



Royal Commission
into Institutional Responses
to Child Sexual Abuse

Statement

Name

Address Known to the Royal Commission

Date March 2016

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. In preparing this statement, I have been shown documents relating to the criminal proceedings against David RAPSON. Where I refer to a document in this statement, I have used the document reference number, which appears in the top right hand corner of the document to which I refer. I have not independently reviewed the records from which these documents have been drawn.
3. 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.

Background

4. My full name is . I was born on 1971 and I am 44 years old.
5. In 1986], I started Year 7 as a boarder at Rupertswood Salesian College (**College**) in Sunbury.

Abuse by RAPSON

6. I was first abused by Father David Rapson (**RAPSON**) when I was 14 years old and in Year 9. RAPSON was a priest at the College and my dormitory co-ordinator. He had a room just off to the right side of the dormitory. RAPSON first invited me to have a

Signature:

..... Witness: ...

Statement of CDU continued

smoke with him and after a while he started to invite me into his room to smoke which then progressed to having a scotch and coke together. After two or three times of inviting me into his room, RAPSON started molesting me. The abuse would happen every second or third night until I left school at the end of Year 10 when I was 16 years old.

Reporting to Police

7. After I left the College, I got into drugs and had a big problem with alcohol.
8. In about 1991, I overdosed which scared me so much I decided to turn my life around.
9. In about 1992, when I was about 20 years old, I was watching television with my father when a story came on about the arrest of a Catholic priest who had sexually abused a student. I picked up my glass and said to my father, *'That happened to me'*. It just came out. My father took me back to a psychologist who then put me in contact with a Sergeant at the Child Exploitation Unit at Jolimont Police Station.
10. About a week later, I met up with the Sergeant at Jolimont Police Station. We went into a room and I told him about the abuse. The Sergeant took a statement from me by recording the interview. When we finished, the Sergeant said, *'We'll do our own investigations now'*.
11. The Sergeant told me I would need to remember specific times that RAPSON abused me. Later, he took me for a walk around the College and went through with me where the abuse happened to try to help me remember specific incidents. He said this was to jog my memory but you never forget being abused. It stays with you forever.
12. About five or so days after my interview, the Sergeant called me and said that RAPSON had been arrested and had confessed to abusing me. At about this time the

Signature: CDU Witness:

REDACTED

Sergeant also told me that RAPSON would not confess to the whole series of abuse from when I was 14 to 16 years old.

Criminal proceedings - 1992

13. In 1992, RAPSON was prosecuted and pleaded guilty to five charges of sexual abuse against me.
14. Before the hearing, the Sergeant told me that since RAPSON had pleaded guilty I didn't have to take the stand if I didn't want to. I just wanted it all to be finished so I didn't take the stand at the hearing.
15. I did attend the court on the day of the hearing. The sentencing happened on the same day and RAPSON was sentenced to two years' imprisonment. I remember that the small sentence was because he pleaded guilty. I thought this sentence was rubbish.

Police investigations – 2012/2013

16. In about 2012, a police officer rang me up out of the blue and asked me if I was able to come into the police station for an interview and maybe give a statement about RAPSON to assist other complainants who had come forward. This was the first time I knew that others had been sexually abused by RAPSON. I agreed and in July 2012, I went into the police station and gave a statement [OPP.3038.001.0007].
17. At the time I made the statement, the police told me that there were things I could not talk about in my new statement. For example, I could not say that RAPSON had previously pleaded guilty to sexual abuse offences against me and went to gaol. The police told me I could only put in details about my abuse and not let on that there had been a previous court case.

Signature:
CDU

Witness:
REDACTED

Statement of CDU continued

18. It was around this time that I learnt from the police that they had charged RAPSON with child sexual abuse offences involving about eight boys who had been at the College.

Joint Trial - 2013

19. After I provided the statement, the police asked me if I wanted to give evidence at RAPSON's trial to show that RAPSON abused the other boys in a similar way to how he abused me; that he had a certain character. I agreed.

20. In about August 2013, I attend RAPSON's trial to give evidence. When I took the stand, the Judge asked the jury to leave and told the legal representatives that the jury was not to know that RAPSON had been convicted of offences against me.

21. When the jury came back, I read my statement in court. I was okay until I got up to reading about how RAPSON abused me the first time and then I broke down. I got through it all though. This was the only time I gave evidence.

22. RAPSON's trial went for a number of weeks. The Office of Public Prosecutions (**OPP**) appointed a witness liaison officer to liaise with the complainants and me throughout the trial. The witness liaison officer was really good at letting me know what happened every day at the trial. She would send text messages almost every day.

23. I also went back to court to listen about two or three times after I gave evidence. I remember I attended the court for the closing statements and also for RAPSON's sentencing.

24. I was there when the jury found RAPSON guilty of all the charges against the eight boys and was sentenced to about 13 years' imprisonment.

Re-Trials - 2015Signature:

CDU

Witness:

REDACTED

25. In about 2014, the witness liaison officer gave me a call and told me that RAPSON had appealed and that there was going to be a re-trial.
26. I remember the witness liaison officer or someone from the OPP told me that this time there would be separate trials with two boys in the first trial, three boys in the second trial and then the last three boys in the third trial. I think one boy didn't want to go through the proceeding again so there were only seven complainants in the three re-trial.
27. I also remember someone from the OPP told me they were going to put the more serious crimes in the first trial and the lesser crimes later because they might not even do a re-trial for the last ones due to costs.
28. The police asked to use my evidence from the 2013 trial in the second re-trial relating to offences against three of the boys. The police officer in charge of the investigation told me that I wouldn't have to give evidence in person at the re-trial but my video evidence from the 2013 trial would be shown to the jury. I was ok with that because it saved me from giving evidence again but, at the same time, I didn't think that the new jury would feel the emotional content of my evidence because they were just going to watch a recording. I think if you give evidence in person you touch people more.
29. Again, during the re-trials, the witness liaison officer kept me informed of what was happening throughout the whole process.
30. From memory I think RAPSON was found guilty of most of the charges at the end of the three re-trials and that his sentence added up to about same number of years' imprisonment as the sentence in the 2013 trial.

Impacts of the criminal proceedings

Signature: CDU

..... Witness: REDACTED

31. I think that the jury not knowing about previous convictions of an accused when it relates to the same crime is wrong. I also felt very angry that whereas I wasn't allowed to refer to the previous convictions during the evidence in the 2013 trial, when it came to sentencing, the defence lawyer argued that because RAPSON has served a sentence of imprisonment in 1992 for offending around the same time as these charges, his sentence should be reduced. In 1992, RAPSON's sentence was roughly two years; mine to date is 20 years and still counting.

Recommendations to the Royal Commission

32. I think the criminal justice system forgets how it impacts upon victims. This is especially true when the court sentences an offender to concurrent gaol terms. I don't believe that concurrent sentencing is fair. Sentences should be separate and directly relate to the harm done to a victim. Child sexual abuse kills families and wrecks people's lives and sentences should reflect this. I struggle all of the time as a result of what RAPSON did to me.

33. At sentencing, victims should not have to listen to the defence making arguments about the offender's good character. Any of these statements should be read in private.

34. Offenders also should be asked at sentencing whether they admit to any other child sexual offences. If they don't admit to any other offences and are later found guilty of new offences, the courts should impose an even harsher sentence. The system should make these offenders accountable.

Signature: CDU Witness:

REDACTED

Statement in the matter of CS38: Criminal Justice System

Statement of CDU continued

CDU

Signed:

Date: 7/3/16

Witness: REDACTED

Date: 7/3/16 ✓