

CORRS
CHAMBERS
WESTGARTH

L A W Y E R S

30 July 2002

Mr Peter O'Callaghan QC
Room 1815
Owen Dixon Chambers West
525 Lonsdale Street
MELBOURNE VIC 3000

Partner
Richard Leder (03) 9672 3489
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Our reference
RAL/ROMA5455-5683690

COPY

Dear Peter

INDEPENDENT COMMISSIONER - TERMS OF APPOINTMENT

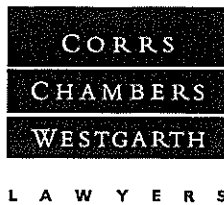
We refer to the terms and conditions of your appointment by the Archbishop of Melbourne to enquire into allegations of sexual misconduct by persons within the Archdiocese of Melbourne.

We refer also to the various delegations granted to you pursuant to Canon 1717 of the Code of Canon Law, the most recent of which was signed by Archbishop Hart on 10 August 2001 following his appointment as Archbishop of Melbourne.

Noting his commitment to the initiatives that have been in place in the Archdiocese since 1996, and his appreciation for your efforts since that time, and noting also his desire for a uniform approach in relation to allegations that concern the Archdiocese, the Archbishop seeks your agreement to the extension of your appointment, with effect from 1 April 2002 to cover allegations of physical and emotional abuse.

To facilitate this, we propose that:

- in the preamble to the terms and conditions of your appointment, the words "sexually" and "sexual" be deleted;
- the term "sexual abuse" be replaced with the phrase "sexual and other abuse", wherever appearing in the terms and conditions of appointment; and
- the following definition be inserted in place of the definition of sexual abuse:



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“Sexual and other abuse” includes:

- any form of criminal sexual assault, sexual harassment or other conduct of a sexual nature that is inconsistent with the public vows, integrity of the ministerial relationship, duties or professional responsibilities of church personnel; and
- conduct by a person with a pastoral responsibility for a child or young person which causes serious physical pain or mental anguish without any legitimate disciplinary purpose, as judged by the standards of the time when the behaviour occurred.

Would you please confirm that this is acceptable to you.

Kind regards

Richard Leder
Partner