

## Is litigation the answer for survivors of child sex abuse?

The tragic events at St Ann's Special School, in Adelaide from 1986 to 1991, are under the scope of the Royal Commission in Adelaide this week. At the same time the case of John Ellis, continues in Sydney.

It is a difficult week. So many people have been hurt and damaged from the fallout of these two cases. Watching the survivors and their families stand and tell their stories, shrugging off years of frustration, it is obvious the major impact this abuse has had on their lives.

The St Ann's story is a particularly miserable case. Brian Perkins was employed by St Ann's as a bus driver and volunteer in the woodwork class in 1986. He also provided respite care to parents on the weekend. At the time of his appointment he had been convicted of sexual offences against children.

During this week the Royal Commission has begun examining why a person with a record of child abuse was allowed to work with vulnerable children at St Ann's. The South Australian Police, and why it took almost 10 years to arrest Perkins will be scrutinized.

In the hearing rooms on Wednesday Detective Sergeant Leonid Masheev described the valuable role the Catholic Church played in finally bringing Perkins to justice.

After Perkins was arrested in 1993, he skipped bail and left Adelaide. When the Church and parents from St Ann's were told Perkins was living in Queensland the Archbishop of Adelaide, Philip Wilson, approached the Police Commissioner to extradite Perkins. The Adelaide Archdiocese also offered to fund the extradition to ensure Perkins was brought back to Adelaide.

This is a welcome piece of news from a sorry story.

The John Ellis case is continuing in Sydney this week. Many elements of the case are being scrutinized, including the way Mr Ellis was treated as he went through *Towards Healing* and the subsequent litigation he brought against the Archdiocese of Sydney. Over the past few days the lawyers representing the Archdiocese and senior clerics and staff have been cross-examined about who was responsible for the way the case was run.

# Blog



At the end of the day the young life of John Ellis was damaged when a Priest abused him.

Too much of Mr Ellis' life since has been spent dealing with the abuse and fighting the Church for compensation, particularly through the Courts.

In both the case of Mr Ellis and in the current civil case in Adelaide I have often asked if litigation or a less aggressive mediation process would provide the best outcomes for survivors of child sex abuse.

From what I have seen, and after talking with many survivors of child sex abuse over the past 12 months, I believe mediation, not litigation is the best way forward for survivors of child sex abuse. This is certainly not to suggest that survivors should not have an option of taking their case to Court.

The nature of litigation is combative and stressful. It is lawyer against lawyer and is a public process that can compound the damage that child sex abuse survivors suffer.

What I am hearing is that survivors want to be heard and believed. They want to be supported and provided with professional pastoral care to assist them in regaining their strength and their life. We know the Church has the capacity to provide quality pastoral care to victims, but we need a more professional, effective and consistent pastoral response.

Francis Sullivan

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