

17-3-2014

PARENT OF VICTIM

SUBMISSION to ROYAL COMMISSION ON ROADMAP FOR ADDRESSING JUSTICE FOR VICTIMS

ISSUE PAPER 5

CIVIL LITIGATION.

I will partially address this matter from my family experience of civil litigation.

E The Statute of time limitation was the weapon of power in 2002/3 when my adult child took up a civil case with the Anglican Diocese of Brisbane .It resulted in our evidence being silenced..

I believe the legal system alone is an inadequate system for resolving child sexual abuse cases and redress. I envisage a future system in a tribunal type setting where mental health experts play a significant role towards responsible outcomes. I would recommend that mental health experts monitor defence cross examination of victims and contribute responsible recommendations regarding redress.

At present very many victims are treated as manipulable disposable objects and spoken of as dollar value by the church and the lawyers. How can such an endemic ongoing health and social issue as the effects of institutional child sexual abuse be adequately dealt with in this manner?

There are some cases (victims) who have had reasonable compensation outcomes.

They had to endure long, harsh, gruelling processes .The successful cases I know of had well informed parents behind them plus resources.

For those few who were reasonably compensated , there are numerous cases that have had disastrous outcomes, disgraceful low church offers of compensation, or no offers, no mediation or outcome at all. This is further damage to the victims who are courageous enough to come forward. The statute of time limitation is and has been mercilessly used by the church despite rhetoric to the contrary.

The chronic disregard and disrespect towards victims by religious institutions is enabled by the current system. It is conclusively inadequate and downright damaging.

Behind closed doors are many stories of institutional child sexual abuse.

Behind closed doors are many stories of further abuse in the legal process of seeking outcomes.

Behind closed doors are many fruitless attempts to informally negotiate resolution with the institutions.

RECOMMENDATION:

The removal of the statute of time, limitation in civil litigation for child sexual abuse cases.