

Our Ref: PHB 2/50604

STATUTORY DECLARATION

I, BMJ formerly BMJ of REDACTED in the State of South Australia 5556 do solemnly and sincerely declare that:

1. I was born on the REDACTED 1953. I was known as BMJ whilst I was in care.

2. From what I understand, my mother did not want to care for me. I was placed first in the Morialto Boys Home in Morialto, a suburb of Adelaide in the Adelaide Hills. I believe I was placed at Morialto Boys Home for about 12 months. I remember I ran away on one occasion as I wanted to return home to my mother. My mother lived at the time in REDACTED. My mother rang the police and I was taken back to Morialto. I recall that after a short time I was then transferred to The Salvation Army Boys Home at Mount Barker. At Morialto it was like a school. I do not recall any bad treatment or abuse whilst at Morialto. I remember attending the Morialto Primary School. I think I would have been in grade 3 when I was at Morialto.

3. As best I can recall I believe I was sent to the Eden Park Boys Home in 1961. I recall that in charge of the Home was Brigadier Lawler who was the commanding officer. As I remember he was an elderly man, medium build with silvery grey hair. He was married but did not have any children as I am aware. He was hard, and a very strict disciplinarian. He was very abusive towards me and would cane me for little or no reason. I would receive a caning for such things as:
 - talking out of line,
 - not being quick enough to do what I was told,
 - not eating up my food.
 I know that in one year I was caned by Lawler on 108 times. I know this because later when I was 16 years of age I ran into Sargeant Ellis in Adelaide. I had a cup of tea with him and we were talking about my experiences at Mount Barker. Sargeant Ellis told me that in one year I was caned 108 times as Lawler kept a record of this.

4. I recall Sargeant Ellis who was there. He was always good to me and he would see how I was when I had been punished. He would try to help me. I have no grudge against Ellis. I am surprised to learn that Ellis has been charged with offences relating to sexual abuse. I cannot believe that Ellis would ever hurt anyone. I recall going to Ellis's mothers house in Adelaide on occasions during the day. I am prepared to give evidence in support of Ellis and do what I can to help him as he cared for me in the Home.

5. I recall Captain Huxtable. He was at the Home when I first got there but shifted out a few months later.
6. Another Captain arrived. He was married, had thick curly hair, brown, it was gollywog curly. I recon he would have been in his 40's at the time. I cannot remember if he had kids but he had a wife. This man was the only person who sexually abused me in the Home. He was there for years. I remember that Captain Kop took over for him. I do not recall the name but would remember it if it was read to me. Having now been told by Mr Philip Brewin of Nevett Ford lawyers the names of the Captains who were at the Home at the relevant time, I am 99% sure it was Captain David Osborne. I have tried to block out what occurred to me with no success. My wife is disturbed by what I say in my sleep. I have told my wife who has been very supportive.
7. I remember the abuse by the Captain started when we had to change our clothes. The Captain would call me into a room where I would have to change clothes. He would close the door and fondle my genitals and rub himself against my back. This regular abuse by the Captain continued often two or three times a week whenever he could find me. He would grab me by the hand and take me somewhere where he could abuse me. The abuse would occur in places such as the clothing room, a store room or the dormitory. I was called "Knubby" in the Home. It usually consisted of him standing up behind me and putting his hand down my pants. One time he started to drop his trousers but I ran away. I recall him saying to me "don't go telling anyone because you know how many hidings you get now". I was not aware that he ever ejaculated. The abuse by the Captain continued for 12 or 18 months until I believe he found some other boy to abuse. I did not complain about the abuse as I was scared I would get into more trouble.
8. As for the physical abuse, it was usually a caning and it would take place in either the yard, the recreation centre or wherever. It was Lawler who hit me with the cane, usually across the hands and sometimes on the backside.
9. At least once a month for a couple of years I was also required to go to Brigadier Lawler's holiday home at Milang, neat Lake Alexandra. I would mostly go on my own but depending on the season sometimes another boy would attend. I recall the name of the other boy was Brigadier Lawler and his wife would take me in their car. As I remember it was a big black De Soto. It was no fun to go there. It was a chore and I was made to perform tasks the entire time I was at the home. Chores consisted of:

- gardening, including weeding, planting and picking vegetables.
- cleaning the yard, taking leaves and pulling weeds out of the driveway.
- painting the outside of the house.

Lawler would tell me what to do. He didn't help. He was either on the lake fishing or inside the house. There was nothing nice about Lawler whatsoever. His wife however was different. When Lawler was not around she would give you treats. After a while I stopped going to Milang. I cannot recall why.

10. I remember I attended the Primary School on the property for about 4 years until the age of 12. I then subsequently went to Mount Barker High School. I cannot remember the names of any teachers at Mount Barker but I do recall I was there for 2 years, namely 8 and 9. Other boys I remember at the Home were:
 - REDACTED. I liked him, he was a good kid.
 - REDACTED. I liked him. He was an older boy.
 - *List other boys you recall.*
11. I left Mount Barker in 1969 when I turned 16. I recall that Sargeant Ellis organised with staff that I would leave the Home but work in the dairy with him. After I got my first pay I left and went to try and locate my mother. I joined the Australian Army and was in the Army for about 3 years. I recall being placed at Wagga, Liverpool and Woodside. I was in the infantry. After about 3 years I left the Army.
12. After leaving the Army I worked as a labourer doing things like demolition work. I got into trouble for drinking and driving, fighting, larceny and did 3 months jail in Adelaide when I was about 23.
13. I was never able to locate my real father. Two years ago I heard he died. I located my mother but we never got on well. My mother died about 10 or more years ago.
14. I believe the impact of the abuse has been severe upon me. I have been married a second time for 24 years. My wife has been very supportive and I don't know where I would be without her. We have 4 children who have turned out pretty well. They are REDACTED.
15. I would prefer not to go to the police or even a solicitor as I want to deal directly with The Salvation Army to see whether something can be worked out.
16. My first marriage when I was about 24 years old. It only lasted 12 months. I was very abusive and violent towards my first wife and believe that such abusive behaviour by me

was directly as a consequence of the physical and sexual abuse experienced at the Mount Barker Boys Home.

- 17. I am an invalid pensioner and have been on a pension since 1989. I injured my knee as a kid when I was in the Morialto Boys Home. I always had problems with my knee and it was seriously aggravated when in 1989 I fell from a truck. My knee is now beyond repair and I walk with a limp and this is the reason why I am on a invalid pension.
- 18. I remember Captain Kop arriving when I was about 16 years of age. I was only at the Home a few months after Captain Kop arrived at the home. Captain Kop was okay as far as I am concerned. He never caused me any harm.

I make this solemn declaration consciously believing the same to be true and correct and virtue of the provisions of an Act of Parliament of South Australia rendering persons making a false declaration punishable for wilful and corrupt perjury.

Declared at REDACTED

in the State of South of Australia
this ^{November} 24 day of September 2008

Before me: REDACTED
REDACTED

BMJ

I am know 100% shore it was Captain Osborne as there was another situation that happened with him. I was made to go chasing one of the boys who tried to escape, while I was trying to stop the boy I was stabbed in the upper part of my left leg very close to my groin. I was not aloud to report it to Police or go to the hospital they had a doctor to come to me at the home...

BMJ