

SPARKE ■ ■
HELMORE ■

SOLICITORS

ESTABLISHED 1882

Our Ref: Tony Deegan
TH: FAR978/6
Your Ref: Robert Caddies

7 December 1998

Direct Dial: [REDACTED]

The Senior Partner
Rankin & Nathan
Solicitors
DX 7836
NEWCASTLE

By facsimile [REDACTED]

Dear Sir

**Re: John Farragher Removals Pty Limited and The Anglican Diocese
of Newcastle**

We refer to the writer's recent telephone conversations with you and confirm that we have instructions to act for John Farragher Removals Pty Limited. We understand that you are acting for the Anglican Diocese of Newcastle.

Recently one of our client's managers has communicated with your client in relation to a removal for Father Peter Rushton which our client recently carried out for your client Diocese.

Without going into the detail of the matter, certain statements were made by our client's manager to your client that Father Rushton's belongings (which were packed by our client's employees as part of the removal), contained printed material of a paedophilic nature.

Our client has now investigated matters further and has instructed us to advise you that there it could find no evidence to suggest that Father Rushton's belongings included paedophilic material. We confirm the writer's telephone advice to you late last week that our client and its employees withdraw any suggestion that Father Rushton's belongings included paedophilic material. Our client apologises for any distress or concern which the abovementioned statements may have caused.

We confirm the writer's advice to you that we now hold copies of written statements prepared by our client's employees in relation to certain matters observed by them when packing Father Rushton's belongings. Our client wishes to co-operate with your client in its enquiries into the matter and we note your suggestion that our client may be able to rely on the principles of qualified privilege and particularly Section 22 of the Defamation Act however

AJD:518183_1.SAM

REPLY TO
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FAX 02 4924 7299
DX 7829 NEWCASTLE

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GOVERNOR
PHILLIP TOWER
1 FARRER PLACE
SYDNEY NSW 2000

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FAX 02 9373 3599
DX 382 SYDNEY

MELBOURNE
LEVEL THIRTY THREE
140 WILLIAM STREET
PO BOX 82
MARKET STREET
MELBOURNE VIC 3007

PH 03 9291 2333
FAX 03 9291 2399
DX309/9 STOCK EXCHANGE

CANBERRA
LEVEL TEN
CANBERRA HOUSE
40 MARCUS CLARKE
STREET
PO BOX 2552
CANBERRA ACT 2601

PH 02 6248 7511
FAX 02 6248 7522
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07 DEC '98 15:43 FROM SPARKE HELMORE

TO REDACTED #100

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To: Rankin & Nathan

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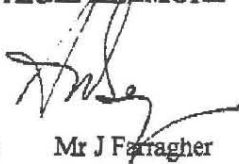
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our client will be prepared to hand over copies of the said statements only upon the following conditions:

1. That the statements be kept strictly confidential to the Bishop and his advisers who agree to maintain the confidentiality of the statements, and
2. That the Diocese agrees to indemnify our client and its employees against any costs or other liabilities arising from any action which might be taken against them (or any of them) by Father Rushton in relation to these matters including any judgements, awards, or legal costs.

We await your response.

Yours faithfully
SPARKE HELMORE



cc Mr J Farragher

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** TOTAL PAGE.003 **