




Speech By
Kim Richards

MEMBER FOR REDLANDS

Record of Proceedings, 22 October 2019

CIVIL LIABILITY AND OTHER LEGISLATION AMENDMENT BILL

 **Ms RICHARDS** (Redlands—ALP) (4.40 pm): I rise in this House to support this bill. For many it has been a long time coming, and for so many it is simply too late. I want to share the very personal story of my friend, who is currently in the legal process. He has described to me his experience as one of coping and survival. He shared his story with me so I can share it with the parliament as we debate this important piece of legislation in the hope that a real life story, one that demonstrates the gravitas of this legislation, will go some way to address such horrific wrongs. He knows a number of men who have not survived. It has taken him a long time to get to this point in our legal system today and his journey will continue.

In the early 1980s he attended a small Catholic school. For the two years he was there he was sexually abused by a number of men who were attached to the school and the church. He was only eight years old when it first began and 10 years old when it finished. It was very confusing for him to think back, as he did not realise it was wrong. He now knows the shame that is child sexual abuse. When his father found out he said that he would try and 'beat the gay out of him'. He never really understood what he had done wrong, but his dad blamed him for the abuse. He can only wonder what the institution told his dad. He was petrified because every time the grim reaper ads came on he was told he would get AIDS as a result of the sexual abuse.

Throughout his teens he was happily back in the state school system dating girls, and he said he was 'relieved I was not gay after all'. During high school he watched his dad slide into depression. When he was 18 his dad finally apologised for physically assaulting him in his preteens. His dad broke down; he was so remorseful. He finally squarely laid the blame back on the school and the church. Unfortunately, he was never able to rebuild that relationship with his dad. His dad committed suicide shortly after he turned 18. He said that his dad's death was such an extremely difficult time for him. He tried to understand how the sexual abuse and his broken father had all happened. He was crippled with guilt. Honestly, it is just heartbreaking to think that he felt guilt not only for the sexual abuse but also for the loss of his father. The impacts of that are just unfathomable.

He did not seek any help to recover from the abuse; he simply did not know how. He did not know how to acknowledge any of this. After his dad passed he found a coping mechanism: he buried himself in his career and his studies. He had failed at high school, but he went through the TAFE system and later progressed through university; however, he was never able to sustain his career path as the triggers kept mounting. He changed jobs constantly. He had failed relationship after failed relationship, but he did eventually marry and his wife is just a delight. It was after the birth of his first child, a little boy, that his mental health really started to suffer. Prior to that he had some really detrimental coping mechanisms, but he was coping nonetheless. The year after his son was born all of the triggers—the memories of his childhood and the nightmares—consumed him entirely.

It was after he reached what he describes as rock bottom that he finally reached out for help, and he began the long journey. He continued to struggle to find a healthy and sustainable form of coping. He chose to seek advice through legal services, but unfortunately it was not as easy as seeking a lawyer

on the internet. He encountered what he felt were untrustworthy lawyers and an untrustworthy system and process. The first one he ended up settling with was in Sydney. He did not think it was a safe process, and the lines of questioning led to a further inability to cope. He ultimately withdrew from the legal process and simply tried to focus on survival. It took another few years until he engaged advice provided through the royal commission. This was a much safer approach, with the journey mapped with a social worker and all of the appropriate supports in place.

He began attending a support service that exists entirely to support men who were sexually abused as children. Up until that point he thought he was the only victim. Of course we know that he was not and this was not the case, but he had never encountered others with similar stories. As we all know, who would want to share this story? He started to realise that none of those men had coped throughout their lives. This was something that was never spoken of in public or what anybody ever wanted to hear. It challenged people's faith and it was revolting to even imagine. Again he commenced a civil process with a lawyer endorsed through the royal commission. Now he has much more trust in his legal representation and the system.

He told me that the legislation we are putting forward today is another way of making the system better for others. His support systems are much stronger. He says that the civil legal system is a very challenging process. Every few months he is reliving the abuse over and over again, and it takes him weeks to recover emotionally at every step. He is determined to continue, even when he feels that he is up against it with a juggernaut like the Catholic Church. He is reconciled that he will live with this diagnosis and mental illness for the rest of his life, which was borne of the sexual abuse he suffered as an eight-year-old and institutional cover-ups. He knows that he will never reach his full potential in his career and that he has a disability which evolved from the time he was an innocent eight-year-old. He is exhausted, but he is determined not to transfer his illness and trauma to his beautiful children and to be the absolute best father he can.

The amendments that will be moved during consideration in detail to include physical and emotional abuse are very important. This bill goes a long way to making things right. This bill is in response to the civil litigation recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse in the *Redress and civil litigation report*. It will improve the justice system for all victims of such horrific crimes and provide opportunities for fair access and outcomes to survivors of child sexual abuse.

I reiterate the sentiments of the member for Keppel with regard to those institutions that have not signed up for the Redress Scheme. I implore you to sign up. It is the right thing to do. I commend this bill to the House.