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'Not justice': Survivor's advocate slams 'pathetic' settlement offer



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Abuse survivors unhappy with Marist payout

VIDEO CREDIT: STUFF

- **Former Marist Brother Charles Afeaki will be sentenced in May for his abuse of two 11-year-old boys in the 1970s.**
- **The wealthy Marist Brothers will pay out just \$45,000 in compensation.**
- **A survivor's advocate says that's a "travesty".**

If Afeaki had lived in the US, Canada or Australia, the religious order he once belonged to would have been wincing at the size of the cheque they'd have to write.

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Multi-million dollar settlements for abuse survivors aren't unusual overseas: earlier this month, the Tasmanian Anglican church was ordered to pay one survivor \$AU2.3m (\$NZ2.45m).

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In New Zealand, the intricacies of our legal system mean securing compensation for sexual abuse in the courtroom is difficult - and so victims must negotiate directly with the group who abused them.

and a teacher in primary schools owned by the Catholic Marist Brothers order.



Charles Afeaki is due for sentencing in April.

LAWRENCE SMITH / STUFF

But for the Marists, the sum cost of Afeaki's horrific offending against those two boys - Robbie West* and Tane Davies* - will be just \$45,000.

Tane, horrendously abused over the course of a whole school year by Afeaki when he was a pupil at Invercargill's Marist Brothers primary, has been offered \$20,000 as a settlement by the Marists, who said the payout would be "on an ex-gratia basis to acknowledge the abuse and to assist with independent healing".

The Royal Commission into Abuse in State and Religious Care is due to report back next year with firm recommendations for a payment scale for survivors of abuse. The Marists' letter said once the Royal Commission's redress scheme was established, they would honour it and so would top up the payment.



Murray Heasley said the offer to Tane was “pathetic”.

CHRIS MCKEEN / STUFF

Murray Heasley, spokesman for the Network of Survivors of Abuse in Faith-Based Institutions and their Supporters has a close relationship with Tane, and has negotiated on his behalf with the Marist Brothers.

Heasley wrote to the order saying their offer was “pathetic ... insulting and bizarre”.

“Tane is at the very highest level of abuse one can imagine short of murder, and indeed this kind of attack has been called soul murder, an even deeper level of abuse in many minds,” he wrote.

“Am I to understand that Afeaki's confreres believe the destruction and shredding of Tane's life is worth a Starbucks espresso a week while they all live in comfortable circumstances with guaranteed care to the grave and sheltered full-term nursing in their old age while Tane is left in poverty?”

chapter in the behaviour of the Catholic Church of Aotearoa, a missionary church still failing in its mission.”

[Tane has previously told *Stuff* about how his seven siblings went on to white-collar careers but he had struggled with his mental health, substance abuse and relationships. “The rest of my family are successful, and I am not,” he said. “I made bad choices, I acted rashly ... what I would have earned is at least \\$1m more than I have over a lifetime.”](#)

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The other survivor, Robbie West, was given \$15,000 and an apology when he first reported his abuse to the Marists in 2002.

After Afeaki pleaded guilty to abusing West when he was an 11-year-old at St Paul’s College in Auckland, West contacted the Marists again through his lawyers, Cooper Legal.

He agreed a \$10,000 final settlement before Christmas. “I’d had enough, and told Coopers I just wanted it over,” said West. “So the total for me was \$25,000. I’m not happy about it but I have wasted enough of my life with this s—.”

Heasley said the two men’s offers compared poorly with payouts of up to \$200,000 to survivors of abuse at Dilworth School in Auckland and payouts averaging around \$80,000 for survivors of abuse in the Anglican church. Heasley said he expected

The Commission refused to comment, saying they had to “maintain the impartiality and confidentiality of their final report”, due this year.

Heasley said the Marists had shown an inconsistent approach to compensation, citing as an example the [case of Jerry Cataki](#), a Fijian survivor of abuse by New Zealand brothers, who was paid only \$10,000 despite serious abuse.

Heasley also called upon the Bishop of Dunedin, Michael Dooley, to intervene and top up the payment. Under Canon Law, the governing rules of the Catholic church, bishops are ultimately responsible for all religious activity in their diocese, even by independent orders such as the Marist Brothers.

However, in a statement Dooley disagreed. “As a diocesan bishop, I have no authority in this matter, but I am aware of it and I have been taking it seriously. I will undertake further discussions behind the scenes, not in public through the media.”



Marist Brothers delegate Peter Horide, during an appearance at the Royal Commission.
ABUSE IN CARE ROYAL COMMISSION / STUFF

In 2022, Marist Brothers delegate Peter Horide told the Commission they had paid out 57 cases, totalling \$540,000, for an average of \$9,473. They had capped payments at \$10,000 in the 1990s, then \$20,000, and at that time, their biggest payout was \$23,000.

In that same year, Stuff's series on the Marists, [A Secret History](#), conservatively analysed the Marist Brothers' balance sheet - at the time they had \$10m cash and \$19.8m in an investment portfolio with school assets worth \$97m and other property valued at \$6.94m but with a CV value of around \$21m. In 2019, they made an annual profit of \$2.62m.

Asked about Tane's settlement, Horide said it was "not appropriate... to engage in public commentary on the highly sensitive matter of individual redress, nor the ex gratia amount which may have been offered to a survivor. Situations may call for varying proposals of support".

He said the Marist Brothers would "continue to actively cooperate" with the Royal Commission and "take full notice" of its findings. He added: "The Marist Brothers recognise the serious harm experienced by survivors. The Marist Brothers will continue to reach out to these survivors with compassion and with deep respect for their needs, including privacy."

Afeaki will appear for sentencing at the Auckland district court on May 3.

Robbie and Tane's names have been changed

Sexual violence: where to get help

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- [Victim Support](#) 0800 842 846.
- [Safetalk](#) text 4334, phone 0800 044 334 webchat safetotalk.nz or email support@safetotalk.nz.
- [The Harbour](#) Online support and information for people affected by sexual abuse.
- [Women's Refuge](#) 0800 733 843

- If you or someone you know is in a dangerous situation, click the Shielded icon at the bottom of this website to contact Women's Refuge in a safe and anonymous way without it being traced in your browser history. If you're in our app, visit the [mobile website](#) here to access Shielded.

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