

McLary, R-Standards Director

From: Anne Foot [Anne.Foot@anglicantas.org.au]
Sent: Thursday, 1 October 2009 4:30 PM
To: McLary, R-Standards Director
Cc: Russell Morton
Subject: RE: Re Information

Dear Rod

Thank you for your email.

I need to take the questions you have asked to my Professional Standards Committee for a decision about an investigation and assessment, given the fact that your Diocese has a substantiated complaint and the Diocese of Adelaide will accept the documents as presented.

Fortunately the next PSC meeting is on Wednesday (7 October), so I should be able to provide an answer to you after that.

As you will be on leave, could you please give me a contact person or would you rather wait until you return from leave?

Regards

Anne

From: McLary, R-Standards Director [dops@anglicanbrisbane.org.au]
Sent: Thursday, 1 October 2009 10:41 AM
To: Anne Foot
Subject: RE: Re Information

Dear Anne

Thank you for your email and in principle agreement to a tripartite approach to this matter. I have spoken with Peter Caporaso and he has agreed to leave the management of the matter with Brisbane. He has committed funds for counselling up to \$1400. My understanding from Peter is that Adelaide will not investigate the matter but will accept the documents as presented. Their process is less formal and they will simply decide on an amount and contribute that. As you would know, the SA respondent is deceased and had a significant history of sexual abuse of boys from CEBS.

In Brisbane, we are not investigating the matter further as ^{BYK} made a complaint to the police in 2001 and that resulted in a number of charges against the person concerned. The person was convicted and sentenced to a prison term. Therefore, we have a 'substantiated' complaint.

Ideally, our approach would be to make an offer to ^{BYK} as a pastoral response to him. I think in his statement he says words to the effect that he does not want to pursue any further charges. This may also mean that he does not want to commence any proceedings where he has to give evidence.

Can I check with you that any offer to ^{BYK} would be subject to an investigation and assessment? Would the investigation require him to be interviewed – either by phone or in person?

Thanks

Rod McLary

2/10/2009

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From: Anne Foot [mailto:Anne.Foot@anglicantas.org.au]
Sent: Wednesday, 30 September 2009 3:10 PM
To: McLary, R-Standards Director
Cc: Lesley Metcalfe
Subject: Re Information

Dear Rod

Just confirming our discussion about the complaint from Lynette Galvin of Journey Family Lawyers on behalf of BYK [REDACTED]

We are happy to give in principle agreement to addressing this complaint jointly with the Diocese of Brisbane and the Diocese of Adelaide, with the proviso that we can develop a process of investigation of the complaint and assessment for an ex gratia payment that we can all agree on and which is based on the understanding that any contribution from Tasmania is capped at \$60,000, in accordance with the Diocesan Pastoral Support and Assistance Scheme, and may be less, depending on the outcome of the investigation and assessment.

It is also our opinion that BYK [REDACTED] should be given the option to choose whether he wishes his complaint to be addressed by a joint process, managed by the Diocese of Brisbane, as that is his place of residence and where the major abuse occurred, or undergo three different processes, with the three Dioceses dealing with that part of his complaint relevant to their Diocese and within their process, i.e. in Tasmania it would be under the Pastoral Support and Assistance Scheme.

The Diocese of Tasmania is happy to contribute \$500 towards BYK [REDACTED]'s counselling, with the understanding that that amount will be deducted from his final payment and that BYK [REDACTED] will be advised of this at the outset.

I understand that, depending on in principle agreement from the Diocese of Adelaide for a joint approach, the Diocese of Brisbane will write to Lynette Galvin outlining BYK [REDACTED]'s options.

We would appreciate a draft copy of the letter prior to it being sent and also some idea of time frames.

Many thanks!
Anne

Anne Foot
Director Professional Standards
Anglican Diocese of Tasmania

2/10/2009

Mobile: REDACTED
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