

The extent of serious mental illness caused by rape and sexual abuse at Australian religious schools

Abstract

The paper investigates the extent to which rape and sexual abuse at Australian religious schools has caused serious mental illness has been caused by.

Method: Australian church schools provided case studies through a Royal Commission, (2013-2018), court judgements, survivor accounts and media reports of certain Anglican, Jewish and Roman Catholic schools.

Implications: Systemic sexual assaults many decades in many schools while institutions refused to report sexual abuse to police. Sexual abuse is a substantial risk factor for a range of mental disorders in both childhood and adulthood.¹ Non-trivial tortious payments have been made to some victims (eg \$0.835M by the Anglican Diocese of Southern Queensland to 'Lyndal' in 2001; Catholic Church \$0.75M to Emma and Katie Foster in 2006; Adass Jewish School Melbourne \$1.25M in 2015). The 'Melbourne Response' of Cardinal Pell has been criticised as inadequate. Research by Dr,¹ has established complex relationship between child sexual abuse and adverse mental health consequences.

Keywords: sexual abuse in schools, financial compensation, adass jewish school Melbourne, anglican church, geelong grammar, knox grammar, catholic schools Australia, royal commission into institutional responses to child sexual abuse

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Changing institutional culture to prevent sexual assaults

Walter Robinson and other journalists at the Boston Globe newspaper in 2001 found that about six per cent of Roman Catholic priests (ninety priests) in the State of Massachusetts had sexually abused children, and also found that the local Cardinal Law was aware of the problem but ignored it. Hiding sexual abuse by priests and by teachers in other religious schools has gathered international attention.

In fact the abuse revealed by the Boston Globe was replicated in many countries, and involved an abuse of power by a small minority of staff, but the systematic covering up of that abuse by those in charge of closed powerful institutions which operated in defiance of breaches of the criminal law.

The organisation www.brokenrites.org.au was started by semi-

retired professionals in Australia in 1993. It records crimes committed by members of the Catholic Church in Australia. It has facilitated the conviction of a number of Catholic priests and religious brothers and support for victims.

Recently some victims of sexual assault in religious schools in Australia have successfully sued the schools for compensation. 'Damage beyond words...of an irreparably damaged life' should be met with 'the utmost sympathy and generosity' but this is not always the case.² Criminal convictions, substantial financial penalties by courts, and shaming of institutions by the media can encourage humane responses from responsible institutions.

In Australia over 500 known victims of sexual abuse have obtained \$32 million (\$64,000 per person) in recent years for sexual abuse in religious schools (Table 1: Recent financial settlements for sexual abuse).

Table 1 Recent financial settlements for sexual abuse in Australian religious schools

| Paedophile teacher | Victim | Amount paid | Years cited | Year of agreement | Authority/ reference |
|-------------------------------------|---------------------------|---|-------------|----------------------|---|
| 1 Hugh McNamara | Peter Jackson | \$250,000 to family | Late 1970s | After 1997 year n.k. | Gold Coast Bulletin 8 Dec 2015 |
| | Southport School | Suicide age 33 | | | |
| 2 BIM Geelong Grammar | BIR aged 9 | \$32,000 | 1980 | 1998 | Dr John Court GG consultant |
| 3 n.s. Brisbane Grammar | NR | \$31,000 pp \$5.7M to 76 victims | 1990 | 3-Oct-15 | Brisbane Times 12 February 2016 |
| 4 Philippe Trutmann Geelong Grammar | Luke Benson and 41 others | \$8,500 per student ie \$0.35M in total | 1992 | 2005 | Donovan Samantha. ABC News 3 Sep 2015, The Age 4 Sep 2015 |

Table Continued....

| | Paedophile teacher | Victim | Amount paid | Years cited | Year of agreement | Authority/ reference |
|----|-----------------------------------|--|--|--------------------|--------------------------|---|
| 5 | Kevin Guy Toowoomba Prepatory | Female student assaulted on 30 occasions | \$0.834 million | 1990 abuse | 2001 | The Chronicle 27 Feb 2016 No criminal conviction against perpetrator (NC) |
| 6 | Student Trinity Grammar Sydney | Year 9 boy x Year 9 boys x 50 times | \$0.5 million | 2000 | 2003 | Walker, Frank. Sun Herald August 28, 2005 |
| 7 | Student Trinity School Sydney | Year 10 boy x Year 10 boys 25 times | \$0.5 million | 2001 | 2005 | Daily Telegraph 16 Jan 2016 |
| 8 | Catholic school Melbourne | Emma Foster | \$0.45 million | 1988-1993 | 2006 | Royal Commission *NC |
| 9 | Catholic school Melbourne | Katie Foster | \$0.30 million | 1988-1993 | 2006 | Royal Commission *NC |
| 10 | Melbourne response | 322 victims | average of \$42,000 | 1960-1998 | 1996 to 2015 | Royal Commission |
| | Catholic Church | | (\$13.5 million in total) | | | |
| 11 | Melbourne response | 23 victims who sued | average of \$270,000 each (\$6.21 million) | 1960-1998 | 1996 to 2015 | Royal Commission |
| | Catholic Church | | | | | |
| 12 | Trinity School Sydney | Year 10 boy x Year 10 boys 25 times | \$0.5 million | 2001 | 2005 | Daily Telegraph 16 Jan 2016 |
| 13 | n.s. Geelong Grammar | n.s. | One settlement modest amount | Pre 2015 | Pre 2015 | TBA |
| 14 | M. Leifer, Adass School Melbourne | K Ehrlich, 16 yrs reported 2008. | \$1.275 million | 2003-2006 | 7-Sep-15 | Judge Jack Rush Victorian Supreme Court * NC |
| 15 | Kevin Lynch Brisbane Grammar | 76 victims of Kevin Lynch | \$5.7 million [\$61,000 pp av.+\$14,000 legal] | 1980-1997 | 2003-2016 | Brisbane Times 13 Feb 16 |
| 16 | Various Brisbane Anglican schools | n.s. | \$30,000 to \$80,000 | n.s. | 2015-2016 | Brisbane Times 13 Feb 16 |
| 17 | Yeshivah Melbourne | n.s. | \$30,000 to \$80,000 | 2016 | 2016 | The Age 3 Feb 16 |

*NC = No criminal conviction against perpetrator

In order to sue successfully, victims and their parents have to provide statutory declarations to police. Considerable research skills in various social science disciplines, including law, and medical evidence, are required in order for either charges to be laid against a perpetrator or for a plaintiff to win a claim in a civil court. Usually a criminal conviction has preceded successful civil action.

Some financial settlements to date

Adass jewish school melbourne \$1.275M to one victim in 2015

Hadassa Sara Erlich, a former student of Adass Jewish school in Melbourne was awarded \$1.27 million for the 'evil' abuse by her fugitive headmistress. In one of Australia's largest sex abuse payouts as at 2015, by the Victorian Supreme Court because the school was liable for the abuse suffered by the then teenage victim at the hands of her former principal, Malka Leifer.

On the ultra orthodox Judaism as practised by the Adass community, Judge Rush found:

The evidence reveals a community that adheres to, by comparison with contemporary Australian society, an exceptionally rigid and strict code of behaviour. The Adass community is very close in terms of its associations, interrelationships and neighbourhood. It is also completely closed' (Judgement p.1).

Justice Jack Rush said the victim had suffered fear, uncertainty and major lifelong mental injury including self-harm following abuse suffered between the ages of 15 and 18. Part of the payment was for economic loss because the victim was only able to work part-time. The principal fled to Israel and has not yet been extradited to Australia, nor been found guilty of any crime.³

[Anglican] Toowoomba preparatory grammar [boarding] school queensland \$0.835m (2001)

One victim of pedophile boarding master Kevin George Guy

was awarded \$834,800 payout, including \$400,000 in exemplary damages, in 2001 after a court trial contested by the Anglican Church. Guy committed suicide in 1990 before standing trial. Lyndal was an 11 year old boarder when Kevin Guy, a master at the school groomed her and sexually assaulted her in his bedroom at night between 1987 and 1990.^{4,5}

Anglican diocese of southern queensland refund of fees-68 applications (2016)

In late 2015, following many years of representations by parents, the Anglican Diocese of Southern Queensland pledged to proactively seek out confirmed victims and refund their school fees, which include St Paul's school and Brisbane Grammar, and 68 families had approached the school by early 2016 (<http://Anglicanchurchsq.org.au/schools-refund>,⁵⁻⁸

The Australian Government Royal Commission into Institutional Responses to Child Sexual Abuse was established in 2013 and has recommended an average payment of \$65,000 and a maximum of \$200,000 to survivors.⁵⁻⁹

Catholic church paid \$0.75 m in 2006 to katie and emma foster, including \$0.45 m for emma who committed suicide in 2008

After taking legal action against the Catholic Church in 2002, Emma and Katie Foster secured 0.75 M in 2006 including \$0.45 M for Emma who committed suicide in 2008. The Fosters said they were sexually assaulted when aged five to seven years at Sacred Heart Primary School, Oakleigh, from 1988 to 1993 by their priest Father Kevin O'Donnell, who worked under then Bishop George Pell. Emma first disclosed her abuse when in a psychiatric unit aged 15 and Katie disclosed her abuse one year later. Katie became a binge-drinker and was hit by a car in 1999 when sixteen and remains in a wheelchair. Kevin O'Donnell was an astute businessman and fund-raiser for the Catholic Church. He identified good real-estate investments for the diocese and helped the church sell them at a large profit. John Kevin O'Donnell sexually abused children from 1942, when aged 25 until he retired in 1992 at age 75.¹⁰⁻¹³

(The) Catholic church, under the 'melbourne response' paid 322 victims an average of \$32,000 each (1996 to 2015) (\$13.5 m in total); (the) catholic church also paid 23 victims who sued an average of \$270,000 each (1996 to 2015)

The 'Melbourne Response' was instituted by Archbishop George Pell of the Roman Catholic Church in 1996 following pressure from government and victims' representatives. The average payment of compensation to a victim between 1996 and 31 March 2014 was approximately \$32,000. In evidence to the Royal Commission Cardinal Pell admitted that 'ex gratia payments' would be a better description of the church's payments than 'compensation'.

The catholic church appointed Mr O'Callaghan who said that he had assessed 330 complaints since being appointed in 1996, and upheld 304, or 97 per cent of them, by 2013. On the other hand there were average payments of \$270,000 per person for twenty-three other victims who sued the Catholic Church. The CEO of the Church Insurance Company, Peter Rush said the company had paid 600 Victorian victims about \$30 million since it started providing clergy sex abuse liability insurance in 1991.¹⁰⁻¹⁵

Geelong grammar school, victoria (\$35,000 to over \$100,000 for some students (20007- 2015)

Geelong Grammar School has educated Australian Prime Ministers, Cabinet Ministers and Heads of government departments. It has more Queen's Birthday honours than any other school, and it has educated the future king of England. Throughout Australia police have pursued the oldest perpetrators first. Five teachers -John Harvey, Graham Dennis, Philippe Trutman, John Buckley and Stephan van Vuuren-were employed at Geelong Grammar at periods between 1957 and 2007 and have been jailed for sexually abusing students. A further five staff - Rev Norman Smith, Rev John Davison, Max Guzelian, Andrew MacCulloch and BIM were accused of sexual abuse but died before being jailed. Trutman had been a boarder at Geelong Grammar for six years and was subsequently appointed as housemaster at the school between 1985 and 1996. Principal Stephen Meek advised the school council in 2007 that litigation regarding Philippe Trutman's 41 victims of sexual abuse had been settled for about \$350,000, and his report said 'Overall, this has been a very satisfactory financial outcome for the school', [ie \$8,500 per student] (Donovan S). Witnesses to the Royal Commission told how Geelong Grammar was concerned only with avoiding scandal, rather than stopping the abuse. This was a familiar pattern for some other schools (The Geelong Advertiser and The Age 2 Sep 2015. (Report of evidence to Royal Commission 2 Sep 2015). A former student and now psychiatrist Dr Llewellyn-Jones, reported a 'hot-house of violent acts' with 'a subculture of brutality' (ABC 1 September 2015 and Peter Holmes a Court's ABC television interview 26 February 2006). The solicitor Mr Ross Koffel wrote 'Geelong Grammar appears to be the worst school in Australia and eclipses Knox Grammar School in Sydney where there was a ring of paedophile teachers five of whom were convicted' (Koffel R).

Extent of sexual assaults and medical outcomes

In 2006 it was estimated that almost 18 million women and almost 3 million men in the United States had been raped, mostly (about 80%) by just one person during their lifetime. In 2006 these estimated numbers comprised 12 per cent of all females and 2 per cent of all males (Tjaden P et al. 2006).

The survey found that many rape victims suffer serious mental health consequences.

Adult survivors suffer depression, eating disorders, auto-immune disorders and substance abuse (drugs and alcohol), as do child sexual assault survivors.¹⁶

In Australia a survey of 2,760 persons found that 92% of victims were female, 80% of all rapes were not reported to the police, only 7% of all rapes result in an arrest, and of those which are reported, 84% of perpetrators are found guilty.¹⁷ A 2005 survey by the Australian Bureau of Statistics (ABS) estimated that in the previous 12 months 126,100 women (1.6 per cent) experienced sexual violence. The ABS further estimated that: 1.47 million women (19 per cent) have experienced sexual violence since the age of 15 (Australian Bureau of Statistics 2005).

The serious and permanent consequences of childhood sexual abuse are becoming better understood.

Forensic medical records of 2,759 sexually abused children in Victoria assessed between 1964 and 1995 were linked with a public psychiatric database between 12 and 43 years later. The study confirmed that child sexual abuse is a substantial risk factor for a range

of mental disorders in both childhood and adulthood. The sample was drawn from all notified cases of child sexual abuse over a 31-year period in Victoria, Australia.¹

The risks were highest for those whose abuse involved penetration, occurred after age 12 years, and involved more than 1 perpetrator, the combination producing rates of 8.6% for schizophrenia and 17.2% for psychosis. The combined effect of penetrative abuse occurring at age 12 years or later increased the risks of subsequent psychosis 4-fold. The combination of penetration, being older than 12 years, and having more than one abuser resulted in a 15-fold increase in risk of psychosis to rates in excess of 17%. Children raped in early adolescence by more than one perpetrator had a risk of developing psychotic syndromes 15 times greater than for the general population.

The authors concluded that 'the risks of subsequently developing a schizophrenic syndrome were greatest in victims subjected to penetrative abuse in the peri-pubertal and post-pubertal years from 12 to 16 years and among those abused by more than one perpetrator.' Another study found that if raped as an adolescent there is eleven times the risk of hallucinations. This is the situation of the alleged rape of Survivor R 019738 at Geelong Grammar during the 1990s (Bentall R et al. 2012).

Moreover studies of people with common psychiatric disorders and people with psychosis (Fisher HL et al. 2011) suggest that their recall of past trauma is usually accurate.¹⁸

Bentall and Cutajar's research establish that inquiries about early adversity should be routine during the assessment and treatment of psychosis, which may require appropriate training for staff.¹⁹ Animal studies indicate that victimization leads to profound biological changes, including sensitization of the dopamine system. Sexual and physical abuse in a competitive school environment can have devastating consequences.^{20,21}

Conclusion

Research has established a strong, albeit complex relationship between child sexual abuse and adverse mental health consequences for many victims (Fergusson et al. 1999; Walsh, Fortier et al. 2010; Parliament of Victoria 2013). There is a growing body of research that such abuse causes permanent damage and increases the incidence of schizophrenia, with up to a nine times greater prevalence developing. Sexual and physical attacks at secondary schools in Australia have also caused long term outcomes including suicide and permanent psychiatric injury.

The Royal Commission into Institutional Responses to Child Sexual Abuse was established in Australia 2013 - 2017 has compelled witnesses to give public testimony, and has resulted in extensive media coverage of child abuse and the role of particular institutions. It has established that there was extensive sexual and physical abuse over a long period against many children and students. Lobbying by organisations such as subsequent legal action against religious schools, and the Royal Commission has facilitated some criminal convictions. Australian researchers such as Dr Wayne Chamley, Professor David Castles (Psychiatry - St Vincent's Hospital, Melbourne) and Professor Suresh Sundrum Psychiatry at Western Health, Victoria) are well qualified in Australia to collaborate on developing Dr M Cutajar's research on the psychopathology of sexually abused children in Australia.

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Conflict of interest

The author declares no conflict of interest.

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