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Setting aside settlement agreements for past child abuse claims

My name is [REDACTED] and I appeared at the Royal Commission into Institutional Responses to child sex abuse as a witness in Case Study 5. After this I was invited to Sydney and received an apology from the Commissioner of the Salvation Army in his offices.

During this time I have asked a solicitor what my rights would be as my life was a shambles, having dozens of jobs, 5 wives and no superannuation to speak of.

They advised me that I could receive up to \$150,000.00. We proceeded on this basis and I was awarded \$103,000.00.

In 2018 I appeared in the District Court of NSW and gave evidence against [REDACTED], a serial pedophile who was sentenced by [REDACTED] to 16 years imprisonment. [REDACTED] was heard to say:

[REDACTED] said [REDACTED] had shown no remorse for his offences, save for two charges to which he had pleaded guilty only this year.

He detailed abuses against the six boys, which ranged from kissing to genital fondling, anal penetration with his finger, and sexual intercourse. He told how [REDACTED] had joined the Salvation Army in 1966 and had several other postings before going to Bexley from 1971 to 1972 and Goulburn from 1972 to 1974.

“Over three years the offender committed these offences against six young vulnerable boys and this cannot be refuted,” [REDACTED] said. “He abused his position of authority and trust ... The Crown says this cannot be disputed and I agree.”

[REDACTED] told the court many of the boys could not talk about their experience for years. Even at the homes, they were afraid to speak out for fear of further punishment.

One victim gave evidence in the trial that on the first morning he arrived at the [REDACTED] on [REDACTED], he was “belted around the head” for failing to make his bed.

[REDACTED] had treated him in a sick bay for stomach pains and kissed him “for what felt like a very,very long time”. When he resisted, [REDACTED] had held back his head.

[REDACTED] said [REDACTED] had used his position to isolate children, often under the guise of punishment, and taken the opportunity to abuse them. On one, he performed oral sex six times. Some of the abuse occurred in the home’s bell tower where the boy was made to sit on the floor while [REDACTED] kissed him, or with his back to the wall while he penetrated him.

“I don’t know how to explain fear,” he had told the court. Finally, the boy ran away from the home and reported it to police. The policeman had hit him over the head and told him to stop spreading rumours, then took him back to the home where he was subsequently punished. (This was me and the belting I got was epic.)

Another boy also escaped the facility after being caned 37 times for swearing. [REDACTED] said that, later that night, [REDACTED] went to the boy’s bed, asked him what was wrong and said: “God loves you, God forgives you,” before performing anal sex on him.

The court also heard of an instance in which [REDACTED] had forced a boy to scrub a bathroom with a toothbrush while naked. One victim said he had run away from the home “because he was frightened he would be molested again”.

The judge said while corporal punishment was socially accepted at the time, “it was plain from the evidence that [at Gill] it went beyond the limits of the law”.

He said the boys were vulnerable by reason of their age and living in a boys home. This man had a litany of boys at his disposal and breeched all parts of the anatomy for his sick and twisted pleasures.

I started to realise that I was not fairly dealt with by the Organisation and realised I had signed a waiver, which I cannot say I fully understood. I would like to see a court of competent jurisdiction decide on whether I

was fairly dealt with and have the authority to dismiss or set aside the previous waiver and hear my case in a fairer light.

I am persuaded that at the beginning of the RC that there was certainly a flurry of legal activity and not a lot of thought put into the future. It would be amazing if you would correct this and see justice done by a court and not a group of people in a back room all seeking their own outcomes.

I am not very good at this, but hope I can make a difference and persuade you to change the law to bring those who committed these offences to real and complete justice along with providing survivors with a capacity to live out remaining life in some form of dignity.

Please remember, survivors are dying, they need justice.

Many Thanks for reading this,

[REDACTED]