INTRODUCTION

1. This Response is further and in addition to Dr Robert Llewellyn-Jones’ Submissions dated 18 February 2016.

GEELONG GRAMMAR SCHOOL SUBMISSIONS

2. Dr Llewellyn-Jones has read and considered the Geelong Grammar School’s Submissions dated 10 February 2016 and wishes to make the following response.

3. Paragraph 3 of the Geelong Grammar School’s submissions states that ‘Geelong Grammar led evidence of its current policies and practices to prevent child sexual abuse, detect suspected abuse, and to deal with suspected abuse swiftly and comprehensively.’ Geelong Grammar School submits that they now have a ‘strong pastoral case system’ and ‘robust child protection policies’.\(^1\) It is submitted that there was evidence before the Royal Commission that there remain considerable deficiencies in the contemporary policies and procedures of Geelong Grammar School. Examples of these are outlined in the Submissions of Dr Llewellyn-Jones dated 18 February 2016 at paragraphs [78] – [103].\(^2\)

\(^1\) Submissions of Geelong Grammar School, SUBM.1032.001.0001 at p 1, para [3]

\(^2\) Submissions of Dr Robert Llewellyn-Jones, SUBM.1032.010.0001 at pp 22 – 27, paras [78] – [103]
4. Whilst it is encouraging to note the commitment of Geelong Grammar School to ‘continually review the adequacy of these measures’,\(^3\) it is respectfully submitted that current policies and procedures do not adequately deal with child sexual abuse or applications for redress from former students and that it would be open to the Royal Commission to make such a finding as suggested at paragraph [105] of Dr Llewellyn-Jones’ Submissions.\(^4\)

5. It is further reiterated that whilst the Submissions of Geelong Grammar School seek to confine these instances of child sexual abuse to a ‘dark period in Geelong Grammar’s history’,\(^5\) they have failed to acknowledge the systemic and insidious elements of the School’s culture that contributed to both the occurrence of child sexual abuse and the inadequate response to complaints of child sexual abuse. It is submitted that the there was insufficient evidence before the Royal Commission to support the conclusion that Geelong Grammar School has given thorough consideration to the underlying factors that permitted child sexual abuse to occur and instead have attempted to characterise these instances as aberrations.

JOHN LEWIS AND ROBERT JOHN BUGG SUBMISSIONS

6. Dr Llewellyn-Jones has read and considered the submissions of former headmaster Mr John Lewis and wishes to make the following responses.

7. In paragraph M on page 3 of Mr Lewis’s submission it is claimed that the reliability of witnesses’ recollections was compromised because the hearing examined historical events that had occurred decades previously. Dr Llewellyn-Jones submits that although minor differences were demonstrated between the recollections of different survivor witnesses, overall the evidence given by survivors/their family members was remarkably consistent. Indeed, survivors who had attended the school at around the same time provided independent corroboration of incidents of child sexual abuse – for instance the evidence provided by Dr Llewellyn-Jones and survivor BKO described sexual abuse perpetrated by Reverend Davison in very similar terms. And it was never suggested to either that they had collaborated prior to giving evidence.

\(^3\) Submissions of Geelong Grammar School, SUBM.1032.001.0001 at p 1, para [4]
\(^4\) Submissions of Dr Robert Llewellyn-Jones, SUBM.1032.010.0001 at p 28, para [105]
\(^5\) Submissions of Geelong Grammar School, SUBM.1032.001.0001 at p 2, para [5]
8. The submissions in reply of Mr Lewis and those of Robert John Bugg both suggest that their individual responses to allegations of child sexual abuse should be considered in the context of the “standards of the time”. On page 6, paragraph 11 of Mr Lewis’s response it is claimed that until the introduction of mandatory reporting in 1994 “the knowledge and understanding in dealing with child sexual abuse was very limited.”

9. Paragraph 5 of Mr Bugg’s response asserts that “to assess reactions or responses or the lack thereof, to allegations of child sexual abuse in 1989 by today’s standards is to assess with the benefit of hindsight.” Dr Llewellyn-Jones submits that in the state of Victoria sexual activity between a child under the age of 16 and an adult has been a crime since well prior to 1989. Furthermore, it is implausible to conclude that senior staff at Geelong Grammar during the time period examined by the Royal Commission did not consider child sexual abuse was a serious matter. If the school and its senior staff did not think allegations of child sexual abuse could be a serious matter for the school, it is hard to understand why there is substantial evidence before the Royal Commission showing that students who made allegations of child sexual abuse were threatened with punishment and, in the case of BIW, expelled. Dr Llewellyn-Jones submits that, contrary to the submissions of Mr Lewis and Mr Bugg, it is more plausible that senior staff at Geelong Grammar School were well aware of the potential for reputational damage to the school as a result of sexual abuse allegations and made efforts to cover up allegations in order to protect the school’s reputation.

10. It is important to note that by his own admission Mr Lewis was only willing to refer sexual abuse allegations for police investigation which had been proven “beyond reasonable doubt” after an internal investigation. Dr Llewellyn-Jones submits that this created a “catch 22” situation whereby proving an allegation required an investigation which Mr Lewis would not permit or facilitate unless, a priori, the allegation was proven beyond reasonable doubt. There is evidence before the Royal Commission that Mr Lewis did not report any of the allegations of child sexual abuse that occurred in his tenure as Headmaster to the police or any outside agency for a comprehensive investigation. It is important to note that Mr Lewis gave evidence that the child sexual abuse at Geelong Grammar was “comparatively modest.”

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6 Transcript of JE Lewis, Case Study 32 at 10627:14-27 (Day C102)
PAUL CLARIDGE SUBMISSIONS

11. The submissions in reply on behalf of Paul Claridge state that “authority and power [at Geelong Grammar] moved from the top down and [where] staff were expected to respect the formal chain of command” (at paragraph 13). This supports Dr Llewellyn-Jones submission that there was a hierarchical centralised power structure at Geelong Grammar. In paragraph 15 of his submission in reply, Mr Claridge states that the context was “an organisational culture that was founded on formality and expressed institutionally the idea that staff was (sic) required to respect the hierarchy that was at the core of Geelong Grammar.” It is important to note that Catherine Parsons gave evidence to the Royal Commission to the effect that the school culture involved a hierarchy of responsibility.7

LUKE BENSON SUBMISSIONS

12. Dr Llewellyn-Jones endorses the submissions in reply of Luke Benson. In particular, in paragraph 30, Mr Benson submits that “Geelong Grammar’s approach to students who have been subjected to child sexual abuse by Geelong Grammar staff and came forward have been extremely poor. It is submitted that by adopting hard line legal positions, survivors were further traumatised by Geelong Grammar.” In paragraph 31 Mr Benson submits that “the use of confidentiality clauses and settlements with victims (Transcript C10864) perpetuates the approach.” He submits “that [this approach] has been adopted by Geelong Grammar for decades, namely to keep such matters quiet.”

13. Dr Llewellyn-Jones’s submits that there is an enduring culture of minimising the impact of child sexual abuse at Geelong Grammar. He submits that there is evidence that Geelong Grammar has exhibited a lack of understanding of the trauma caused by child sexual abuse and that there is evidence of a current lack of ongoing pastoral care offered by Geelong Grammar to students who were abused at the school.

CONCLUSION

14. Substantial evidence was presented to the Royal Commission regarding the adverse consequences to survivors of the child sexual abuse they experienced. Catherine Parsons gave evidence that these adverse consequences included the following:

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7 Transcript of C Parsons, Case Study 32 at C10210:25-10212:1 (Day C098)
mental health difficulties, illicit drug use and suicide (Survivor BIH); life being ruined and family shattered (Survivor BIY); drug and alcohol problems and the shattering of his family (Survivor BKK) and years of depression (Survivor BKE). Other adverse impacts described in evidence to the Royal Commission included but is not limited to “life being ruined” (Survivor BIL); “receiving a 47 year sentence [as a result of the abuse]” (Survivor BKQ); feeling ashamed, stigmatised and suffering depression and guilt (Survivor BKB); “hopelessness and outrage with what was said and done” (Survivor BKO); struggles with intimate relationships, believing she was too innately damaged to marry and choosing not to have children (Survivor BKL); relationships and career being stolen from her as a result of the abuse (Survivor BKL); academic failure which limited career opportunities (Survivor BKM); chronic unemployment, long term psychiatric care and suicidal periods (Survivor BIZ).

15. These adverse outcomes are consistent with findings of robust research into the adverse impact of child sexual abuse. Dr Llewellyn-Jones submits that there is no such thing as “modest” or “minor” child sexual abuse. All child sexual abuse has the potential to cause very substantial adverse outcomes.

16. The case studies conducted by this Royal Commission have provided evidence that child sexual abuse has been endemic in institutions of many varieties over many decades. Dr Llewellyn-Jones submits that child sexual abuse will not be prevented solely by convicting and appropriately punishing offenders. Laws specifying adult obligations for mandatory reporting of allegations of child sexual abuse together with laws making it an offence to fail to protect children are important but alone will be insufficient. Dr Llewellyn-Jones submits that the current Headmaster of Geelong Grammar, Mr Stephen Meek’s view that he was not sure that they’d learn a lot from what they did in the past badly, with what they’re doing well now\(^8\) is not supported by the evidence presented to the Royal Commission. Dr Llewellyn-Jones strongly submits that institutions need to identify the systemic failings which enabled child abuse and fostered inappropriate responses to it and ensure that these systemic failings have been permanently addressed.

17. Dr Llewellyn-Jones submits that the available evidence shows that, had Geelong Grammar identified and addressed its systemic failings, had it developed and implemented adequate child protection policies, had it established a zero tolerance

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\(^8\) Transcript of S Meek, Case Study 32 at 10885:37-10886:7 (Day C104)
culture to child sexual abuse, a great many individuals who were abused at Geelong Grammar would not have been abused and would not have endured the lifetime adverse impacts of the abuse that they experienced.

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10 March 2016