

McLary, R-Standards Director

From: Elizabeth G Constable [econstable@mrlaw.com.au] on behalf of Patrick J Monahan [pmonahan@mrlaw.com.au]
Sent: Tuesday, 12 January 2010 3:50 PM
To: McLary, R-Standards Director
Subject: DEED OF RELEASE ^{BYK} MATTER

Dear Rod,

Thank you for your 14 December email and the attached Deed of Release.

I now have instructions from the Anglican Diocese of Adelaide to offer a 10% contribution up to a maximum of \$10,000 towards any settlement which you are able to negotiate with ^{BYK} subject (of course) to Mr ^{BYK} agreeing to provide a full and comprehensive Release to the Anglican Diocese of Adelaide in regard to his complaints regarding "Fr Bob".

Could you please let me know whether that offer is acceptable to you and your Diocese.

If so, I will then let you know what additions and amendments we would suggest to your proposed Deed of Release. The Deed of Release which we have used for the Anglican Diocese of Adelaide for some time is a more detailed and comprehensive document than the draft you have sent down to me, and we would need to do some work together to agree on the final version of that, if our offer is acceptable to you.

I suppose that, in the interim, if our offer is acceptable, you could commence negotiations with ^{BYK} and his legal representatives for a dollar sum, subject to the wording of a Deed of Release being agreed upon later. We could work together in that regard if and when it became necessary.

In evaluating the proposal, we would invite you to consider the following points:-

- ^{BYK} alleges over 650 occasions of abuse by John Elliott in Queensland.
- ^{BYK} is very vague about his allegations relating to "Fr Bob", whom he is not able to identify and whom he does not link to any particular Parish.
- Further, the allegations relating to Adelaide concern only one very defined period from December 1972 to January 1973 (effectively probably while on Christmas holiday).
- In contrast, the allegations relating to Queensland run for five years between 1971 and 1976.
- Accordingly, a 10% contribution by the Diocese of Adelaide towards an overall settlement with Mr ^{BYK} seems reasonable, indeed generous.

I look forward to your response to this proposal.

Kind regards,

Patrick Monahan

Senior Partner

Monahan + Rowell Lawyers

Level 31 Rialto South Tower Phone: (61 3) 8624 2000
 525 Collins St Fax: (61 3) 8624 2031
 Melbourne, Vic 3000

www.mrlaw.com.au

pmonahan@mrlaw.com.au

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Monahan + Rowell Lawyers
Level 31 Rialto South Tower
525 Collins St
Melbourne, VIC 3000
+61 (03) 8624-2000
