



## Professional Standards Risk Management Service

18th March 1996

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 G.P.O. Box 180B, Melbourne, Vic. 3001

**CONFIDENTIAL**

Most Rev. K M Manning  
 Bishop of Armidale  
 Post Office Box 93  
 ARMIDALE NSW 2350

Dear Bishop,

**REDACTED** vs Farrell & ORS

My attempts to return your telephone call were unsuccessful but I assumed you wished to discuss the above matter.

Mrs Murray agreed to convey my message that CCI have arranged to file Notice of Appearance with the Registry of the Supreme Court of New South Wales. Kirk Owen instructed solicitors on 13th March 1996. Service of the Writ upon the Archdiocese of Sydney had been effected on 8th March. For reasons of convenience and promptness, Dunhill Madden Butler, who quite often act in these matters for CCI, were instructed. However, subsequently it may suit the various parties named, including your own Diocese, that solicitors other than Dunhills act in the matter. There is, on the file of CCI, a letter dated 30th June 1995 of Makinson & d'Apice who were instructed by your Diocese to notify your insurer of the intention to take action conveyed at that time by McCabe Brown, lawyers acting for the plaintiff. In consultation with you and other defendants it may well prove appropriate that Makinson & d'Apice continue to act.

The events in respect of which the claim is made are alleged to have occurred on or about the 27th April 1983. You notified CCI in a report dated 2nd May 1994, indicating that the incident was known to Diocesan authority, presumably to Bishop Kennedy, in 1984. The first defendant was charged with related criminal offences at Narrabri Local Court in February 1988.

Prior knowledge, therefore, precludes the matter being considered as a claim under the "Special Issues" covers or the Ethical Standards Liability insurance policy. However, the Public Liability insurance policy held by the Diocese at the time the offences were allegedly committed may well provide indemnity. My research reveals the Diocese held a Public Liability insurance policy providing indemnity to a limit of \$25 million for the year commencing 15th September 1982.

I shall ask Kirk Owen to forward to you a claim form for your completion and return to CCI so that a formal claim may be considered.

Yours sincerely,

**LAURIE ROLLS**

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