

**ROYAL COMMISSION INTO INSTITUTIONAL  
RESPONSES  
TO CHILD SEXUAL ABUSE  
AT SYDNEY**

STATE OF NEW SOUTH WALES  
*ROYAL COMMISSIONS ACT 1923 (NSW)*

**CASE STUDY 21**

PUBLIC INQUIRY INTO

**THE RESPONSE OF SATYANANDA YOGA  
ASHRAM TO ALLEGATIONS OF CHILD  
SEXUAL ABUSE BY THE ASHRAM'S FORMER  
SPIRITUAL LEADER IN THE 1970s AND 1980s**

**WRITTEN SUBMISSIONS IN REPLY ON BEHALF  
OF THE BIHAR SCHOOL OF YOGA**

## Introduction

- 1 The submissions of Counsel Assisting the Royal Commission served on 6 February 2015 concerning the Public Inquiry into the Response of Satyananda Yoga Ashram to Allegations of Child Sexual Abuse by the Ashram's Former Spiritual Leader in the 1970s and 1980s propose 38 available findings in relation to this Case Study. Of those 38 available findings, 10 relate to the Bihar School of Yoga.
  
- 2 These are:
  - F3 Between 1978 and 1987, the teachings of Satyananda yoga promoted a subservient and devoted relationship between disciples and their guru or gurus, who in the relevant period were Swami Satyananda Saraswati and Swami Akhandananda Saraswati. At the same time as those relationships were being promoted, other traditional relationships, including between parent and child, were discouraged
  
  - F6 At the time of the Royal Commission public hearing in 2014, the Mangrove Mountain Ashram and the Bihar School of Yoga accepted that Akhandananda sexually abused children.
  
  - F7 The teachings and practice of Satyananda yoga at the Mangrove Mountain Ashram between 1978 and 1987 discouraged close relationships between parents and children. That provided children with less access to their parents and made it more difficult for them to disclose the sexual abuse by Akhandananda to a trusted adult.
  
  - F9 The practice of Satyananda yoga in Australia vested great power in Akhandananda and Satyananda, whom members of the Ashram community consider to be spiritually enlightened. The devotional aspect of the institution made adult members more likely to ignore any signs that children were being groomed and that abuse was being perpetrated, and less likely that children would report the abuse.

- F13 Until she left the Ashram in 1985, Shishy facilitated the sexual abuse of a number of children by: a) on occasions summoning a child to attend to Akhandananda in the cabin she shared with him; b) on some occasions remaining in the hut silent while the sexual abuse occurred; and c) by encouraging the children to be obedient and subservient to Akhandananda, even those that she knew or suspected were being sexually abused.
- F24 When the allegations of sexual abuse of children by Akhandananda were first made public in 1987, the Ashram did not believe that the children were telling the truth and so was hostile to several of the survivors before there had been any independent investigation.
- F25 In 1987 at the time that allegations about sexual abuse of children by Akhandananda were made public, Satyananda was the head of the Bihar School of Yoga in India and regarded in Australia as the spiritual head and guru, and Swami Niranjananda was then the disciple of Satyananda.
- F26 When the allegations of sexual abuse of children by Akhandananda were first made public in 1987, the Bihar School of Yoga issued a statement dated 28 February 1987 expressing unqualified support for Akhandananda. However, on 1 April 1988, it later advised that he would be stood down to face his duties and responsibilities as a private person. The Bihar School of Yoga's initial statement of unqualified support should not have been made given the nature of the allegations and the investigation to take place. Further, the Bihar School of Yoga did not issue any statement in support of the investigation that was to take place; did not issue any statement condemning child sexual abuse; and did not offer any support to the children who had disclosed the abuse.
- F37 The Bihar School of Yoga is not usually involved in the day-to-day management of the Ashram, but it did have involvement in the Ashram's response to the Royal Commission.
- F38 The 7 October 2014 email response of the Bihar School of Yoga suggesting that all support for the Ashram would be withdrawn if the name of Niranjan and the Bihar School of Yoga was associated in any way with the Royal Commission, was not appropriate. Referring to the sexual abuse of children by Akhandananda as a "20 year old sex-scandal" did not properly reflect the gravity and seriousness of what is currently being investigated.

- 3 The proposed findings and submissions insofar as they relate to the Bihar School of Yoga raise the following issues, each of which is addressed below under the following separate headings:
- (a) The Guru-Disciple relationship.
  - (b) The role of family in the ashram setting (including children)
  - (c) The Scope of the Commission and the evidence that has been given by Ms Bhakti Manning.
  - (d) The evidence of Shishy as it relates to the Bihar School of Yoga.
  - (e) Communications between India and Australia relating to the Royal Commission and during the relevant periods.

### **The Guru-Disciple Relationship**

- 4 From the Commission proceedings it is evident that Shishy and Akhandananda used their positions of power to abuse the Survivors both physically and sexually at the Mangrove Mountain Ashram. However, abuse in any form is contrary to the teachings, philosophy and principles of yoga. Therefore, all findings must be viewed in that isolated contextual setting of Mangrove Mountain. For any meaningful analysis the abuse must be seen in the context of the actions of Shishy and Akhandananda only.
- 5 Literature has been used by Counsel Assisting<sup>1</sup> to highlight examples of Satyananda's opinion on the relationship between guru and disciple. It is acknowledged that the relationship presupposes devotion and trust in order to foster education and learning. However, care should be taken in analysing a newsletter excerpt from 1982 to interpret it as representative as the intention

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<sup>1</sup>Submissions of Counsel Assisting the Royal Commission [15]-[16]

of Satyananda and the reality of the practice of his teachings beyond the Mangrove Mountain Ashram. For example;

- (a) The quoted newsletter excerpt was not written by Swami Satyananda, therefore it can only be reflective of one persons opinion, not the teachings.
- (b) There is a plethora of writing on the guru-disciple relationship which offer many different perspectives, experience and understanding and isolated analysis of one such composition can hardly provide any satisfaction on an evidentiary basis.
- (c) These excerpts and compositions cannot be viewed in isolation and then used as a reflection or representation of a relationship that is embedded in the cultures of the Asian and South East Asian continents and cultivated within the different strata's of those societies for thousands of years.

6 The tradition of guru disciple relationship is of great significance in Indian as well as Asian cultures. As such it has buttressed both the spiritual and material educational methodology of these societies for over 5000 years. Despite thousands of years of historical, cultural and scriptural writings on the guru disciple relationship, as well as a plethora of contemporary discourse the majority of evidence tendered before the Commission was supplied by Shishy and little weight can be afforded to the same. Therefore, in all fairness of approach any broad brush global finding in regard to this tradition should be avoided.

7 It is submitted that the Survivors at Mangrove Mountain Ashram were not abused because of the teachings of yoga. The Survivors were abused by the actions of Akhandananda and Shishy. Both individuals exploited their position and power under the guise of yoga as well as the guru-disciple relationship so as to foster grossly inappropriate, predatory and paedophilic relationships with the survivors.

#### **The role of family in the ashram setting (including children)**

8 It is submitted that children and families were discouraged and even separated from one another at the Mangrove Mountain Ashram due to the individual actions of Akhandananda and Shishy. According to the philosophy, principles and teachings of yoga, there is no rationale for the separation of family members and therefore this separation derives solely from the actions of the individuals concerned.

- 9 Counsel Assisting<sup>2</sup> attempts to highlight the rationale behind the teachings of family by quoting a speech from Satyananda:

*[w]e do not form attachments and personal relationships, because it is far better to live an independent life within the Ashram. We work together, that's all. We are neither brother nor sister, husband, nor wife, parent nor child. We have no relationships with each other. I am not half and you are not half. I am one and you are one. I want you to be a complete unit. That is how one has to grow.<sup>3</sup>*

- 10 Again, one should not simply take isolated quotes as indicative of an entire representation of the position of the teachings. On the one hand this quotation could be seen to highlight the distance between family relationships in an Ashram setting. On the other hand, it warns against the forming of new relationships within the ashram environment, which is an approach prevalent in Buddhism and other Asian spiritual traditions where unnecessary personal attachment is considered unhelpful as it leads to mental and emotional dissipation.
- 11 Although suggestive, no evidence is before the Commission concerning any repetition of like comments notwithstanding it being asserted by Counsel Assisting as reflective as the teachings of Satyananda.
- 12 IND.0176.007.0001 illustrated Extracts from Teachings of Swami Satyananda. For example when asked a question in relation to parents and children in the ashram setting Satyananda replied:

*The duty of the parents is to take care of them [Children] as long as they are innocent, so that they don't get into trouble.<sup>4</sup>*

- 13 No such protection occurred at the Mangrove Mountain Ashram. Furthermore, evidence has been given regarding the legal guardianship of children being transferred from the parents to Shishy, and the child support payments made to the ashram account. Again this evidence arises only in the context of Mangrove Mountain Ashram.
- 14 No evidence provided by Satyananda's writings illustrate that families should be broken up, as was the case at Mangrove Mountain Ashram. Conversely,

<sup>2</sup> Submissions of Counsel Assisting the Royal Commission [17]

<sup>3</sup> Ex 21-001, IND.0176.007.001

<sup>4</sup> Extracts from Teachings of Swami Satyananda Saraswati, published 1981 by Bihar School of Yoga, India. Australian edition 1981 compiled by Dr Swami Shankardevananda Saraswati and Dr Swami Nadamurti Saraswati at [262], IND.0176.007.0001\_R

Satyananda created the initiation of karma sannyasa precisely so that married persons and families could have a spiritual identity also and visit ashrams from time to time.

- 15 Furthermore evidence has been tendered that Lillian Rock ashram was managed by husband and wife team<sup>5</sup>. Shishys parents also lived together at Mangrove.
- 16 Based on the evidence before the Commission the relationship between Shishy and the survivors was promoted and at the same time the parental relationships were discouraged only in the contextual framework of the Mangrove Mountain Ashram.

**The Scope of the Commission and the evidence that has been given by Ms Bhakti Manning**

- 17 The allegations put by Ms. Manning in regard to her time at the Bihar School of Yoga<sup>6</sup> need to be provided the appropriate weight given that they are:
- (a) Untested allegations
  - (b) Are allegations raised after the death of Satyananda and therefore unable to answer them appropriately.
  - (c) The allegations are uncorroborated by anyone before the Royal Commission
  - (d) All the allegations fall outside the scope and purpose of the public hearing as sited below.

**The scope and purpose of the public hearing is to inquire into:**

1. The response between 1974 and 2014 of the Satyananda Yoga Ashram at

<sup>5</sup>Ex 21-0016, Statement of APV at [12], STAT.0435.001.0001\_R

<sup>6</sup>Ex 21-0009, Statement of Bhakti Manning at [46], [48] and [58], STAT. 0424.001.0001\_R

Mangrove Mountain, New South Wales, to allegations or reports of child sexual abuse made against Swami Akhandananda Saraswati.

2. The operation of the Ashram between 1974 and 1989 in relation to matters of child sexual abuse.
3. The systems, policies and procedures in place at the Ashram between 1974 and 1989, and currently, in relation to raising and responding to allegations of or concerns about child sexual abuse.

### **The evidence of Shishy as it relates to the Bihar School of Yoga**

- 18 Due to her assistance in the investigation and subsequent criminal proceedings the extent of Shishy's role in facilitating the abuse, as well as the physical, mental and sexual abuse she herself perpetrated was not known. We have been deeply distressed and shocked by these accounts. Shishy's betrayal of the trust the children placed in her, and the horrific physical and sexual abuse inflicted under the guise of the teachings of yoga is a matter of grave concern which we sincerely hope will be addressed by this Royal Commission.
- 19 In her evidence Shishy provides accounts of alleged interactions whilst at the Bihar School of Yoga.<sup>7</sup> We submit that the Royal Commission can place no weight and reject such evidence given that it is:
- (a) Uncorroborated by anyone before this Commission or otherwise
  - (b) Unsubstantiated by anyone before this Commission or otherwise
  - (c) The evidence is from a person who is potentially criminally concerned with the outcome of these proceedings.
  - (d) The evidence is from an admitted paedophile.<sup>8</sup>
  - (e) From a person that provided inconsistent and conflicting evidence with the account of abuse given by Survivor's before the Commission.

<sup>7</sup> Ex 21-0018, Statement of Shishy at [71], STAT.0403.001.0001\_R

<sup>8</sup> T11207: 5-7 (Shishy)

**Communications between India and Australia relating to the Royal Commission and during the relevant periods.**

- 20 It is important to analyze communications between India and Australia in the context of the following:
- (a) From the outset the development of the Ashram at Mangrove Mountain was an independent initiative due to the local interest in yoga. From the early 1970s several different yoga teachers of Dutch, Australian and Indian nationalities who were trained at Bihar School of Yoga had travelled to Australia and taught for periods of time. Akhandananda was one such teacher.
  - (b) The Mangrove Mountain land was purchased in 1974 by Australian parties with a keen interest in the yogic teachings and the Satyananda Ashram was incorporated as a limited company functioning under Australian law. As such, it should be noted that the development of the Ashram at Mangrove Mountain derived from the work and actions of yoga enthusiasts in Australia. Bihar School of Yoga and the Australian ashram were totally separate entities in every sense, legal, financial, managerial, administrative.
  - (c) The development and operation of Australian ashram was completely independent to Bihar School of Yoga. The factual reality of this situation is important not because it indicates any lack of concern regarding the Survivors of abuse but rather because it presupposes that the actual control, knowledge and influence over the Ashram in Australia was limited to goodwill and co-operation. This lack of any control is borne out by the evidence which reveals that whilst attempts to influence the Ashram at Mangrove Mountain were made in 1988, such attempts were unsuccessful.<sup>9</sup>
- 21 When made aware of the allegations the Bihar School of Yoga was hindered in their assessment of the situation as a result of the following factors:
- (a) In the 1980's given the isolation of Bihar School of Yoga in a remote and rural part of India, communication with the Ashram was limited to the occasional letter/telegram. International communication by telephone was not possible. There was no international ISD/STD line in Munger, India at that time. Suffice to state, communication was difficult within the entire region in India not just from the Bihar School of Yoga.

<sup>9</sup>Ex 21- 0028, Statement of Swami Atmamuktananda Saraswati at [29], STAT.0416.001.006\_R

- (b) An initial delegation selected by Akhandananda arrived in India and the Bihar School of Yoga was provided a partial overview that hid the true status of the allegations against Akhandananda. It was based on that information that *'full confidence and support'*<sup>10</sup> provided to Akhandananda was given. Subsequently in the intervening months Akhandananda himself visited India, and denied the veracity of the allegations and insisted that it was a plot to overthrow him.
- (c) When informed of a more accurate history of events the Bihar School of Yoga indicated the following:

*'But since I have never been kept fully informed of the true facts and all the past events which have led to the recent developments, I now feel that it is necessary for you to resign from the Chairpersonship of Satyananda Ashrams, Australia and resolve all the charges made against you, not as the head of an organization, but as a private citizen'*<sup>11</sup>

- (d) In the absence of an active and regular involvement (not reaching anywhere near control or day-to-day influence) in the Mangrove Mountain Ashram, coupled with extreme difficulties in communication, the ability and resources to actively seek out the true account of the abuse was lacking. While Bihar School of Yoga was intrinsically familiar within its own cultural existence and setting in India, it had no familiarity with the process and procedure of the criminal justice system in Australia and therefore did not understand itself to be in any position to assist with the investigations. The institutional perception was that the Australian authorities would investigate and resolve the matter in the most competent manner.
- (e) The Bihar School of Yoga idea of criminal behavior was limited to the view that perpetrators of crime should be punished and the system would look after the interests of the victims by allowing such punishment to reflect the injustice that occurred to them. Again this must be seen in the context of 1987 and the predominant social context and approach at that time. The understanding of sexual abuse and the trauma inherently arising from the same has developed significantly over the last 25 years. Therefore it is understandable that the response of 1987 to the revelation of abuse, when viewed in 2015 may not harbor the expected sensitivity of approach.

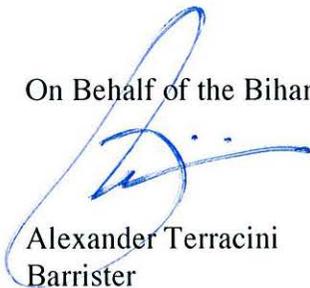
<sup>10</sup> Ex 21-0001, NSW.0038.001.0050

<sup>11</sup> Ex 21-0001, IND.0176.003.0001\_R

- (f) The Australian ashram was the centre of the Royal Commission inquiry and as such the responsibility to ensure the procedurally appropriate and factually correct response was left in the hands of the Mangrove Mountain Ashram. Upon the realisation of the shortcomings and inaccuracies of the response the Bihar School of Yoga took to expressing its dissatisfaction to the Mangrove Mountain Ashram.<sup>12</sup>

22 During the Royal Commission the events that formed the subject of this inquiry were revealed for the first time. The extent and gravity of the abuse, not only sexual but also the physical inflicted by both Shishy and Akhandananda was not previously known. We were mistaken to refer to these tragic events with a label that did not properly reflect the gravity and seriousness of the evidence that we have now heard. We acknowledge that what has been described by the Survivors is nothing short of physical and sexual abuse and such abuse needs to be appropriately recognized.

On Behalf of the Bihar School of Yoga



Alexander Terracini  
Barrister

Sir Owen Dixon Chambers



Phillip Ryan  
Solicitor

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<sup>12</sup>Statement of Fiona Steiner (also known as Yogasandhan) at [73]