

**ABUSE IN CARE ROYAL COMMISSION OF INQUIRY
FAITH-BASED REDRESS INQUIRY HEARING**

Under The Inquiries Act 2013

In the matter of the Royal Commission of
Inquiry into Historical
Abuse in State Care and
in the Care of Faith-based
Institutions

Royal Commission: Judge Coral Shaw (Chair)
Dr Andrew Erueti
Ms Sandra Alofivae
Ms Julia Steenson

Counsel:

Mr Simon Mount, Ms Hanne Janes, Ms Kerryn Beaton, Ms
Katherine Anderson, Mr Joss Opie, Ms Echo Haronga, Ms Tania
Sharkey, Mr Michael Thomas, Ms Jane Glover and Ms Lorraine
Macdonald appear for the Royal Commission

Ms Sonja Cooper for Survivor Mary Marshall

Ms Sally McKechnie, Mr Alex Winsley, Mr Harrison
Cunningham and Ms Fiona Thorp appear for the Catholic
Church

Mrs Guy-Kidd, Mr James Anson-Holland and Ms India Shores
appear for the Anglican Church

Ms Jenny Stevens and Ms Helen Thompson appear for the
Salvation Army

Venue: Level 2
Abuse in Care Royal Commission
of Inquiry
414 Khyber Pass Road
AUCKLAND

Date: 3 December 2020

TRANSCRIPT OF PROCEEDINGS

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1 **MARC**

2 **EXAMINED BY MS GLOVER**

3

4 **CHAIR:** Good afternoon, Ms Glover.

5 **MS GLOVER:** Good afternoon, Madam Chair.

6 **CHAIR:** And hello to you on the screen?

7 A. Good afternoon, Madam Chair.

8 **CHAIR:** We meet again.

9 A. We do.

10 **CHAIR:** Could you tell me what you would like to be known
11 as?

12 A. Marc is fine, thank you.

13 **MS GLOVER:** Madam Chair, can I just remind the
14 Commissioners and everyone else in attendance, we are just
15 using Marc's first name.

16 **CHAIR:** That's right, yes. (Witness affirmed). I am going
17 to turn you over to Ms Glover who is going to ask you the
18 questions, thank you.

19 **MS GLOVER:**

20 Q. Hi Marc, thank you for agreeing to attend from Australia
21 this afternoon to share your experiences with us.

22 Marc, you have already provided a written statement to
23 the Royal Commission of Inquiry dated 14 September 2020?

24 A. Yes.

25 Q. Do you have a copy of that with you?

26 A. Yes, I do.

27 Q. Can I ask you to confirm that, to the best of your
28 knowledge, that statement is true and correct?

29 A. Yes, it is a true and correct statement.

30 Q. I would like to ask you some questions about that statement
31 now, if I may.

32 A. Yes.

33 Q. Remember though that we will take it at your pace, so long
34 as it is a slow pace, and we can take a break at any time
35 that you need.

36 A. I understand.

1 Q. I understand you're going to talk to us about sexual,
2 physical and emotional abuse that you suffered at the hands
3 of four separate individuals and that this abuse took place
4 during your schooling and altar boy years in Dunedin in
5 New Zealand and the abuse was committed by two Christian
6 Brothers, a Priest and a lay teacher?

7 A. That is correct.

8 Q. And it covered approximately five years from when you were
9 aged 10 to aged 14?

10 A. Yes.

11 Q. Just before we get started on your evidence, can you tell
12 us about the photograph of yourself that's up on the
13 screen, which I believe was taken when you were in standard
14 3?

15 A. Yes, it was. It was the school photo with – I had my – the
16 best year I ever had at school, it was quite a special year
17 for me.

18 Q. The audio is cutting out a little bit there, but just to
19 repeat in case our stenographer didn't catch it, I think
20 you were saying it was the best year that you had? You had
21 a good teacher and it was a special year for you, your
22 first year at St Edmund's; is that correct?

23 A. That is correct, yes.

24 Q. Marc, I'd like to ask you first about your background, so
25 your early childhood and where you grew up. Can you talk
26 to us about that, please?

27 A. I was born and raised in South Dunedin. I lived in a lower
28 social economic area. We lived with my grandmother and
29 grandfather, my mother and father, I had two older sisters,
30 an older brother and a younger sister, so it was quite a
31 condensed little family living in one place. All of us
32 children went to school in the local parish. We were
33 heavily involved with the St Patrick's Parish and it was
34 our local Church on Macandrew Road. All of us, I followed

1 my brother through St Patrick's and St Edmund's and then
2 through St Paul's. We were a happy family.

3 **CHAIR:** Marc, I'm really sorry to interrupt you. You might
4 know that your evidence is being taken down and typed by a
5 very speedy stenographer and we have some signers at work
6 as well. What they would love you to do occasionally is
7 just to breathe between sentences, would be a really good
8 idea. Is that all right? I am so sorry to interrupt you.

9 A. Madam Chair, that's quite all right. I will try to slow my
10 pace down.

11 **CHAIR:** So, we had a very happy childhood, which is a very
12 nice thing to be hearing about.

13 **MS GLOVER:**

14 Q. And you were talking about your family's involvement with
15 the Church at that time?

16 A. Yes. We were quite heavily involved with St Patrick's
17 Church. My brother was an altar boy there and had been for
18 many years, I followed in his footsteps and looked up to
19 being an altar boy also, so I joined when I was about 8
20 years old and became one of the younger altar boys at St
21 Patrick's. My Dad and my entire family, as I said, were
22 members of the congregation. Dad would count the Church
23 money after Sunday masses. We would have Priests over to
24 our home for birthdays and other celebrations and we had –
25 my father and uncle were quite close with a couple of the
26 younger Parish Priests that were also at St Patrick's at
27 the time.

28 Q. Marc, in your written statement, you refer to a number of
29 Priests from St Patrick's Basilica that you remembered from
30 those early years, those happy times. I think there was a
31 minor correction that you wanted to make in relation to one
32 of the names?

33 A. Yes, it was in paragraph 1.8, Reverend Boyd in my
34 statement. I had a look at the family Bible and looking at

1 my grandmother's writing where she wrote the name down,
2 believe that to be Reverend Boyle now.

3 Q. Thank you. Marc, you say in your statement that your
4 family life started to change for the worse just after you
5 turned 10 years old; could you tell us what happened then?

6 A. Yes. I was told by one of my family that my father was
7 very sick and he had cancer. They didn't know at that
8 stage how long he was going to live. So, that was the
9 start of a lot of disruption in my life. I think I was
10 told at that time, Dad had been sick for a little while
11 before then but I think the hospitalisation and the rounds
12 of chemo treatment that he was about to go into, I don't
13 think his illness could get better any longer.

14 Q. And then another family tragedy was also unfolding at that
15 time, I believe?

16 A. Yes, shortly or maybe about 8 months or 9 months before my
17 father eventually passed away, my older brother, who was 17
18 (pause in audio) -

19 Q. Sorry, Marc, your audio has just cut out after "my only
20 brother Michael at age 17".

21 **CHAIR:** It looks like some running repairs are happening.

22 **MS GLOVER:** Madam Chair, the Registrar is just advising
23 that we have lost him, is the technical term, and we may
24 need a short adjournment.

25 **CHAIR:** Do you think that's our end or their end? You will
26 find that out. We will come back, just let us know.

27

28 **Hearing adjourned from 2.28 p.m. until 2.31 p.m.**

29

30 **MS GLOVER:**

31 Q. Marc, you were talking about your brother Michael and his
32 illness at age 17?

33 A. Yes. As I mentioned, it was before my father had passed
34 away, the following year my brother became very sick with
35 quite an aggressive form of cancer also. He ended up

1 having hospitalisation in the same hospital as my father
2 leading up to my – (pause in audio). We didn't speak
3 about my brother's illness to my father and it was a very
4 difficult time and I was going to visit my Dad in one ward
5 and then we would go and visit my brother in the other ward
6 of the hospital.

7 And in 1970, hospitals may not quite be the standard of
8 what they are now as well or the way that patients are
9 treated was vastly different, so it was certainly quite a
10 traumatic experience as a young child.

11 Q. And around the same time that your brother was dying, your
12 grandfather's health was also deteriorating?

13 A. Yes. My grandfather was probably my best friend. Him and
14 I had a very, very close relationship. He became bedridden
15 and his health deteriorated over the course of a year or so
16 quite quickly. (Pause in audio). My father's death and my
17 brother's, he did pass the following year from his own
18 illness at home.

19 Q. Okay. We've got these series of three tragedies that are
20 unfolding in quick succession in your life at that time?

21 A. Yes.

22 Q. And I hate to do this to you, Marc, but, you know, we've
23 got you there at that stage of grief and vulnerability, and
24 the next part of your experiences relates to the abuse, so
25 I'd like to ask you some questions about the abuse that you
26 suffered.

27 But, first, just a general question, what knowledge did
28 the people who abused you have of these family tragedies?

29 A. For me, it's probably one of the most –

30 Q. Sorry, Marc, we've lost you. "For me" –

31 A. (Loss of audio) most significant breaches of childcare that
32 I think you can have. My mother was very concerned about
33 all of us children going through this, as this progressed
34 with my family. She had gone over to each of the Church
35 and the (loss of audio).

1 Q. Sorry to interrupt you, the connection is still very poor
2 and I am really concerned that I don't want you to have to
3 be repeating paragraphs after paragraphs or having me
4 paraphrase it, that might not be in exactly the words that
5 you would have chosen. So, I am really loathe to do this,
6 but I do think we need to get this IT connection sorted
7 properly.

8 **CHAIR:** And, Marc, if we can't get the Zoom or whatever
9 technology is working, how would you feel, I am just
10 checking while we've got you, how would you feel about
11 speaking with just the sound?

12 A. If it is just sound, I would be happy to present my
13 evidence and that was the only option, then I would be
14 comfortable to do that as a sort of last resort.

15 **CHAIR:** We will certainly make it, if we can, the last
16 resort. But, I'm sorry, we will abandon ship again and
17 hope that our technical people can sort you out and
18 hopefully we can get it right this time. So, we will just
19 adjourn again.

20 **Hearing adjourned from 2.37 p.m. until 2.52 p.m.**

21

22 **CHAIR:** Marc, we all have our fingers crossed, our digital
23 fingers crossed.

24 **MS GLOVER:**

25 Q. Thanks for your patience, Marc. Where we left off, I just
26 asked you about the knowledge that your abusers had of your
27 family tragedies?

28 A. Yes, my mother had taken great pains because she was
29 concerned about her children and she attended the school
30 and explained to the – and certainly I know that she
31 attended and spoke with the Principal of St Edmund's, Br
32 Sullivan at the time, and my teachers and the other
33 teachers of the schools that I went to and I believe where
34 my siblings were also at, they were informed of what was
35 occurring in our family so they could understand, I

1 suppose, what circumstances were going on and we were
2 attending school at the same time.

3 Q. And the year that you found out that your father was dying,
4 you were 10 years old and you were in your second year at
5 St Edmund's intermediate school on Macandrew Road in South
6 Dunedin, what was St Edmund's School like as a culture, in
7 terms of its culture?

8 A. St Edmund's School, from a culture perspective, was
9 probably no different than anything else I went on to
10 experience at other Catholic schools. There was a lot of
11 corporal punishment dealt out, there was a lot of violence
12 in the school. There was a strap used as punishment to the
13 children for even the most minor of infractions, children
14 would get six of the best across their hands, sometimes
15 across their legs for failing to do their homework, for not
16 having elastic garters in their socks to keep their socks
17 pulled up, having your hair too long, anything that they
18 deemed inappropriate to standards was punished and it was
19 generally punished quite heavily.

20 There were a number of teachers at the school, including
21 some of the Christian Brothers, who were also quite violent
22 and brutal physically towards other children at the school.
23 I personally witnessed children being punched in the head
24 and in the stomach. I also had an incident occurring to
25 me, there was one incident in particular with a Brother at
26 the school, where I was punched in the stomach so hard that
27 I collapsed and was unconscious and dry retching on the
28 ground, and this was just deemed as normal behavioural
29 management, I suppose, of the school at the time. There
30 were some very good teachers there but to me they were all
31 a party to, you know, there were instances where children
32 would be screaming from being beaten in the next classroom
33 and the teacher in my classroom would just continue
34 teaching. So, that was quite a common occurrence at the
35 school.

1 Q. And, Marc, you say that the sexual abuse you suffered
2 started in that same year, your second year at St Edmund's,
3 standard 4, when you were 10 years old. Can you take us
4 through the period of time from when you were in standard 4
5 to form 1?

6 A. Yes. So, I had mentioned that my first year at St
7 Edmund's, although the school was tough, I had a wonderful
8 time. There wasn't an aspect about school that I didn't
9 enjoy. I won awards in that year, but I moved into
10 standard 4 and all of a sudden I found I couldn't
11 concentrate on my school work properly. I was getting
12 into, you know, push and shoves with other students and
13 things like that, so I also began to get punished more or
14 come to the attention of teachers when I was in the
15 playground or in the classroom for not having homework
16 done. So, the strapping almost became a daily occurrence
17 that I would get strapped by a teacher for some sort of
18 infringement.

19 But then it just stopped and I didn't - I got sent to
20 the Principal's office instead of getting punished in the
21 classroom and it didn't appear to matter what the
22 infraction might have been for what would normally be dealt
23 with in the classroom, it was like I had been singled out
24 as somebody that gets in trouble, they need to go to the
25 Principal's office and that was, you can ask any former
26 student I think in most schools but getting sent to the
27 Principal's office, certainly in Catholic schools, it was
28 not an experience you would look at lightly. You knew that
29 what the teachers was going to give you was a strapping and
30 you were probably going to get a fair old flogging from the
31 Principal of the school.

32 So, I started getting sent directly to the Principal's
33 office and I would have to wait outside the Principal's
34 office until he came back, Br Sullivan came back from doing

1 what he was doing if he wasn't in the room. He'd make me
2 wait outside until I was then called into his office.

3 But the first instance of getting called into his
4 office, I expected to probably put my hand out and get the
5 strap across my hand or some other type of punishment but I
6 was told to pull my shorts down and my underpants and stand
7 in the corner of the room and I was made to stand in the
8 corner of the room until Br Sullivan had finished whatever
9 he was doing behind his desk and I was then called over to
10 him. He would push his frame back from his desk and he
11 would tell me to lie over his knees and be spanked. But
12 that was me having to walk across the room with my pants
13 and underpants around my ankles, trying not to trip or
14 stumble, and certainly being quite distressed and having to
15 come over and bend myself and climb up onto his knee for a
16 spanking, which I don't think I could remember being
17 spanked by my mother and father, let alone by somebody
18 else.

19 So, he started to smack me repeatedly and I was bawling
20 my eyes out crying and it didn't matter, and he would only
21 stop when he felt that he, I think, had had enough or I
22 could hardly breathe because I was crying so hard and
23 obviously leaning down, I was almost choking on my own
24 tears and mucus and that at the time.

25 So, that happened for the first couple of occasions like
26 that and then there were other occasions when I would be
27 called into his room and he would violently rage at me and
28 yell at me and then beat me across his knee again. But
29 there's times I would feel something sharp and painful
30 pushed up into my anal area and I would feel scraping
31 inside myself and I would react and break down in pain and
32 I was held across his knee during those periods. I was
33 never allowed to leave his room and go back to class at my
34 school or go home afterwards, I was normally locked in his

1 office until he would come back and let me out and I had
2 calmed myself down and I was okay to go back to school.
3 It wasn't long into the first round or series of abuse in
4 Br Sullivan's office that I had mentioned another teacher
5 that was at the school, a Christian Brother, a Br Fay. He
6 was also present in Br Sullivan's office when I was called
7 in there and the difference being I was stood in the corner
8 this time and told to pull my pants down again but this
9 time I also had to pull my shirt up to my chin and stand
10 there.

11 The times both with Br Sullivan and then with Br Fay, I
12 would be ridiculed and told how girlie I looked and small
13 my penis was and there was laughter when I would be made to
14 walk across the room or I would stumble or I would be
15 crying or trying to hide myself.

16 And I was put over – the incidents when Br Fay and there
17 was probably four to maybe half a dozen of those times were
18 probably the most violent times that occurred. So, that
19 was bent across Br Sullivan's knee and being beaten by Br
20 Sullivan across my bare bottom and at times having objects
21 or a finger or something pushed inside me. And Br Fay got
22 off of his seat and moved around and pulled my head up and
23 I remember having my face forced into his groin area and I
24 remember choking on the smell of stale urine and having the
25 feeling of a flaccid penis pushed into my mouth.

26 So, that continued, as I said, probably about four to
27 six times over a period of weeks or months and then, I
28 don't know, there was a lot going on in my family at the
29 same time, so the year sort of passed. Br Fay, there was a
30 period I didn't see him any more around St Edmund's School
31 and it wasn't like he was a teacher who took classes when I
32 was there. It was more like he stayed at the Brothers'
33 house and he would just do things and he would pop up
34 around the school, as opposed to being present teaching
35 like the other people were there.

1 Things had sort of, you know, moved on quite a bit from
2 there in my own family situation as well and the illness of
3 my father. I think I just found myself more withdrawn at
4 school and just, I don't know, I felt I couldn't
5 concentrate, I didn't want to be at school. I didn't have
6 – although we had the closeness of the family, there was a
7 lot of grief going on that all of this travelled through
8 what we went through quite separately and alone, and I
9 think my aloneness at that time, when I thought that people
10 who were being caring for me or giving me a safe space and
11 they were abusing me, it felt to me that I had nowhere to
12 run as a child and nowhere to hide and I was trapped in the
13 circumstances and the events that were taking place and
14 they seemed outside of my control.

15 As I got into the next year, my relationship with – and
16 I use the term very loosely – with Br Sullivan changed. I
17 am not sure because of where my family situation was and
18 the fact that I was coming across and appearing almost like
19 a broken child, that, I don't know, I didn't get the
20 teachers' attention quite as much at school, maybe I didn't
21 get into trouble quite as much, but I would still get sent
22 to the Principal's office. But it got to where I wasn't
23 even sure if Br Sullivan was going to ask me to take my
24 pants down, but I offered to do it and walked over to sit
25 on his lap. Whilst I can understand in an adult mind
26 what's played out and had me do that to find support and
27 comfort in a way that I could, I had a lot of shame in my
28 life for feeling like I participated in my own abuse and I
29 think that's one of the strong reasons why I've also kept
30 it a secret for so long inside myself.

31 That continued for a while, where I would almost seek Br
32 Sullivan out for attention. It was an odd thing, you know,
33 I would sit back now and I would think about myself as by
34 then a little bit older sitting on his lap getting cuddled
35 and nursed and told everything is alright but this was from

1 the person who had threatened me with telling my mother
2 about my naughtiness only the year before and having beaten
3 me and effectively raped me in company with another person,
4 and it's taken me a lot to reconcile that or get my own
5 piece of understanding with that part of my story, my
6 abuse.

7 I eventually – I felt extremely ashamed and I knew that
8 what was occurring was wrong. I had tried to tell my
9 mother once very early on when it started with Br Sullivan
10 but I don't think I explained myself well and I don't think
11 my Mum heard me at the time and I shut down from then, I
12 could see the pain that she was going through with
13 everything else that was going on in our family and I, I
14 suppose, didn't want to make or contribute to any more pain
15 or hurt, so I kept it inside of myself and, I don't know, I
16 think I was told a few times that I was now the man of the
17 house and I, you know, I sort of took that role that, you
18 know, it's part and parcel of what you do.

19 But I told my brother, Michael, he was sick at the time,
20 and he told me that I needed to stand up for myself and say
21 stop. He cried and he was sorry that he – he was angry and
22 wanted to come to the school.

23 So, yeah, and then by the following year of my
24 schooling, you know, my brother deteriorated even more and
25 he passed, my brother passed not long after that as well.

26 Yeah, that's probably the main abuse that occurred to me
27 while I was at St Edmund's. It's been a big piece of loss
28 for me, I think.

29 Q. And, Marc, there was a time though, wasn't there, when you
30 actually built up your courage to, despite everything,
31 refuse Br Sullivan's requests and advances?

32 A. It was after I had spoken to my brother, I think I went
33 into his office one more time and I know, I can remember
34 vividly that feeling of anxiety and fear of saying it was
35 going to stop. Br Sullivan was prone to acts of violence

1 and I was exhausted and I was overwhelmed and I was scared
2 of what would happen but I told him that I wouldn't pull my
3 pants down when he asked me to, and I told him I would not
4 take the strap. And I told him that if he continued with
5 what he was doing, I was going to tell other people.

6 He immediately went into a rage and started yelling at
7 me that nothing had ever happened and I – I don't know how
8 at the time, if I look back at some of those events in your
9 life that you do, but I summoned the courage to basically
10 again repeat what I'd said and I left his room and I
11 refused to go back into his room after that and I avoided
12 him and I think he probably avoided me a little bit as
13 well. But I was pretty broken as well, as I said,
14 Ms Glover, by then. You know, I think I was just more
15 trying to survive on a daily basis and get through school,
16 I was just really living my life with everything else that
17 was going on at the time.

18 Q. Your following year was your last year at St Edmund's and
19 you were still an altar boy at the St Patrick's Basilica in
20 Dunedin at that time. Are you okay to continue on and tell
21 us about that aspect of your life?

22 A. Sure. So, as I mentioned, I was an altar boy at the St
23 Patrick's Basilica on Macandrew Road. I loved being an
24 altar boy. I genuinely, I don't know I was sort of a
25 10 year old kid and I was dressing up and I had the
26 reverence of the Church and being brought up as a Catholic
27 and it was just what it was and I thought it was a
28 privilege to be an altar boy and I enjoyed it. I would
29 always do the Saturday night Novena service because that
30 was my mother's favourite because it was dedicated to the
31 Virgin Mary and I would always do a Sunday service. As I
32 said, I did that from probably about 8 years old. I was
33 excited when I didn't have to be with my brother and I sort
34 of got to fly solo as an altar boy and that sort of thing,
35 but it meant a lot. You know, I had respect for the Church

1 and the Priests at that time and we had family friends that
2 were Priests and they weren't the Christian Brothers that
3 treated me poorly.

4 My final year though, there was a new Parish Priest who
5 had come as sort of the head Priest, I know. There was
6 normally maybe a Deacon and a couple of Priests and things,
7 the head Priest of the parish, Fr Kean was his name. He
8 was to a 10-year-old and I think even to my modest build
9 now, I think he was an obese man, from my memory, he was
10 large. I would class him as a sloth-like person, his
11 mannerisms and his build. He drove a large American car,
12 similar to like a large Cadillac or that style of car. It
13 was a very modern car and it stood out a lot to see a
14 Priest driving in a modern, what we'd call a yank tank.
15 And we would joke that it was the only sized car that would
16 fit him because of the size of his frame.

17 But he wasn't a very pleasant man to deal with as an
18 altar boy. He would, I suppose, look down on us, just that
19 we were doing the bidding of the Priests. He wasn't liked
20 by the altar boys, I didn't think, as well. And he was
21 frightening, he was overbearing and he was bullying in his
22 mannerisms. So, I would normally not do a service with
23 him.

24 But there was one night in particular when I was at the
25 Church and I'd finished my service and by that time I'd
26 already began to drink alcohol. I had started drinking
27 alcohol probably not long after when the abuse that had
28 happened with Br Sullivan started and I would have a hip
29 flask that I would drink from before or after the
30 punishment with Br Sullivan but if I couldn't top it up
31 with my Dad's beer, and he'd passed away, so I didn't have
32 access, I had snuck in and stolen probably a number of
33 bottles of the altar wine to do that.

34 I think, I don't know, a few bottles going missing, the
35 Priests might have noticed and he came in and caught me

1 with a bottle of altar wine that I was taking from the
2 presbytery. And he grabbed me by the arm and started
3 yelling at me, you know, about stealing and that he was
4 going to take me home to my Mum and tell her and there had
5 been other bottles stolen. And I obviously started to
6 panic. The immediate thought was I didn't want Mum to know
7 what had been going on and I certainly don't think I wanted
8 to explain why I was stealing and drinking alcohol either.

9 So, he physically dragged me from the Church, the rear
10 of the Church, the presbytery, and took me out through the
11 backyard of the Priests' house to where his car was parked
12 in the garages that were adjacent to the Priests' home, I
13 suppose for want of a better term. And he told me to get
14 into the car and I did get into the car and I thought he
15 was going to drive me home and tell my mother and I was
16 obviously still begging him to not do that and I was
17 telling him what my family had been going through. There
18 was a part of me that thought if I could convince him that,
19 you know, all of this was going on at home, he wouldn't
20 need to take me, he would have a change of mind, and I
21 already knew he knew what was going on in my family, my
22 brother and father and grandfather were passing away. They
23 would read the names at Church during services for the
24 congregation to pray for those who were suffering and that,
25 so it wasn't, I don't think it was news to him.

26 But I knew my way round the suburbs of South Dunedin,
27 having lived there as a young child in the '70s and being
28 allowed out from dawn 'til dusk, as you were back then.
29 So, when he didn't turn down towards my house, down any of
30 the roads that would have taken us there, I was surprised
31 that he headed over to an area of South Dunedin that we
32 used to call the foreshore. It was an undeveloped piece of
33 land, reclaimed land back then, that had a number of
34 factories here and there across acreage and predominantly

1 it was still marsh land and the head of the harbour where
2 we used to play.

3 He drove me down into an area that I already knew where
4 he was driving me, I knew it was the end of a road that we
5 couldn't get out of in a car or get through to any other
6 road. It wasn't lit, it didn't have street lights in it at
7 the time, and he pulled over to the side of the road and
8 pulled his car to a stop and turned the engine off.

9 I thought that this was my opportunity. I froze, I
10 thought that this was the moment I could, you know,
11 convince him not to, you know, take me home or he was
12 having second thoughts and just wanted to give me a really
13 good telling off or something and I'd be on my way.

14 So, when he turned towards me in the car and I was
15 seated in sort of the large bench seat in the front, it
16 didn't surprise me, and when he rested his arm on the back
17 of the chair it didn't surprise me, but the most surprising
18 thing, and it just shocked me, he moved forward with his
19 right arm and just, casual as you like, pushed it down the
20 front of my shorts that I was wearing at the time and
21 grasped my genitals and squeezed them tight. I couldn't
22 move from the pain from sitting there and I started to yell
23 at him in the car and lash out at him, but I couldn't move
24 because he had such a grip on me.

25 He seemed almost surprised by my reaction but he
26 loosened his grip on my genitals and pulled his hand away
27 and I knew in that instant that if I did not fight back
28 with all of my might, I was going to be putting myself into
29 a similar position as I had in Br Sullivan's office.

30 So, I let loose with my feet, my arms, and I was
31 thrashing about as a 12-year-old with all my might,
32 punching and kicking and hitting him and I don't know if I
33 got his head or anything and he stopped, I think he was
34 taken aback by what I was doing and I managed in amongst
35 it, as he was trying to push me away, the passenger side

1 door was - so, this was an American car at the time, it had
2 electric door locks on it which was a bit of a novelty, but
3 my door was locked and I couldn't get out my side.

4 I fought my way across between him and the steering
5 wheel and his big fat gut out and pushed the driver's door
6 open and pushed myself onto the pavement or onto the road.
7 I got up and just ran and I ran as fast as I could back
8 home. I knew the foreshore area like the back of my hand,
9 so when I heard his car back up I knew he wouldn't be able
10 to follow me and find me. By the time I got home, I was
11 down laneways and different paths. But, of course, I
12 wanted to tell somebody about it but, again, how do I
13 explain to my mother? How do I explain or convince my
14 family? And then how do I tell people that I was stealing
15 wine, I think was probably one of the concerns that I had.
16 I don't know how you explain that and it was bad enough
17 that Mum had caught me smoking so much, I was also a
18 packet-of-cigarette smoker by the age of 10 as well.

19 So, I tried to avoid Fr Kean after that and I went to
20 the service again for another few weeks but then I was
21 walking home along the main road of South Dunedin, which I
22 would always do, Mum had always said to stick to the well-
23 lit roads because it's quite dark when I would come home in
24 winter, and I remember hearing my name called out and I
25 turned around and I couldn't see somebody or anyone calling
26 it out. I couldn't quite recognise the name and then I
27 heard it called again and I stopped and I looked down the
28 street and Fr Kean's car was parked facing the wrong way in
29 the road and he was standing out by the front of the car
30 and telling me to come over to the car, he wanted to talk
31 to me. And I panicked again and I ran home and I didn't
32 say anything. I didn't know what to do. I didn't know who
33 I could turn to. I didn't know who I could trust to talk
34 to or feel safe with at that time, so I just took it on
35 board and just continued.

1 And then about two weeks later or a week later during I
2 think it was a Sunday afternoon, I remember walking, it was
3 sort of midday along the main shopping street of South
4 Dunedin by myself. I was going to meet a friend. And I
5 heard the sound of a car pull up next to me and, you know,
6 my father was a motor mechanic, I've been around cars all
7 my life and, you know, there's a very distinctive sound to
8 a V8 American car, especially when you're an excited 12-
9 year-old who likes cars. And I saw Fr Kean's car pull up
10 just ahead of me and he stopped his car. He moved across
11 from the driver's to the passenger side seat and pushed the
12 front door open and it all sort of happened so quickly, by
13 the time I realised I was almost just stopping in front of,
14 I suppose, the open corridor that had been pushed open.
15 And he was raising his voice and telling me to get inside
16 the car and he was quite angry at me. He reached out and
17 he tried to grab my arm and pull me into the car and I
18 can't remember if he caught my arm but I remember pulling
19 away from him and I started yelling at him. I started
20 calling him - I started yelling, "Get away from me", it was
21 something like "you fiddler", it was a term that was - we
22 would use as young boys, that would talk about, you know,
23 there were known to be fiddler Priests and fiddler
24 Christian Brothers coming to the school and I screamed that
25 out at the top of my lungs in sort of the main street of
26 South Dunedin but it was Sunday, you know, there weren't a
27 lot of people around, we didn't have Sunday shopping or all
28 of that. But there was a couple that were across the road
29 and it started to draw attention to what was happening and
30 I, you know, Fr Kean, this was his local parish, he was in
31 the local street, his car was well-known in the area and
32 here's a young boy, I don't know, telling him to "F off"
33 and, you know, calling him a "fiddler" and yelling. So, he
34 hurriedly shut the door and took off fairly fast in his
35 car.

1 And I was almost frozen on the spot from what had
2 happened and I think that was – if I let this continue
3 without talking about it any further, then something worse
4 might happen or it was never going to stop. So, when I got
5 home I told my Mum. I didn't tell my mother about stealing
6 the wine, I didn't tell my Mum about him grabbing my
7 genitals or assaulting me, but I just said that he was
8 stalking me. I said he tried to grab me and take me in the
9 car. And that would be enough for my Mum. You know, my
10 Mum, we went in the car straight away, we went straight to
11 the Priests' house and she banged on the door, demanded to
12 see Fr Kean in private and we were put into the small
13 meeting room just on the side of the Priests' house and Fr
14 Kean came in looking sheepish I would say, for a better
15 term, and he was reasonably quiet. He sat down behind his
16 desk and asked Mum to be seated and I was sitting on the
17 couch next to her and my Mum leant on the table and tore
18 strips off him, as eloquently as a good mother could, and
19 effectively told him in no uncertain terms that if he ever
20 touched me, approached me or came near any of her other
21 children, she would return back here and kill him, and I
22 believe my Mum, she was angry, she would protect us. She
23 was a very kind woman but – and that was enough, I think
24 the threat alone was enough to sort of stop anything
25 further from what had happened, so I didn't go into it any
26 further with Mum. You know, we still had everything else
27 that was going on at the time with my brother and Dad just
28 passing and that, so yeah, it just became part of my abuse
29 story, I think, moving forward from that point.

30 Q. And then in 1980 – are you okay?

31 A. Yep. I'm all good.

32 **CHAIR:** Are you okay, Marc? If you need a break, just let
33 us know, won't you? We don't want to interrupt or delay
34 the agony, but –.

1 A. In for a penny, in for a pound, we're here now. No, I'm
2 feeling okay.

3 **CHAIR:** Thank you.

4 **MS GLOVER:**

5 Q. So then, moving forward to 1980, you're 13 years old and
6 you move to a high school?

7 A. Yes.

8 Q. The school was also run by the Christian Brothers, St
9 Paul's High School in Dunedin. How long were you at that
10 school?

11 A. I only, I suppose, saw out, or I didn't quite see out the
12 last term of form 4, so not quite two years or officially
13 two years I was at that school for form 3 and form 4. I
14 didn't stay for form 5 which was then the
15 School Certificate or school leaving, you had to complete
16 that, so I left before I turned 15.

17 Q. And you talk about one teacher in particular from that
18 school, Ian Thompson. How would you describe him?

19 A. If I describe Br Sullivan or Br Fay as angry, violent
20 people and you got an impression of that from how I talk
21 about them, Ian Thompson was at just another level of
22 violent. He was the most violent teacher I have ever
23 experienced in my schooling life and I have met probably
24 half a dozen people, male teachers and Christian Brothers,
25 who I would say were violent narcissistic men but Ian
26 Thompson had an anger and an oddness about himself. He
27 would fly off the handle at an instant. He was the only
28 teacher at the school - all other teachers still had the
29 leather strap, the hardened leather strap, anywhere between
30 12 and 8 in inches, that you would get struck or hit with
31 for punishment - he was the only teacher I ever came across
32 who used a cane. So, when I talk about a cane, I don't
33 mean as in a walking stick, I mean as a bendable, is it
34 bamboo or similar, of about the thickness of an index
35 finger to a little finger of a grown man. That was

1 probably in the order of a metre to 1200 long and he would
2 wield that as three of the best or six of the best across
3 your hands or across the back of your buttocks.

4 But he was violent not only in the classroom towards
5 students but I saw him on one occasion beat a student to
6 almost unconsciousness in the playground for quite a minor
7 behavioural thing but he spoke back to him and Thompson
8 beat him like an adult would be beating a child, by holding
9 him by the scruff of the neck, punching him in the head and
10 face until he was on the ground, and then on the ground he
11 continued to do it.

12 This was in full sight of where the teaching staff were
13 and also the other teachers at St Paul's, which is now
14 Kavanagh College, would get a view, it wasn't uncommon for
15 them to be standing out on the balcony and watching
16 different acts of violence occurring around the school.

17 There was a general nature of bullying at the school but
18 the violence by a couple of the teachers, especially
19 Thompson, in all of my years to date, in my life
20 experience, I haven't met a person as volatile and violent
21 just straight off the bat as he was.

22 Q. And you mention an incident in 1981 when you were in 4th
23 form, so your last year of school, when you started taking
24 photography as a subject. What happened then?

25 A. So, I wasn't very good at school. Do you know, I knew I
26 was intelligent but just nothing seemed to make sense, I
27 couldn't make sense of math, I couldn't make sense of
28 English, I was probably failing most of my work but I
29 enjoyed some of the extra courses or curricular activities.
30 Woodwork I was exceptionally good at, things like that.
31 And I had a friend, I didn't have and have never had a wide
32 circle of friends but I had a friend who did photography
33 and my father had historically done photography, so I
34 started learning how to develop the negatives, how to use
35 an old, you know, one of the old film cameras before the

1 digital age. So, yeah, there was an interest. There were
2 only a few of us that would do it at St Paul's. We would
3 normally have access to the darkroom and the developing
4 room for when he didn't have a lesson or during lunch or
5 something like that.

6 So, I had only been doing it for a couple of months and
7 I was upstairs in the film developing darkroom and it was a
8 very small room near the science labs upstairs that had
9 double curtains to stop any light coming into the room for
10 when you opened up the back of the camera so you didn't
11 destroy the film. So, someone could walk into the room but
12 you would know they were there, but you couldn't see them
13 in the room.

14 I was in there, we were opening the back of the cameras
15 with another student that was there at the time in a lunch
16 break and I heard the door open and it wasn't uncommon
17 because photography was one of the other lessons or courses
18 that Ian Thompson would also teach as Latin, science and a
19 few of the other things, music. So, it wasn't uncommon to
20 see him around or to interact in the developing room with
21 other students.

22 But what surprised me, I heard, more than knew, it was
23 him coming in. Like, I knew it was adult footsteps or
24 somebody larger coming into the room. I felt their
25 presence come up behind me and the door shut. I was still
26 wearing shorts, I was in 4th form. It was quite a
27 hierarchical school, even from a uniform perspective. So,
28 the 3rd formers were called the turds and they would have
29 to wear shorts. In 4th form, I suppose if you could afford
30 to buy long pants, you could wear long pants, but there
31 were a lot of students still there that would wear shorts.

32 So, I heard the person come up behind me and then I felt
33 a hand of a man - sorry, the hand of a person go up the
34 inside of the right short leg and reach up as far as could
35 go until it came and touched the base of my genitals. To

1 say that that took me by surprise is - you know, I'm in a
2 darkroom, a camera in my hand, there's another student in
3 there and then the next thing somebody has come up behind
4 me and gone how do you do up, you know, up the inside of my
5 - I just, you know, I jumped about and yelled and went sort
6 of "what the - is going on". It was at that point that I
7 realised it was Ian Thompson standing beside me because he
8 immediately went "oh God", started to apologise and I
9 remember him saying "I thought it was somebody else" and
10 then he just backed out of the room and left and I remember
11 standing in that room afterwards and just going "What just
12 happened?" It was almost surreal to understand. I didn't
13 know what was going on at the time but I - and maybe there
14 was a part of me by that time that it didn't seem, and I
15 hate to say this, but out of the ordinary of behaviour of
16 some people to do that.

17 So, I just tried to avoid Thompson after that. Like, I
18 just didn't want to be near him. It was difficult because
19 I had some classes still with him but I would just, you
20 know, you could keep out of teachers' way. I just tried to
21 go about, you know, what I was doing.

22 It was a short time after that, that I went into what is
23 a separate room and a much larger room downstairs for
24 photography. I think I had a free session or a lesson at
25 school and I walked into the developing room to have a look
26 at some photos I think I'd left in there drying and when I
27 walked in I saw because the red-light was on, I got through
28 where the curtains were, so I know that you can walk around
29 and light wasn't the issue. I saw Ian Thompson standing in
30 the far corner of the room, and this was a very long
31 rectangular room, and I am not sure whether or not he
32 didn't know I had walked in or didn't hear me walking in
33 but there were some of the chemical bars that we use for
34 developing films and I thought he's obviously got some
35 films that he's developing and I started to walk over

1 towards him. And I remember looking up at, there were
2 maybe four or five small photos that were hanging like on
3 pegs from a line and there was some more in different bars
4 as they were developing, and I remember looking at the
5 pictures and going "I wonder what they are". And then I saw
6 the form of naked and semi-naked young boys on there,
7 children or teenagers, I wouldn't be able to tell you what
8 their name was, their age was, but I sort of stopped and I
9 don't know if I made a sound or a noise but it alerted
10 Thompson to the fact that I was in the room and I was maybe
11 2-3 metres away from him and he turned round and saw me and
12 the anger, it was like a light switch had gone off and he
13 just started screaming at the top of his voice, just "get
14 out, get out" and he just kept yelling and screaming and I
15 did, I just, I knew what I had seen was wrong in the
16 photos, I knew what his behaviour was and if I had stayed
17 there, I think I would have been pretty severely beaten. I
18 did, I took off out of that room and tried my best to not
19 interact with Thompson again at the school.

20 As I mentioned previously, I smoked and I have smoked
21 for my entire life to manage my stress and anxiety. So, we
22 would hide in areas around the school and they were sort of
23 the smoking spots where a couple of us kids would have a
24 cigarette at lunch break and that. And the teachers sort
25 of knew that we would do it but if you weren't causing any
26 other issues they sort of let us go.

27 So, I was having a cigarette this lunch period by myself
28 hidden amongst the bushes in this little alcove by the
29 school and Ian Thompson who was on yard duty that day, I
30 could see him walking towards me and then he just made a
31 beeline to where I was and said, you know, he's caught me
32 smoking and he said I was going to get punished and he told
33 me to go to his house immediately after, at the end of the
34 lunch period for my punishment.

1 So, there's some things as students you knew, a bit like
2 being sent to the Principal's office, and that was to be
3 sent to Thompson's house if you weren't invited there and,
4 as I mentioned, he was an odd teacher, always wearing a
5 black cape like a graduation cape around the school and he
6 had a following of senior students who he would invite over
7 to his house and we knew that that would occur and they
8 were sometimes referred to as his pets or that but it was
9 invite only and it was like a special clique. But to be
10 sent to his building, his house for punishment outside the
11 classroom when you saw him in the hallway, you knew that it
12 wasn't going to be good. And I had been caned by Thompson
13 once, which was almost a regular practice within the school
14 with one student or other. You would be bent in the
15 hallway outside the school, bent over with your head
16 underneath the window railing and it wasn't allowed to
17 touch the railing and he would walk to the end of the
18 hallway where the fire doors were and then run like a
19 cricketer with his cane held high and run in almost a
20 bowling stride at full speed and then whip you across the
21 back of your legs or your buttocks. If your head then hit
22 the window rail, shelf rail above and you moved, then that
23 was not counted out of the six that he was giving you, so
24 he would give you another one.

25 After six of those, you were almost unconscious. Do you
26 know, like, the pain was so intense you would buckle to the
27 floor. Children would be left in the hallway to compose
28 themselves before they could reattend in class. The
29 teachers knew about this, it was just, it was a common
30 occurrence that occurred to the children. It didn't seem
31 out of place to any of the other teachers that were there
32 or the Christian Brothers or anyone else.

33 But to be sent to his house was, you know, I don't know
34 whether they were urban legends of the school but they used
35 to talk about children being beaten and black eyes and

1 that. I had never seen it personally, but it was that
2 story about going there, that it was always going to be
3 something worse.

4 But as an obedient child, for some reason you go and do
5 what the teacher tells you to, so I went to the house just
6 before the end of the school lunch period and where St
7 Paul's is, or the Kavanagh College on Rattray Street, there
8 were a number of houses, bungalow houses nearby directly
9 opposite the school on Rattray Street and just up around
10 the corner, I think it's York Street, there were some that
11 were music houses, teachers would live in I think
12 Thompson's house whilst potentially his house, I know he
13 had musical instruments there where students would also go.

14 So, I went there after lunch and I knocked on the front
15 door and the door was answered by an older senior student
16 of St Paul's. The younger students never had a lot to do
17 with senior students generally. If you were caught in
18 their classroom, you would normally get beaten and thrown
19 out of their classroom. You know, they were, I suppose,
20 the Gods, the seniors of the school and they expected to be
21 respected by the junior kids at the school. It was a real
22 bastardisation approach to schooling.

23 So, I wasn't surprised that there was an older student
24 there but you could tell they were older students as well
25 because only those in form 6 and form 7 could wear white
26 shirts, everyone else in the school had grey shirts with
27 their school uniform, so that was how you could tell always
28 that they were older students.

29 So, I was told to come inside. I don't know, like, I
30 was being, I was expected and I remember being taken
31 through a lounge area, I think I remember some musical
32 instruments at one end and then I went into what was more
33 of a dining, kitchen and then there was some access to the
34 back of the house and the rear bedrooms, I think. And
35 there were a couple of other students that were in the

1 house mingling near the table and the kitchen entrance.
2 And I was very scared. I didn't know what was going to
3 happen. I suppose I had become surprised that I might be
4 potentially caned directly in front of other students.

5 So, I heard Thompson come down from the back of the
6 house and he was talking and saying something, I can't
7 remember what it was but I remember him coming into the
8 area and he was holding his cane and I was told to turn
9 around and lean over the armchair that was next to the
10 dining room where another student was for my punishment.

11 And he told me I was going to be caned and so I turned
12 around and started to bend over and it took me by surprise
13 when another one of the other students who were sitting on
14 the seat grabbed my two hands and forearms and actually
15 pulled me forward. So, I was off balanced and positioned
16 slightly with my, I think, sort of my toes and I couldn't
17 stand correctly or pull myself back down onto the ground
18 and I was held over the arm of the chair and then I just
19 remember the incredible pain. I just remember getting
20 whipped across the back of my buttocks and my legs,
21 whatever, were giving out on me and my body almost just
22 giving out. And he was so violently swinging at the time,
23 it was more than six. It was upwards of 10 to – eight to
24 10 lashings that I received and one of them which I
25 remembered in particular about halfway through, he'd
26 misjudged and it had actually come down onto the lower part
27 of the back of my leg and actually flipped onto the bare
28 skin completely, which was – I thought I had cut the back
29 of my leg open, it was such severe pain. I remember almost
30 sort of fading in and out and just begging for it to be
31 over and not wanting to be there but not knowing what to do
32 and as fast as it started, it stopped, and I was sort of
33 let up. My hands were let go by the other student.
34 Thompson had moved back. And I sort of managed to pull
35 myself up and Thompson was – there was like a change of

1 demeanour from him going from an angry screaming person to
2 you've just popped over to somebody's house for a cup of
3 tea and everything is pleasant and "Why are you crying?"
4 And "please take a seat". And this sort of dialogue and
5 talk, and I'm sitting there going, you just beat me and now
6 you're talking politely to me and asking me to take a seat.
7 And I was only trying to stand and I couldn't and I ended
8 up seated in and around near the table. It was an odd
9 layout where there was like bench seating as opposed to
10 individual seating, almost like it was in an alcove by a
11 window. Thompson walked into the kitchen and he started
12 talking to the other students, he asked me the strangest
13 question, he asked me if I wanted a cup of tea. Again, I
14 was still crying at this stage and I didn't have tissues,
15 you know, it was all hankies back in the 1970s. I remember
16 just trying to wipe my nose and face and just try and stop
17 crying and the pain I could barely even sit and then the
18 next minute I'm sitting there and Thompson walks out for a
19 cup of tea and all I can think of is what a pretty cup,
20 like it was a fine bone china cup and it was similar to
21 some ones that my grandmother had at home that we were
22 never allowed to use.

23 And the other thing I remembered was going, I don't
24 drink tea, I just don't drink tea. I hate tea, why would I
25 want to drink tea? And he put it down in front of me and
26 he told me to drink up and then he leant forward and he
27 placed two small white tablets onto the table that the
28 closest I can think of is they were aspirin or Disprin of
29 the time, this is pre-Panadol and Nurofen and that sort of
30 stuff, painkillers were fairly rudimentary. You know, you
31 can take Disprin or aspirin. And he told me to take it for
32 the pain and told me that it was okay. And I had always
33 been told by Mum never to take aspirin. I remember asking
34 once why we couldn't have it, but grown-ups could have it
35 and Mum said that it was dangerous for children and we

1 shouldn't have aspirin. So, I was scared to take it
2 because of that but I remember the pain was incredible,
3 like it was - I couldn't think properly. I was confused, I
4 was disoriented. I was drinking tea. It was just the most
5 bizarre thing that I would think of. So, I had one, I
6 thought maybe one tablet would help me for the pain and I
7 left the other one and I didn't take it.

8 So, I drank the tea and I mentioned in my statement that
9 this is probably one of the more difficult parts of my
10 story to piece together entirely because there's a feeling
11 of surrealness about it. It felt at the time like it
12 wasn't happening, I suppose.

13 So, I remember drinking the tea and I can remember
14 sitting there wondering when I could go. I don't think it
15 was the tea, but I was wanting to leave and then the next
16 thing I remember is waking. I remember, like you do when
17 you first wake in the morning and you're disoriented about
18 your whereabouts and I remember thinking, where am I? And
19 then all of a sudden having the pain come into my memory
20 and then the thoughts of what had happened come into my
21 memory and it took me a while to sort of piece that part
22 where I was and I remember opening my eyes and sitting up.
23 And as I sat up, the pain I felt went from being the pain
24 from where I had been caned to this incredible shooting
25 pain that went up inside me. It felt, the way I would
26 describe it is it felt like I'd had a stick inside and I
27 was cramping tightly and I was trying to vomit at the same
28 time or dry retch, and I didn't understand what was going
29 on, why I was so sore. And all I remember was I had to get
30 out.

31 I went into almost a panic to get out, but it was a
32 panic that I was trying to be as quiet as I could. I could
33 hear voices down at the other end of the house and I could
34 see there was another student who was dozing beside me or
35 asleep beside me.

1 I sort of stumbled across to the front door, but the
2 front door was key locked and the key wasn't in the door.
3 And then I came back into the kitchen area trying to walk
4 on my tip toes and sort of was holding onto the walls to
5 try and not fall over and I saw a window open by the
6 kitchen and I went to the kitchen window and climbed up
7 onto the bench and I pushed the window open, I pushed
8 myself out of the house and I fell onto the gravel outside.

9 I had decided that I couldn't go back to school. I had
10 some sort of sense that it might have been near the end of
11 the day but I only just wanted to go home. So, I began to
12 walk from the house in Rattray Street and when I say tried
13 to walk, I mean that I was having difficulty walking, I was
14 doubling over in pain, I just kept trying to vomit. It
15 took me forever to get down the bottom of Rattray Street
16 but before I got to the end I felt like my bowels were
17 going to release and I knew there were some public toilets
18 in a small park near there, so I made my way to the public
19 toilets and locked myself in the cubicle and shit and
20 vomited until I had emptied myself and then I just kept dry
21 retching and dry retching after that point. But the pain
22 of releasing my bowels was excruciating and I looked down
23 into the bowl and I saw that the bowl was covered in
24 splatterings of blood and I was trying to sit there and
25 work out in my head, I couldn't remember if I had flushed
26 and had I not flushed before I sat down or was it the back
27 of my legs bleeding. As I was trying to clean myself, I
28 realised where the pain and blood was coming from and I was
29 bleeding quite profusely from my anus at that time.

30 So, I'm not sure how long I stayed there for. I know it
31 was a fair while until I sort of felt that I was able to go
32 and I walked from there, I walked home. I composed myself
33 by the time I got home, I suppose. I told my Mum that I
34 had been caned but I didn't mention anything else that had
35 occurred because then I couldn't hide what had occurred

1 certainly from the way that I was walking or how
2 uncomfortable I was. But I remember Mum asking me not long
3 after whether or not I wanted to stay at school or I wanted
4 to leave and I think my mother found a pair of bloodied
5 underpants, I'd tried to hide some of my clothing. It was
6 never spoken about but they weren't there when I went back
7 to sort of throw them out. So, I said, yes, I didn't want
8 to go back to school, I wanted to leave as soon as
9 possible, so Mum approached school or approached the
10 Catholic part of the school and asked for permission for me
11 to be let go from the school because I wasn't 15 and
12 legally I had to stay at the school.

13 Q. Marc, when we get to the end of this section, sorry to
14 interrupt you but the Commissioners have just indicated
15 that they would like a brief break.

16 Before we move onto the next section, which is the
17 impact, we will just stop there for a few minutes.

18 A. That would probably be good.

19 Q. Have you said everything that you wanted to say about that
20 part?

21 A. (Nods).

22 Q. What about 2.72, the last paragraph there which sort of
23 wraps up your understanding of what you think had happened
24 to you that day?

25 A. Yeah, no, I would appreciate a break as well.

26 **CHAIR:** Know, Marc, that we have read your brief, so we do
27 know what you assume from that. So, we'll just take -

28 A. No, I would like to say, I think Ms Glover that the only
29 thing in my mind that I not only think but also believe
30 happened to me that day, when I woke up my pants were
31 dishevelled, my top button was unbuttoned, I had to
32 straighten them, I was bleeding from my anus, I was in an
33 excruciating amount of pain internally, I believe I was
34 raped or sexually assaulted by Thompson and/or the other
35 students that were in that house on that day.

1 Q. Thank you. We will resume in 10 minutes, Marc.

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3 **Hearing adjourned from 4.21 p.m. until 4.31 p.m.**

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21 **CHAIR:** Hello, Marc, again. Do you feel a bit better now?

22 A. I'm good, thank you.

23 **MS GLOVER:**

24 Q. Thank you, Marc. As we've just discussed, the
25 Commissioners have indicated that they have read very
26 carefully the material in your written statement about the
27 impacts of the abuse, they would prefer not for you to have
28 to go through that in detail in this forum.

29 So, moving on then to the redress aspect of your
30 evidence.

31 A. Yes.

32 Q. You've said in your written statement that your mother died
33 at age 64 and it wasn't until her death in 2014 that you
34 could have begun the journey of disclosing or reporting
35 this abuse.

1 So, looking then at paragraph 4.6 of your written brief,
2 you make a complaint to the New Zealand Catholic Church via
3 email, but you were drunk at the time. Do you want to pick
4 up your experiences from there and take us through what
5 happened?

6 A. Yeah. As you've mentioned, Ms Glover, I had kept the
7 secret for a number of years and it was my anger at looking
8 at some stories of the Australian Royal Commission and I
9 think the recent passing of my Mum when I sent an email. I
10 randomly picked just an email address of the New Zealand
11 Catholic Church and said if there was ever a Commission to
12 be held there, then I would give evidence about what had
13 occurred at St Edmund's.

14 So, I sent that off and it was a couple of weeks later
15 that I received a phone call from somebody introducing
16 themselves from the Catholic Church organisation or from the
17 Catholic Church I suppose and they wanted to talk to me
18 about my email that I had sent them. Initially, I was
19 shocked and wondered who they'd been talking to because I
20 couldn't remember sending that email but I went back and I
21 found the email and I went "there's obviously a part of me
22 that needs to tell this story now".

23 So, I said yes to beginning the process of what I now
24 know to be the Australian version, I suppose, of the
25 Towards Healing process that is here.

26 I got a phone call not long after my first call and that
27 was my first interaction with a Brother by the name of
28 Brian Brandon who introduced himself as something like the
29 head of the Oceania area. I didn't sort of understand what
30 that meant at that time. And he initially said, he spoke
31 about the complaint that I made about [redacted] Sullivan
32 and he said to me in the first call that he was surprised
33 about it because he had asked around and apparently
34 [redacted] Sullivan was a nice bloke, in amongst his other
35 Brothers and that, and people were surprised that the

1 allegation had been made but nonetheless they wanted to
2 hear what I had to say and they appreciated that I was
3 coming to them as a survivor or a victim in this. In a
4 phone call after that, I was told by Brian Brandon that in
5 fact he had gone to the records and found one other person,
6 a female, a young girl some years before, that there had
7 been an allegation against and he told me how proud I
8 should be of myself for reporting, what I was doing,
9 because it would assist this other girl potentially in
10 something that hadn't been found to be substantiated, I
11 suppose, at the time.

12 I was invited along to go to the equivalent of the
13 National Office of Professional Standards [NOPS] but in
14 Adelaide in South Australia where I was introduced to a
15 person who was the head of that area in Australia, in South
16 Australia, her name was Sue Cain.

17 I had a written statement. In fact, I did almost a
18 three-hour interview, very much like I've done through this
19 entire process both with the Church and also with the Royal
20 Commission. And the production of that three-hour
21 statement in the level of detail that I've spoken about
22 today, although I only told them part of the story and I'll
23 get to that shortly, was a comeback of a very gentle four-
24 page contact report that I would sign and say that that was
25 my official statement in the end.

26 So, very early on in the process, Br Brian Brandon had
27 certainly instilled in me early that I may not be believed,
28 my allegations and with what occurred. And, as I started
29 talking to the Professional Standards Society, I began to
30 feel that I was being very fast moved in and out of a
31 process. Like it genuinely was, I was giving a statement
32 one week, I was in with a counsellor the next week, I was
33 in with a lawyer the next week. It just rolled very fast
34 and I think that first process until the outcome was only a
35 matter of the first contact with NOPS, Brian Brandon,

1 negotiations, all the way out the other end, was only a
2 period of about four and a half months which I found quite
3 extraordinary but I wanted out of the process almost
4 immediately. I didn't feel believed. I didn't feel safe
5 in the process to tell my story.

6 And I told them about Br Sullivan. I had told them
7 about the penetration from him but that was never replayed
8 back to me in the statement.

9 And I also found out very quickly that New Zealand was
10 probably not even going to find out about my complaint.
11 This was being managed from effectively an office in New
12 South Wales and out of the Adelaide office and it felt like
13 I was just going to be buried as quickly as possible in the
14 process.

15 And when I started talking to them about "is this going
16 to New Zealand?" and that sort of stuff, I just never got
17 an answer and it became clear that it just wasn't. So, the
18 intent, I suppose, of trying to get my story heard in
19 New Zealand because it has meaning in New Zealand, not in
20 Australia, is what I was - so, I was in a pretty bad space
21 emotionally going through this. I had reached probably
22 what was one of a number of rock bottoms for me, both with
23 my alcohol intake, my own anxiety and that at the time and
24 the trauma of going through this in such a fast pace and
25 the recent death of my mother and a marriage break-up and
26 everything, so I was semi-intoxicated to deal with most of
27 the meetings with the Professional Standards office and my
28 interactions with Brian Brandon. I wanted out as quickly
29 as possible of the process. I felt dirty and I didn't feel
30 supported at all. It was just, it was just "you've told
31 us, get out, thanks very much", that was what it felt like.

32 Q. You had those initial five counselling sessions with the
33 psychologist?

34 A. Yes. When I initially approached them, they said that they
35 would like me to go along to a psychologist but the

1 psychologist was more about for them to get an
2 understanding of my psychological and emotional state than
3 what it was to provide me with a form of support. I was
4 told that it was five that they would give me and five
5 only, it wouldn't be any more. In fact, the psychologist
6 was told to move long-term patients that he had been
7 working with to fit me into his schedule urgently. So, he
8 was surprised as well as that NOPS was moving me through
9 this process so very quickly compared to some of his other
10 clients that he was dealing with at the time with similar
11 issues.

12 Q. And then subsequently you ended up having another five
13 sessions and again you were given that same message, "okay
14 you can have this additional five but no more?"

15 A. Yes, but that was only, I was only given another five after
16 there was one night when I was going, it was before the
17 process had finalised and I'd gone out by myself and I had
18 quite a significant panic attack, an anxiety attack at the
19 time. I was by myself, intoxicated and very, very unsafe
20 in a carpark and I had nobody to call or no help and I
21 reached out because I had Brian Brandon's phone number and
22 I reached out to him. I would say that I was talking in a
23 way that he believed that I wasn't also safe or potentially
24 suicidal or certainly on the edge, so the Church released
25 another – and that's basically the term they used, that
26 they would release more money to allow another five
27 counselling sessions with the same counsellor.

28 Q. You didn't end up going to all of those, did you?

29 A. No.

30 Q. Why was that?

31 A. I went along to a couple of them but, I don't know, how
32 much of 40 years of trauma can you deal with over five
33 one-hour sessions regardless of how incredibly good the
34 counsellor was. I knew that this was a lifetime worth of
35 healing that I need to work through and work at a pace that

1 is safe for me. So, I found it was a waste of time. I
2 would go there, I would talk to him, I would start
3 something and then I would have to stop and he was a high-
4 end counsellor engaged by the Church. I couldn't afford
5 his sort of fees at that time. So, I had left that process
6 quite early and didn't go back to him. I think I left two
7 sessions out of five.

8 Q. The next step is the settlement process and you are
9 presented with the terms of the Deed of Release and sent to
10 a lawyer to consider that.

11 And then can you talk through the process with the
12 negotiator, with Greg Rooney; what happened there?

13 A. So, I suppose there are two parts to that question. I did
14 go first to the lawyer, but this wasn't legal advice as
15 such. It didn't feel like I was going to somebody who was
16 working for me to say whether or not there was a case to
17 answer or something. This was literally a review of a
18 legal document which was the Deed of Release and what the
19 impact of signing the Deed of Release would be. And I
20 went, "okay, thanks, I understand that, okay", that's all
21 that process was.

22 Q. And that Deed of Release only referred to Br Sullivan
23 because that's the only part of your experiences that you'd
24 shared with them at that stage?

25 A. Yes.

26 Q. Can you talk about the negotiation process, what happened
27 there when you came to talk about it?

28 A. So, the Church or the primary contact for the Church
29 through this process of what they call redress was Brian
30 Brandon, he took the lead as the front man for the Catholic
31 Church. But there's a bit in the middle for a survivor
32 where they hire a middleman who is supposed to be
33 independent and they will mediate the process between
34 myself and the Church for the redress, whatever shape that

1 might take. He was really only one of the mediators the
2 Church would use and that whole relationship component.

3 I had been told that the mediation session was taking
4 place. I was asked to come along and be present for that
5 and given the ground rules, I suppose, for what would
6 occur.

7 I attended this day. Brian Brandon had flown to
8 Adelaide for the session and the negotiator/mediator was
9 there. And I was told by him that the Church would talk to
10 me and make an offer and then there would be this sort of
11 counter play against it.

12 So, the first, when Brian Brandon came to kick the
13 proceedings off, he asked me what did I want. That's a
14 fairly open-ended question. And I didn't expect that. I
15 thought that they, I suppose, not a shopping cart but there
16 would be a package of support if the claim was upheld that
17 maybe the Church might have had experience previously. I
18 understood that there might be a monetary component to it.
19 I understood also that there may have been some other
20 support but it was clearly indicated very, very early on
21 that the money, whatever the money was, you would sign a
22 Deed of Release to that amount and there would be no
23 ongoing support.

24 So, when I was asked what I wanted, it took me by
25 surprise but I said I wanted \$250,000 and that almost
26 created a chuckle in the room but Brian Brandon who just
27 sort of shook his head and the negotiator, "Well we know
28 that won't happen" sort of thing. And their first offer,
29 Brian Brandon then left the room, like it was he wasn't
30 involved and not there and then I would deal only with the
31 negotiator and then he would tell me a figure, I would say
32 no. He would then walk into the room next-door, speak with
33 Brian Brandon. I don't know, Brian might have been on the
34 phone to God at the time to get direction, but the
35 negotiator would then come back to me and counter-offer.

1 The first offer was in the order of about \$30,000 and I
2 think by the end of it I ended up coming to an agreement
3 that it would be \$65,000 that was paid to me.

4 Q. And then once you'd reached that final figure, what did Br
5 Brandon say to you?

6 A. Yeah, that if I was upset with the process to date – he
7 came out of the room he was sitting in when the final offer
8 had been agreed of \$65,000 and he told me – I was crying, I
9 was quite upset, I was wanting to go to quite a specific
10 rehabilitation that wasn't covered under normal medical
11 condition under funding or anything like that, it was quite
12 specific to trauma and alcoholism at the time and I was
13 saying that the money would hardly cover part of that. He
14 told me that I should be lucky because people who have had
15 worse happen have gotten less.

16 If I hadn't been so shocked by that answer, the anger
17 that was inside of me at the time, I think I would have
18 grabbed him by throat and I would have beaten him a few
19 times and explained that maybe wasn't appropriate to say.
20 It left me feeling dirty. It left me feeling that I was
21 getting something more than what other people had been
22 entitled to and it hurt me a lot. I left very upset from
23 that process.

24 Q. So then you sign the Deed of Release, you get an apology
25 from the Christian Brothers Oceania, and you go into
26 rehabilitation but you come out with no further money to
27 support your long-term recovery, as you had feared might
28 happen. You don't have a job at that stage. What happens
29 at that point?

30 A. I was desperately trying to get myself better. I had been
31 under, I suppose, the naïvety that all I needed to help me
32 heal was also to stop drinking and to talk a lot about
33 things. I found very quickly that the pain that I was
34 drinking on, I didn't know how big that was until I
35 actually stopped drinking. So, I was unemployed when I

1 came back. I had just finished a contract before I went
2 into the rehab, so I paid for myself to travel overseas and
3 do that.

4 I came home and I busted or broke my sobriety quite
5 quickly, as soon as the sort of problem started to raise
6 its head and the anxiety and depression again.

7 So, I thought because I had already dealt with the
8 Church that I might have an opportunity of them supporting
9 me further as something that, you know, as a survivor of
10 what occurred and an accountability or a responsibility to
11 what had happened. But I was -

12 Q. I was just going to say, so you describe this in your
13 written statement as your life becoming unmanageable?

14 A. Yes.

15 Q. And in August 2015, you make a request for assistance. So,
16 you're back to the Church and you're asking for assistance
17 to attend another addiction treatment centre?

18 A. Yes.

19 Q. And then they send you to a lawyer, don't they? What
20 happens at that point?

21 A. It was the same lawyer that I went to in the first instance
22 and they had allocated, the Church had put aside (pause in
23 audio) - legal fees for me to go and basically be told by
24 the lawyer that the Deed of Release, you've signed it, this
25 is the legal implication. If you want to overturn it, it
26 can probably happen, but it will probably cost you between
27 \$10,000 to \$20,000 in legal fees.

28 That took all of about an hour of chatting between us
29 and I said that I understood and he said, well, I'm going
30 to approach the Church and tell them that they've only
31 spent about \$350 of that \$5,000 and whether or not I could
32 actually give you the rest of that money.

33 Q. So, this is the lawyer -

34 A. Because I think -

35 Q. The lawyer suggesting this?

1 A. Yes.

2 Q. Saying, "Marc, you have no hope of overturning this Deed of
3 Release without spending tens of thousands of dollars.
4 They have set aside \$5,000 for my fees, why don't we just
5 call this process quits and you can have the \$5,000 that
6 would otherwise come to me as the lawyer"?

7 A. That's correct.

8 Q. And then what happens?

9 A. I believe he wrote that response to, it was a new head of
10 the Professional Standards Office in South Australia at the
11 time, another woman Tania. And although he had suggested
12 that, it was strongly worded back to me that that was for
13 legal fees, the Church would not offer anything else.
14 Moving forward, there was no other form of support. The
15 Deed of Release stands and that was the end of the process.

16 But I was offered again as much pastoral care as I would
17 like. So, if I — I declined that offer.

18 Q. And then you cycle in and out of additional hospital
19 treatments?

20 A. Yes.

21 Q. But eventually, you yourself managed to get your life back
22 on track and you managed to achieve sobriety?

23 A. Yes.

24 Q. And then at that point, so you've celebrated your first
25 year of sobriety and you come across some article, a media
26 article in the *Otago Daily Times*, that talks about some of
27 the abusers. Can you talk about that discovery?

28 A. Yes. It took me, as you've mentioned, a number of goes to
29 get my life to a point where I thought it was manageable
30 but I was still suffering from quite bad nightmares and
31 quite a bit of anxiety.

32 On holiday, I'd taken a holiday with my partner and I
33 had been interested to see how the New Zealand Commission
34 was evolved because at that stage the faith-based component
35 hadn't been included. But I would go back to the

1 Commission site or the discussions every now and then and
2 see what had occurred.

3 So, I got back from holiday and I did that search and I
4 brought up a series of articles written in the *Otago Daily*
5 *Times* and I saw the faces of the people who had abused me
6 and photographs projecting back at me.

7 Q. What impact did it have on you to see those?

8 A. It was enormous. I thought that I had been getting my life
9 back on track and I was starting to feel stable, but it
10 felt to me like I had not finished the process. I had a
11 physical reaction to it. I immediately started to have
12 panic attacks again. I knew this was sitting under the
13 surface for me and in a way that if I didn't do something
14 about this, move it forward, I was probably, I was seeing
15 indicators again that it would probably trigger me to break
16 my sobriety or that and I had fought very, very hard. So,
17 I decided to complete my journey, is what I've written in
18 an email to the Commission years ago, and I went and
19 registered for the Commission and I would go through this
20 process.

21 Q. We might actually bring up the article that you saw and the
22 photographs, if you're okay to do that, Marc?

23 A. That's fine.

24 Q. It's important to you. This is Exhibit WITN0001008. We
25 will start there, it's page 6, the article itself is dated
26 7 September 2018, this is page 6 of the article. This is
27 the person you mentioned first, Br Vincent Sullivan?

28 A. Yes.

29 Q. And then if we go to page 5, and the image there is Br
30 Desmond Fay?

31 A. Correct.

32 Q. The text of the article says Br Fay had been accused by a
33 mother of one victim of GRO-C and
34 other victims had come forward. Another man said Br Fay
35 would enter the school's changing rooms while boys were

1 naked and try and entice them to stay behind. Another man
2 recalls being fondled by Br Fay who would jump into the
3 swimming pool with the boys under the guise of horseplay.
4 And then we have this reference that's reminiscent of your
5 experiences, he also recalled being punished by former St
6 Edmund's Principal Br Vincent Sullivan "who put me over his
7 knee and gave me a light spanking and then fondled my
8 buttocks while Br Fay watched".

9 And then if we could go the image of Ian Thompson in
10 that article. Again, there's the text of the article
11 refers to a person whose experiences were similar to yours.
12 A 52-year-old man spent decades numbing himself with drugs
13 and alcohol, driven him to attempt suicide twice, memories
14 of sodomy sex acts including ones he has been forced to
15 perform on another young boy, also a victim of Mr Thompson.
16 That young boy was told he was special, that he was the
17 only one and the grooming escalated for him to daily sexual
18 encounters inside Mr Thompson's cottage across the road
19 from St Paul's.

20 So, having made that decision then, Marc, to participate
21 in the New Zealand Royal Commission, I understand that you
22 went to a local lawyer's office to talk about what to do
23 about this Deed of Release. What did she say?

24 A. Yes. So, as I mentioned, I wasn't sure what to do and I
25 was starting to feel quite angry about what I might do.

26 I didn't so much care about going to the (loss of audio)
27 - go to the Commission and tell the story there but I
28 thought that the Deed of Release would both prohibit me
29 aligning my story correctly with the Church and telling
30 them exactly what had happened and the extent and then
31 going to the Royal Commission.

32 So, I approached - I found solicitors who had been
33 involved partly in the Australian Royal Commission helping
34 survivors there and I literally just rocked up on the
35 doorstep, asked if I could have 5 minutes of their time,

1 broke down in tears in a meeting room and (loss of audio) –
2 she explained what I could do and what I couldn't do. She
3 contacted me afterwards. She basically said that across
4 Australia, the difficulty is being put back by the
5 individual state and territories that would continue across
6 Australia – (loss of audio).

7 Discussion about the Deed of Release not being – (loss
8 of audio) fight to get it done, so that's what I did, I
9 pushed back to have that Deed of Release overturned so I
10 could restart the process.

11 Q. So, Marc, I'll just paraphrase what I think you said there
12 because we lost the audio slightly. But you've met this
13 lawyer, you got two hours of free legal advice from her.
14 She said actually all over Australia these sorts of Deeds
15 of Releases are being challenged, you should be able to do
16 the same. And that's exactly what you did. And you
17 engaged at that point because I know it was important to
18 you that your story was heard, your experiences were heard
19 in New Zealand, so you engaged with NOPS here; is that
20 right?

21 A. Yes because of the experience I'd had last time and because
22 I was determined to give evidence to the Commission, I
23 thought that the best way to do this was actually to go
24 through to New Zealand and force them to hear my story
25 there and not give them an option.

26 So, I reached out to a survivor group that NOPS helps
27 run and she helped me with the initial introduction to the
28 National Professional Standards Office, the head of that
29 unit there, and also assisted to guide me through that
30 initial process.

31 So, I dealt directly with the Christchurch office and I
32 have refused for anything to move outside of New Zealand, I
33 wanted it to be – it has meaning in New Zealand, it doesn't
34 have the same context or meaning if it's spoken about in
35 Australia, I think.

1 Q. And I understand that another thing you pushed back against
2 was having your experiences fragmented and dealt with in a
3 sort of compartmentalised fashion?

4 A. So, a lot of – I've always looked at my abuse regardless of
5 the fact that, and I think it's probably been one of the
6 ways that I've been able to live with it myself, is that
7 I've seen it as a single event, even though it stretched
8 four years and it was – it's so unacceptable from anything
9 else, you know, it just seemed to roll on and roll on.

10 So, I was originally told that the process would be that
11 I would be interviewed separately about each offence. That
12 would be compiled. That would go, the Christian Brothers
13 would go off to the Christian Brothers in Australia to be
14 heard over there, Oceania, because they don't have that
15 representation there in New Zealand. I was told that then
16 the lay teacher, I would have to approach the Church
17 directly about that because lay teachers were out of scope.
18 And then I was told that the Priest because he was a Priest
19 it would not go to anything to do with Australia, it would
20 go after the Committee that reviews it down to the Diocese
21 in Dunedin for review and consideration. And that just
22 annoyed the shit out of me, to make it quite blunt. I was
23 angry that they didn't see the importance of how this was a
24 story to me.

25 So, I pushed back and I said that I didn't want that to
26 occur. I said I wanted my story to be intact. I said that
27 I also wanted Ian Thompson to be included, which also
28 caused a number of backwards and forwards with the Church
29 about whether or not that would be done and investigated.

30 And they agreed to it in the end and they agreed to keep
31 it together. They agreed to be interviewed by one person
32 only and they agreed to have Ian Thompson included in that
33 statement.

1 Q. But ultimately, there will still be – this process is
2 ongoing, as I understand, but ultimately there will still
3 be a fragmentation at the end of the process?

4 A. Yes, I've been told that they won't exclude the other
5 stories from it but still it's gone, the last – so, in
6 comparison, I suppose to my four- to five-month whirlwind
7 first adventure with NOPS in Australia, I gave the
8 statement to NOPS in detail. So, I started working with
9 the Standards Office almost around the same time in March
10 2018, I think, 2019. At the same time, when I flew to
11 New Zealand and met with Commissioner Shaw and had my
12 private session, I then flew to Wellington and I did the
13 full interview with the Catholic Church at the same time.
14 So, that was October last year. It was only August this
15 year that I actually signed the final version of that
16 statement.

17 It then has gone, the last contact I had is it went to
18 "the Committee" about two weeks ago for review and then
19 once it goes out of that Committee, I will then
20 individually – I will be contacted individually by each
21 organisation to then start their process, the process with
22 them.

23 I wanted to tell my story to the Commission and that,
24 you know, the other part of it, to me I get the sense that
25 I'm being dealt with probably in the same sort of
26 timeframes that other survivors are dealt with. There's no
27 impetus in their end to have this process speed up to
28 conclusion until the end of probably this Royal Commission
29 process. So, I don't have expectations around what I'm
30 doing with the Church. My process is around my
31 expectations of what I have with this Commission and what
32 the Commission can do for survivors and me, as opposed to
33 anything else.

34 Q. All right then, Marc, so that's still – that's where you
35 are at with the NOPS process.

1 So, looking forward then, as you've just indicated, your
2 priority is for this Commission to make recommendations.

3 What do you think needs to change?

4 A. I've looked at who I am as a survivor. I've looked at the
5 lack of support that – (loss of audio) – for the past
6 number of years I've interacted and –

7 Q. Marc, we've lost you just briefly. Just pause because this
8 is clearly what you're here for. Do you want to just say
9 something less important than your crucial recommendations,
10 what you want to come out of this Commission as a test to
11 see if your audio is working?

12 A. So, I believe proper redress and change can only occur if
13 the Church and other bodies accept and take full
14 responsibility and accountability for what has occurred to
15 survivors. The fact that to date there's nothing that I
16 have seen that they have done that or have a willingness to
17 support transparently for survivors moving ahead, then
18 makes me think that may be something I want but it may not
19 happen. Therefore, what needs to occur is that I would
20 recommend that an independent be setup outside of the NOPS
21 process or any other part of the Church. It should have
22 judicial powers and inquisitorial powers to force the
23 Church to hand over documentation and it should
24 independently assess not only the survivor but put the
25 survivor first in this process and actually have the
26 outcomes focused around, regardless of whether or not it's
27 faith-based care, survivor, disabled, it doesn't matter, it
28 should be the focus on the individual, as opposed to the
29 protection of the organisation against lawsuits and the
30 expenditure of money.

31 So, only if we've had upwards of 30 to 35 Royal
32 Commissions or the equivalent have been held around the
33 world at a global stage by countries and at every point,
34 every organisation, the Church, the Anglican, the Catholic
35 Church, the Scouts, it doesn't matter, they've all been

1 found at fault at the end of those. There has always been
2 – nobody has gone there and gone "we got it wrong this
3 time, the Church didn't do anything wrong". If after every
4 one of those engagements around the world there isn't the
5 impetus to go "shit, we should do something proactive now.
6 We think the victims and what they've been through, these
7 people, is just wrong, it's such a level we don't know how
8 to do it properly. We need help to do this". I shouldn't
9 even have to come to a Commission. There's been enough
10 evidence preceding this to show you what support works for
11 survivors. It is only the audacity of the Church to think
12 that they're the victims here and that they're not to blame
13 that this keeps proceeding. If this was a corporate
14 company of any standing and history in the world that had
15 been found blatantly ignoring, hiding, transferring staff,
16 almost tacitly allowing paedophilia of children and the
17 rights of children to be abused and them not taking
18 ownership for that moving forward, that company would not
19 exist in the world today. They would be subject to all
20 sorts of laws and other undertakings. They would be shut
21 down. Yet, the Church has managed to survive this because
22 they say they are a faith-based organisation, yet the
23 burden that the Church has put onto society to support the
24 victims or just left the victims and survivors to deal on
25 their own is a disgrace. It is a disgrace at every level
26 of measure about what the Bible is about, about what the
27 Church teachings are about. They are not even close to an
28 organisation that Jesus Christ would come back down in his
29 second coming and go "I would be proud of what occurred".
30 I can't see how my God would ever do that. They would look
31 at it and go, "You're a joke. You are hiding. You are
32 deceiving. You are lying. You are committing so many of
33 your own breaches of your core values that you're not even
34 close to what you should be".

1 So, my disappointment is as a survivor I have to sit
2 here. I would have thought that these (loss of audio)
3 after 30 times around the world and findings and litigation
4 and lawsuit should just be available.

5 Q. Thank you, Marc. That's, as always, very eloquent. Did
6 you have anything else that you wanted to add before I ask
7 the Commissioners if they have any questions for you?

8 A. No. I would like to say at the end of that, that this has
9 been a journey that's had an impact (loss of audio) – the
10 survivors that aren't before this Commission now and the
11 survivors that have passed in their journey and this isn't
12 an easy process. We need help moving forward and different
13 help than what's being provided now.

14 **MS GLOVER:** Thank you. Commissioners, do you have any
15 questions for Marc?

16 **CHAIR:** Marc, as you said, I was privileged to hear your
17 private account way back last year and it's an
18 extraordinary experience to listen again. But the most
19 extraordinary thing about you is your survival, that you
20 have survived in spite of the most extraordinary battles,
21 both with your Church, with your experiences, with
22 yourself, and you are sitting there straight up and, as
23 counsel said, speaking so eloquently.

24 I think all of us who are privileged to have heard from
25 you again, for me again, but all of us are privileged to
26 have heard and I think all of us feel the deep weight of
27 responsibility that you place on our shoulders as the Royal
28 Commission.

29 You place a huge responsibility on us to see that people
30 as brave as yourself, we do justice to you. And so, know
31 that your contribution has been very important, both in the
32 private session and today when you have been brave enough
33 to speak of appalling things so publically and we respect
34 you for that.

35 A. Thank you.

1 **CHAIR:** I hope that you will now get some comfort from
2 having told your story in the open and I hope that you'll
3 also get support because you will need that after this very
4 difficult and long process, so please look after yourself
5 and take whatever support is available for you.

6 A. Thank you, Commissioner.

7 **CHAIR:** Thank you. So, we're going to close the day. If
8 you'd like to stay, we close in a New Zealand way with a
9 karakia and a waiata and if you would like to sit and
10 watch, you can even join in if you like but it's up to you.

11 A. I will stay and listen, thank you, Commissioner, and thank
12 you for your help leading up to this and if you can pass on
13 my thank you publically to James Watson the investigator as
14 well, he's been quite marvellous.

15 **CHAIR:** Good to hear, thank you.

16

17

18 (Closing mihi and waiata)

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Hearing adjourned at 5.30 p.m.