on a number of occasions at lunch time when I walked past his office. I could see into his office because the door was open. You could not see into his office if the door was closed. It was often the same students in his office when I walked past. Students were not meant to be in classrooms or in the corridors at lunch time. The school had a rule that students were meant to be outside during the lunch time break. I recall Brother Kostka saying that the students were in his office because they were 'in need of some TLC' or they were helping him prepare for mass.

Signature: LAJ [redacted]

Witness: [Signature]

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Statement of LAJ [redacted] continued

22. In 1994 I wrote a letter to Brother Wade setting out the problems I perceived with brutality and culture at the Marist College. In that letter I suggested that a Protective Behaviours Program be introduced at the school. The program was well-established in schools in which I had previously taught. The program includes core principles such as that everyone has the right to feel safe and that nothing is so bad that they cannot talk to someone about it.

23. I subsequently met with a representative from the Catholic Education Office and Brother Wade about the introduction of the program and pushed for the introduction of the program. I do not have a copy of the letter I wrote to Brother Wade.

24. I left the Marist College in mid-1994 as I felt that my position at the school had become unworkable. In late 1993 or early 1994 renovations were carried out at the school which effectively cut off my office from student access. Prior to the renovations, students could access a waiting area outside my office and come and see me. This waiting area was removed as a result of the renovations and in order for students to come and see me, they were required to walk past Brother Wade's office and go into an area of the school building that was out of bounds for the students. I recall some students telling me that they tried to come and see me, but Brother Wade was there and asked them why they wanted to see me. The students told me that they did not pursue seeing me as they thought they would get in trouble. I asked for the waiting area to be restored, but this did not happen.

Signed:

LAJ [redacted]

Date:

3.6.14

Witness:

[Handwritten signature]

Date:

3.6.14

Signature:.....

LAJ [redacted]

Witness:..... [Handwritten signature]