

Royal Commission Case Study 43

Catholic Church Maitland Newcastle

TJHC update



Tuesday 6 September 2016 – Day 5

The Royal Commission's hearing (Case Study 43) into the response of Catholic Church authorities in the Maitland Newcastle region to allegations of child sexual abuse by clergy and religious continued in Newcastle today.

Day 5 of the hearing commenced with **Br Alexis Turton** continuing to give evidence about complaints he had received regarding abuse of school students by Brothers Patrick, Romuald and Dominic.

Br Turton was questioned about advice he received from Father Brian Lucas in relation to a complaint about Br Patrick from a survivor known as CQY. He was also asked about another complaint against Patrick, in September 1992 from CNJ. Br Turton told the Commission he did not speak to Br Patrick at the time.

Br Turton told the Commission that when he became aware of the complaints against Patrick he contacted the school in which Patrick was employed to advise the principal and a counsellor of the further claims. At the time Patrick was effectively retired and already under supervision at the school.

Following a third complaint in 1992 about Patrick Br Turton said that while he 'recognised a pattern' he didn't think there was any need for more stringent controls on Patrick.

Br Turton was questioned about a number of other allegations against Patrick, how he responded and if the allegations were referred to Fr Lucas and Fr Usher.

Br Turton was asked about the use of corporal punishment at the time: "My understanding is that corporal punishment was within the law at that time, appropriate corporal punishment. One of the biggest issues that I faced was – there were two issues, severity and appropriateness and one of my biggest concerns was that physical punishment was used as a teaching aid," he told the Commission.

He also told the Commission he had no real understanding of why it was that the Marist Brothers were particularly cruel to students. He agreed there certainly were a number of Brothers who were cruel, but not all.

Early in Br Turton's evidence he provided the Commission with a list of 154 Marist Brothers who have been accused of or proven to have abused children over 25 years.

He told the Commission that he was aware that 10 people on the list, which was generated from data spanning from 1980 to 2015, had admitted to offences. He also said he talked to 52 of them over a period of about 17 years as provincial from 1989 to 2005 and in his professional standards role from 2002 to 2012.

CQT, the bother of Andrew Nash, told the Commission that he and other students had been severely physically abused by the Brothers. He said he showed his mother the bruises in first form high school, saying 'See how this guy is punching us?' 'And she would have a good cry but not do anything,' he said.

By 1970 CQT said the treatment at school had led to him stealing and becoming involved with the police.

CQT told the Commission that Br Patrick had put his hand down CQT's pants in the playground and that Patrick abused boys in the class room. CQT said he told his mother in 1972 while in Year 10 that the Brothers were abusing boys.

CQT also gave evidence about boys being physically and sexually abused by Brothers Romuald and Dominic.

He also told the Commission about the death of his brother Andrew in 1974 and the lack of support he and his family had received from the Brothers.

His experience at Marist Brothers destroyed his relationship with his parents. The abuse made him hate school and he became a juvenile criminal.

Mrs **Audrey Nash**, mother of Andrew Nash and CQT, told the Commission she has devoted her whole life to the church. She raised her five children Catholic and sent both boys to Marist Brothers Hamilton. She said she found the Marist brothers 'pompous' and that they looked down on her and others.

She told the Commission that around third form her son, CQT started to misbehave, drink alcohol and engage in risky behaviour.

She said she had grown up in an era in which the religious were to be feared and she never confronted the Brothers about CQT's claims they were abusing boys both physically and sexually. She believed the Church 'was right' and could not be confronted even after being told by her son about the sexual abuse at the school.

She said her other son, Andrew, seemed to enjoy the school in his first year. In 1974, his second year at the school, Andrew's behaviour started to change, he didn't want to go to school and often claimed to be sick.

She told the Commission about the night in October 1974 when Andrew took his own life in his bedroom. She said that Brothers Romuald, Christopher (principal) and O'Brien had come to the house on the night of Andrew's death. She said Br Romuald had asked her if Andrew had said anything or left a note.

She said after the funeral none of the Brothers ever came anywhere near them or offered any pastoral or other support.

She said that many of the boys Romuald was eventually convicted of abusing were in Andrew's class and that she had no reason to believe that Andrew had not also been abused.

She said she now no longer goes to Mass and that she feels 'stupid' that she had ever been so committed to the Church.

Following the conclusion of Mrs Nash's evidence the Commission called **Br Michael Hill**, the Provincial of Marist Brother Sydney Province from 1995 to 2001.

Br Hill gave evidence about his involvement with Br Romuald including two rumours of misbehaviour in the 1970s at Marist Brothers Hamilton including 'strutting around in speedos' and feeling a boy's leg in a biology class. He said he did not pass the information on to anyone despite thinking it was odd behaviour.

The hearing will continue tomorrow.

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