**URGENT****FACSIMILE TRANSMISSION**

DATE: 3 April 1997

TO: Catholic Diocesan Centre
ATTENTION: Rev Monsignor D Hart
FACSIMILE NUMBER: 9667 0398
DESTINATION: Melbourne

CC: Peter O'Callaghan QC
FACSIMILE NUMBER: 9221 6190
DESTINATION: Melbourne

CC: Carelink
ATTENTION: Ms Sue Sharkey
FACSIMILE NUMBER: 9419 9295
DESTINATION: Melbourne

FROM: Richard Leder
Corrs Chambers Westgarth
 Bourke Place, 600 Bourke Street
 Melbourne

OUR REFERENCE: ROMA5455-001
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TOTAL PAGES: 3 (including this page)

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FOSTERS

We refer to your various discussions with Richard Leder relating to the Fosters. The Medicare issue is complex, and we are still considering it. In the meantime, Sue Sharkey indicated yesterday afternoon that Mr Foster has issued something of an ultimatum, and that he is demanding a response as to whether the Archdiocese will pay his daughter's medical bills.

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There is a threshold issue to be considered before the Medicare issue becomes relevant, namely whether there should be any payments made at all if the victim will not submit to Carelink. The view expressed by both the Vicar General and Sue Sharkey, with which we strongly agree, is that there should be no payments without a Carelink assessment. With that in mind, we suggest that the Vicar General send the following letter to Mr Foster:

"Dear Mr Foster

I refer to your various discussions with Sue Sharkey concerning your requests for reimbursement of medical and other expenses that have, I understand, been incurred in relation to your daughter. As you know, Carelink was established for this purpose, and while I regret the delay in responding to you, the issues that you have raised in relation to Carelink are complex. They required careful deliberation by the Archbishop and his advisers. Confidentiality issues complicated the process.

I have been informed that although you seek to have expenses reimbursed, you do not agree to comply with Carelink's assessment procedures. Carelink was established for two main purposes; first, to provide treatment, counselling and support to victims and secondly, to administer the provision of such services by external service providers. The Archdiocese is concerned to ensure that services are provided to those who need it. It is also concerned to control what services are provided, and to ensure that the services provided are appropriate and that those who seek services have a genuine need.

Carelink is staffed by trained professionals, whose qualifications and experience permit such assessments to be made. Having put these important safeguards in place, the Archdiocese intends to take advantage of them. Accordingly, the Archdiocese will not reimburse medical or like expenses except on the advice of Carelink.

You have indicated that, for your own reasons, you decline to consult with Professor Ball, Carelink's director. In the circumstances, and after consulting with Professor Ball, I propose that an assessment of your daughter's condition be performed by another practitioner. I am advised that two doctors with the appropriate expertise are ^{By} ~~Dr~~ ^{Dr} Mammen and Peter Evans. I invite you to agree to an assessment by one or other of these gentlemen. The costs of that assessment will be met through Carelink in the normal manner, and Sue Sharkey would be pleased to assist you in making the necessary arrangements. Alternatively, you may wish to suggest another psychiatrist of your own choosing. If you do, your suggestion will be considered as quickly as possible.

I hope that the necessary assessment can be carried out without delay, so as to reduce further anxieties on your part. The experiences about which you and your family complain are extremely distressing, and I want to assure that the Archbishop and I, and those

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administering the various elements of the Archdiocese's initiatives for dealing with sexual abuse, are all determined to assist you and your family.

I am aware that you have been critical of some elements of the Archdiocesan initiatives. The issues are complex and difficult, and I want to emphasise to you our determination to achieve just and fair solutions. In the course of my enquiries into your case, I have established that you have consulted with the Independent Commissioner. I am of course not privy to the matters discussed with him, but I would urge you to continue to co-operate with him and to seek from him such assistance and guidance as he can provide.

I am providing a copy of this letter to Sue Sharkey and to the Independent Commissioner.

His Grace and I both pray that you and your family will find peace.

Yours etc

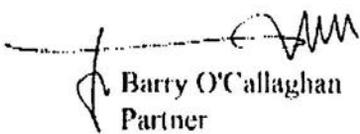
Vicar General".

As indicated above, a response to Mr Foster is needed urgently. Would Peter O'Callaghan and Sue Sharkey please telephone Richard as soon as possible with their comments. Once Richard has spoken to them both, he will call Monsignor Hart, but in the meantime it might be helpful if Jill re-typed the above, subject to any comments that Monsignor Hart has. Richard will be in court from 10.30 am, and if you do not speak to him before then, please page him on **REDACTE**. He will call you back as soon as he can.

Richard understands that Peter O'Callaghan has had various discussions with the Fosters and may have written to them. If there is anything substantive that can be added to the letter based on what Peter has said to them, it might assist.

Would Sue Sharkey also please advise Jill of the Foster's address. Once the letter has been finalised, it should be couriered to them.

Kind regards


 Barry O'Callaghan
 Partner

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