

File Note

Claim Name and Number Diocese of Lismore ats Jennifer Ingham 3148293

Facilitation Summary: Bernadette Rogers, Director PSO Qld 0049030153

Date: 27 May 2013

Author: Emma Fenby, Special Issues Case Manager

1. Attended the facilitation on 24 May 2013 in Brisbane at the offices of Mullins Lawyers. The facilitator was Michael Salomon, the director of the NSW ACT Professional Standards Offices.
2. The Claimant attended with her lawyer, Peter Kelos, his sister, husband and friend.
3. The facilitation commenced with a long and difficult pastoral session, the Claimant spoke at length about the impact of the abuse and the effect on her family and friends.
4. An unreserved apology was offer to the Claimant by Deacon Chris Wallace, the Claimant's complaint and meeting with the Diocese in 1989 was accepted.
5. The Claimant's first offer was \$1 million.
6. The Claimant's solicitor was extremely demanding, demanding that the Diocese contribute after the maximum offer had been reached.
7. EF telephoned Alex Kohn of Makinson d'Apice lawyers to discuss the claim and an appropriate offer. Alex Kohn agreed that the claim should be resolve at \$250,000 plus legal costs if possible today. In this respect, the claim was substantial, it was at an early stage and moving forward from this point would result in another \$30,000 in defence costs and mediation costs and probably the same amount of Claimant costs, and the claim as the claim was very significant, the Claimant's treating psychologist had provided a detailed and reasonably balanced report and on provision of his treating notes this claim had the potential to resolve at a higher level. Charlie Nettleton (Marita Wright

could not be contacted) and provided authorisation for the claim to resolve up to \$270,000.

8. The claim was ultimately settled for \$265,000 plus costs and disbursement fixed at \$11,736.46
9. The Diocese is contributing \$15,000 to payment of the settlement. This amount will be reimbursed by CCI as it is in the range for settlement of this claim.

Emma Fenby, Special Issues Case Manager