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lifestyle ▶ **real life** > **news life**

Teen allegedly raped in NSW juvenile justice centre telling his story for the first time

Locked in his cell, a partially blind 16-year-old boy claims in a court filing that he was groomed and raped by a prison guard. **Warning: Graphic**



Rohan Smith [@ro_smith](#)

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Video

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Jamie* describes himself as a “loner” who was a bit different.

It’s part of the reason, he believes, that an officer allegedly groomed him from the moment he was locked up at a youth detention centre in NSW.

Jamie is detailing the allegations for the first time in a claim filed at the NSW Supreme Court almost 30 years after he was allegedly made to do things after dark inside his cell in exchange for cigarettes and the promise of safety.

He is finally talking about the things he claims happened to him as a 16-year-old boy, things that still give him nightmares.

The 42-year-old spoke with news.com.au about the man who he claims raped him repeatedly for more than six months and about the prison manager who, according

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“In our cells, we were given six cigarettes a day.

“One of the guards took a liking to me and started giving me extra cigarettes.”

In his statement of claim, Jamie details what happened after the prison officer allegedly began visiting him in his cell. It involves allegations of rape so brutal we have chosen not to publish them.

He is suing for damages, interest and costs associated with his time in prison and with his life after.

“We’d get locked down at night and he’d come sit down and talk with me. That’s when the abuse started,” Jamie claims.

“I kept it myself. Way back then, gay people used to get bashed. I was scared if I said anything it would end up bad for me.”



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Jamie claims the man in charge of the prison made it clear that he knew what was going on.

“He would say to me things like, ‘How you and the guard going?’ I knew he was taunting me.”

Jamie’s life has been hard. He struggles with drug addiction and finds it difficult to keep a job. He gets angry a lot.

“I get bad nightmares about it,” he says. “Whenever something used to remind me of it, I’d go straight to drugs and write myself off for two weeks.

“I’d lose my job, lose my girlfriends.”

Jamie is speaking ahead of a push for compensation. On Thursday, his lawyers will meet with lawyers representing the state of NSW in talks he hopes will help him move on.

But as his lawyer points out, the system is weighted in a way that the victim is at a significant disadvantage, particularly in NSW.

‘IT IS THIS AWFUL SECTION OF THE LEGISLATION’

Sheree Buchanan is an abuse law specialist at Shine Lawyers. She is representing Jamie and dozens of others who were abused as children in custody and who are fighting for compensation.

But the hurdle is a piece of legislation amended by the NSW Government in 2004 to curb “fanciful” claims against prisons.

The law makes it harder for offenders to get paid out for injuries they might have sustained during “slip and fall” incidents, but it has had an unintentional impact on child sexual abuse survivors.

“It’s this awful section of the legislation, part 2A of Civil Liability Act,” Ms Buchanan explains.

“Our biggest issue is that the whole purpose of amendments were to prevent more fanciful claims in custody. Slips and falls, minor injury cases, that’s when the legislation kicked into place. It requires a certain threshold be met.”

It means people injured in custody must prove a “permanent impairment” above a 15 per cent threshold”, but Ms Buchanan says that is “offensive” to try to compare injuries sustained by falling with “horrific sexual abuse”.

Jamie was 16 when he was locked up and abused. *Source:Supplied*

She says Jamie should not have to go through what he is going through to get justice.

“It was in juvenile detention that he went through the most traumatic time in his life,” she says. “He was quickly groomed by an employee with cigarettes and he soon became the victim of numerous counts of brutal abuse. He was only 16 at the

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Mr Speakman told news.com.au that “child abuse, wherever it occurs, is abhorrent”.

He said the NSW Government “acted swiftly to implement all of the civil justice recommendations of the Child Abuse Royal Commission” and that when the issue

was raised with him by Shine Lawyers he “sought urgent advice from the Department of Communities and Justice”.

But there has been no movement since May.

“The Department is currently considering options for potential reform,” Mr Speakman said.

In documents filed with the Supreme Court, lawyers for the State of NSW do not admit to Jamie’s claims that he was sexually abused during his time in custody.

Jamie did not take the matter to police. No individuals were prosecuted.

****Jamie has changed his name to avoid being identified.***

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