

Witness Name: GRO-A Ms K

Statement No.: [WITN0045012]

Exhibits: [WITN0045013 - WITN0045019]

Dated: 04.11.2020

ROYAL COMMISSION OF INQUIRY INTO ABUSE IN CARE

SECOND WITNESS STATEMENT OF GRO-A Ms K

I, GRO-A Ms K, state: -

1. INTRODUCTION

- 1.1. My full name is GRO-A Ms K and this is my second statement to the Royal Commission. In my first statement I covered my story of abuse at the hands of two members of the Marist Brothers Order of the Catholic Church in New Zealand. Both Michael Beaumont and Kevin Healy were convicted of the sexual crimes.
- 1.2. The purpose of my second statement is to outline my experience and interactions with the Accident Compensation Corporation (**ACC**) in New Zealand while trying to live my life in Australia.
- 1.3. The process has been traumatic, caused anxiety and felt like I have been tormented along the way.

2. THE PROCESS

- 2.1. Once my abuser, Michael Beaumont, was convicted of indecent assault in February 2019 in the courts of Auckland, I was advised by the Police that I may be able to get some form of compensation from ACC. I believed I was not entitled to any compensation for my injuries from the Catholic Church so I thought this was my only avenue. I had no idea

what I was taking on. Every single month from 9 April 2019 until the end of August 2020, I was in contact with ACC — sometimes many times a month — to try and seek some form of financial compensation for my injuries suffered over a period of 44 years following the sexual abuse by members of the Catholic Church. I had already gone through 18 years of trying to make the Catholic Church accountable for even simple things like counselling, however the Marist Brothers failed to assist.

- 2.2. I had already been through the Police process of giving statements, speaking to lawyers, attending court and suffered extreme hardship all in the name of justice, bringing the paedophiles who sexually assaulted me to justice. I did this all on my own with no support for my mental illnesses and the suffering I relived at every step of the way.
- 2.3. This was a very lonely journey for me and then ACC became a glimmer of hope, of validation — or so I thought at the start.
- 2.4. In April 2019, I was advised by ACC that I had to get a medical report from my doctor and one from a specialist. As I lived in Perth, I would have to pay for it myself. I already had a medical report that cost me \$5,000 that was provided for the court hearing that I had just completed in regard to Michael Beaumont. I asked if I could use that as I could not afford another report. I also established it was written in the context of being used as a court document, which ACC understood and said that would be fine.
- 2.5. I was sent forms from ACC for my doctor to fill out which he did. This came at a cost which ACC agreed to pay. I was later advised when my doctor's diagnosis was not taken into account, that this assessment was never released to ACC as they never paid the account. I was asked to pay it one day when I went into my doctor's office. I couldn't afford it, so it was not considered. During this month, I was also in court in New Zealand facing my abuser Michael Beaumont at his hearing.
- 2.6. Then in May 2019, I checked that ACC had everything they needed, which they confirmed they did. They also said they needed to have an assessor contact me via phone to complete a medical report. This was **GRO-B-1**. He called me on 28 May for approximately 15 minutes, at which time I was asked to go over my abuse and that was it. The call ended with me crying on the side of the road, traumatised. It was such

a short call, I wondered how he could assess anything. However, trusting the system, I didn't question it.

- 2.7. I got the assessment back within the week. A report was sent to me and I had been awarded a 10% impairment, which equated to \$47 per month. I was devastated. I could not believe that a 15-minute phone call could then determine that my life was affected by 10% when I had suffered all my life from the sexual abuse as a child.

Refer EXHIBIT WITN0045013 – ACC's first impairment assessment: 10%

- 2.8. I had earlier questioned how the date of injury could be the date of conviction when the date of injury had been proved by the courts to have occurred when I was a child. I was upset about the date of injury not being the actual date of my injury. I then asked for a review. ACC then updated my "date of accident".

Refer EXHIBIT WITN0045014 – ACC letter advising date of "accident"

- 2.9. I also questioned ACC processes and mentioned that GRO-B-1 report was an exact copy of the medical report I had submitted, word for word, which was written in court context.
- 2.10. In July 2019 I was asked by my family doctor to pay for the report that ACC hadn't paid for and was never released to ACC. I asked ACC about this and questioned why this was not part of my assessment. I mentioned that Post Traumatic Stress Disorder (**PTSD**) was not considered nor my eating disorder. I also wrote an email which outlined my concerns which I sent to them.
- 2.11. In August 2019, ACC had their review team contact me and I went through that process with them. This consisted of a peer review that I was not a party to.
- 2.12. All through September 2019 the review of my assessment was still being looked at and I could not get an answer. I complained and was told if I didn't like the process, I could withdraw my complaint.
- 2.13. Finally, in October 2019 the review was completed and an extra 2% was added to the 10% that was first assessed. So now I sat at a 12%

total impairment. My date of injury had been taken from the date I sought counselling for my injury. I questioned this again as my injury happened when I was a child. I was told if I didn't like it, they could revoke this decision and go back to the original 10% impairment. I tried to explain that this was not right. This fell on deaf ears. I was extremely triggered, and I wanted to just kill myself. I felt completely hopeless.

Refer EXHIBIT WITN0045015 – ACC's second impairment assessment: 2% extra

- 2.14. In addition to my review being undertaken I was advised that another medical assessment had been set up for me by ACC as I was told PTSD needed to be diagnosed. This had been previously diagnosed by my doctor but somehow ACC had missed it. I didn't understand why I needed another assessment but did what I was told. This was later cancelled as I was travelling to New Zealand for the court sentencing and reading my Victim Impact Statement.
- 2.15. In September 2019 I flew to Auckland for three days to face my abuser in court. ACC decided as I was in Auckland it would be a good time to get another assessment of me. ACC then organised for me to meet Dr Vanitha Kalra the day after court sentencing. I was exhausted, however glad for a doctor — and hopefully ACC — to finally listen to me. We discussed Michael Beaumont. She confirmed to me I was definitely suffering PTSD and have been most of my life. She expressed concern at not being treated for it.
- 2.16. For the first five months of 2020 I continued to contact ACC for an outcome or a copy of the report from Dr Kaira in New Zealand. I was hoping I could take this report to my doctor for follow-up help. By this time, I had also obtained another guilty verdict for a second assault done by Kevin Healy — another man of the cloth. Nothing was done about this and it was not considered as part of my assessment by ACC
- 2.17. In April 2020 ACC also arranged for another assessment of me, by a Dr Reeves.

Refer EXHIBIT WITN0045016 – ACC's third assessment: by Dr Reeves

2.18. Finally, in June 2020 ACC sent me a copy of Dr Kalra's report. It included another word-for-word copy of my court medical report, obviously supplied by ACC and it had her own findings on it which included the diagnosis of PTSD. It did not contain the things she spoke of during our four-hour session in New Zealand, especially the lifelong effects of clergy child abuse and specifically her regret that if only I had help sooner, my life would have been better for me. For some reason unknown to me, ACC then wanted another assessment done and organised for a **GRO-B-2** to complete a report which was done via a Zoom session.

Refer EXHIBIT WITN0045017 – Second ACC assessment: Dr Kalra's report

Refer EXHIBIT WITN0045018 – ACC further assessment: **GRO-B-2**

- 2.19. In July 2020 **GRO-B-2** sent the wrong time to me and refused to take my call. I was very stressed and depressed, as by now I was worn out with this process and wished I had never started it. I was on sleeping tablets as my anxiety was so high.
- 2.20. **GRO-B-2** set up another time a week later and he spoke for about two to three hours via Zoom. During this conversation, I felt bulldozed, put down, devalued. He told me that, "let's face it PTSD, I mean anyone can get that, a person can have a broken leg and get PTSD, it's pretty much the same thing". I was very upset by this and said, "I hardly think child sex abuse is in the same category as a broken leg". He went on to explain about his limitations as he has a formula set out by ACC and it is all he has to go on.
- 2.21. I mentioned to **GRO-B-2** that in all of the world there are reports, papers written on the long-term effects of child abuse, not to mention the added effects when it is clergy, yet ACC and you as a doctor would be the only organisation that equate it to the same thing as a broken leg.
- 2.22. It is my belief that **GRO-B-2** was used to railroading patients and I definitely left that conversation traumatised, feeling stupid, triggered and angry. It totally affected my life and put me back into a very dark

place again — as I was not believed or validated again and made to feel stupid.

- 2.23. Not one bit of me could understand why I was being subjected to this, the fourth assessment, not to mention my own doctor's one as well. All in-between two court hearings and sentencing and trying to address the Church powerhead. In August 2020, the resolution team from ACC were in contact and sent me a letter. The letter advised that as a result of the impairment assessment with GRO-B-2, my "impairment rating" had increased from 12% to 25% -- and that was the end of that. I was offered a lump sum of around \$3,000 to top up the \$47 per month already offered for a five-year period.

Refer EXHIBIT WITN0045019 – ACC's latest impairment assessment: 25%

3. UPON REFLECTION

- 3.1. I would never advise anyone to go through this trauma. I have had at least 15 different people and divisions to deal with during the course of 18 months.
- 3.2. In mid-2020, my second abuser (Kevin Healy) was convicted, yet ACC did not accept or even mention it as a second injury. I guess using the "broken leg" analogy that ACC seems to think is the same as sexual abuse, I would expect I have two broken legs, two injuries sustained in two different assaults, so then should two injuries be assessed and compensated? Should all the other unseen "injuries" that a victim lives with also be applied? This system is so flawed, it does not have trained professionals in child abuse. It is not set up for people like me suffering each day.
- 3.3. I do not believe they know what the effect it has on a victim of child sex abuse when a percentage amount is put on their suffering. What it actually does is to keep them a victim. I believe that compensation should come from the perpetrators — in my case, the Catholic Church. The tax-funded ACC system is not designed nor equipped to deal with issues such as mine. I don't understand why

the organisation of the Catholic Church is above, and excluded from, any form of accountability or penalty for the crimes committed over and over again due to their "processes".

- 3.5. I am prepared to supply the reports and correspondence to back up my experience with ACC.

Statement of Truth

This statement is true to the best of my knowledge and belief and was made by me knowing that it may be used as evidence by the Royal Commission of Inquiry into Abuse in Care.

Signed

GRO-A Ms K

Dated:

17/11/2020