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2 February 2000

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Attention: Andrew Luckhurst-Smith

Dear Sirs

Anglican Church – Robert Brandenburg
Our Ref: 8077644

We refer to your letter of instruction dated 20 January 2000.

We are pleased to report that we have completed our search and review of the Tasmanian Supreme Court records and the "The Mercury" Newspaper archives.

An initial search of the Supreme Court records for both the Anglican Church and Robert Brandenburg as parties to a civil action yielded no results (these search results are attached for your records). Accordingly, we then conducted a search of articles which appeared in The Mercury around May of 1999 regarding sexual misconduct. The search revealed an article at page 7 in the edition dated Saturday, 29 May 1999 titled "Jailed sex-abuse priest to face damages claim". The article identified Mr Brett Skipper as the Plaintiff in the civil action commenced against the three named defendants: the Trustees of the Diocese of Tasmania, Louis Victor Daniels and Robert Brandenburg (this article is attached for your records).

A further search of the Supreme Court records for the name Brett Skipper identified the civil action referred to in The Mercury, matter No.781 of 1998.

On attending the Supreme Court, while we were able to view the Court file, we were unable to copy any of the documents contained therein. Irrespective of this, we did make notes of all points we considered of relevance to your client.

This action was originally filed with the court on 28 May 1998. The solicitors acting for the Plaintiff were Watling Roche Lawyers, Level 5, 39 Murray Street, Hobart, Tasmania, 7000. The solicitor responsible for the proceedings was Mr Brian Hilliard.

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Mr Brandenburg was served with a Writ in this action on 27 May 1999 in Magill, South Australia. The Plaintiff's claim was for damages for personal injury as a result of the negligence, breach fiduciary duty, assault and trespass of the Defendant on various dates between 1984 and 1987 resulting in damage on or about 2 July 1995.

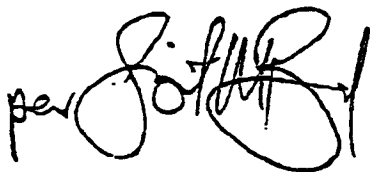
Amongst other allegations pertaining to the Trustees and Daniels as Defendants, the Plaintiff also alleged that whilst Robert Brandenburg was an official, organiser, member or leader in the Church of England Boys Society ("CEBS"), in September or October 1985, Brandenburg sexually molested the Plaintiff in a hotel room at the Penny Royal Hotel in Launceston. No Particulars were provided, but it allegedly occurred at a time the Plaintiff was a member of CEBS.

Further, as a result of acts perpetrated by Brandenburg (in conjunction with Daniels), the Plaintiff alleges that he suffered Post Traumatic Stress Disorder, Anxiety, Depression and Severe Psychological Suffering.

On 4 October 1999, judgement in default of appearance was entered against Brandenburg. We are not aware whether Brandenburg was in fact deceased by then. The damages in relation to this action are to be assessed, however at the time of viewing the Court file on 25 January 2000, no application had been made to have the quantum of damages assessed by a Master of the Supreme Court.

Should you require any further research conducted in relation to the pleadings, or you require us to obtain further detail from an alternative source, please contact us. We are glad to be of assistance and look forward to receiving your instruction.

Yours faithfully
HUNT & HUNT

per 

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