

CORRS

CHAMBERS

WESTGARTH

S O L I C I T O R S

**FACSIMILE TRANSMISSION**

**DATE:** 21 November 1996

**TO:** Catholic Diocesan Centre  
**ATTENTION:** Rev Monsignor D J Hart  
**FACSIMILE NUMBER:** 96670398  
**DESTINATION:** Melbourne

**FROM:** Richard Leder  
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**TOTAL PAGES:** 3 (including this page)

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**HELEN LAST MEMO OF 20/11/96**

Thankyou for your fax of earlier today.

When Professor Ball was appointed we knew that he had previously been involved in the treatment of priests. It was recognised that where there had been such contact in a specific case, he would not be personally involved in treatment, which is not to say that he cannot meet with a victim to form initial views. As you say however, one can understand the Fosters' reaction.

We suggest that in the circumstances, it should be made clear to the Fosters that as Professor Ball has had previous contact with O'Donnell, they will be referred to another person for treatment. Ideally that person should be external to CareLink.

We recommend that when His Grace meets with the Fosters:

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- he explains that as Professor Ball heads up CareLink and particularly as the system is all very new, it was very important to the overall success of the initiatives that he obtain first hand knowledge of their case, so that he can ensure that their needs are properly met;
- His Grace has absolute confidence in Professor Ball;
- Professor Ball's role in the Fosters' case will not be to provide treatment;
- all users of the CareLink services are free to select their own treatment and counselling providers, subject to the approval of Professor Ball;
- this approval is necessary to ensure the calibre of the people involved;
- His Grace is particularly concerned about the Fosters' case because their daughter is still so young;
- His Grace understands the frustration of victims whose needs are not met by Broken Rites, and thinks it important that these victims have a voice;
- as to why Professor Ball did not tell the Fosters of his involvement in the case:
  - Professor Ball sees a lot of people, and one contact with O'Donnell does not interfere with his judgment as to the level of support that the Fosters need;
  - Professor Ball did not treat O'Donnell; he saw him once and gave expert opinion evidence in court, and there is a big difference between this and providing treatment;
- there is no basis for the criticisms of Professor Ball that Ms Last conveys;
- if the Fosters choose not to use the CareLink services that will be a great shame because those services will provide them with free professional support that will aid their healing process.

We also suggest that His Grace respond to Ms Last's memo along the following lines:

*"Thankyou for your memorandum of 20 November.*

*I have agreed to meet with the Fosters.*

*I have absolute confidence in Professor Ball. With your experience in this area, you would be well aware that the fact that a professional such as Professor Ball has given expert opinion evidence in a criminal trial after having seen Father O'Donnell once in no way interferes with his ability to determine what level of treatment or support is appropriate for the Fosters. That, I understand, was the reason why Professor Ball met with them. They are of course free to obtain treatment or counselling from an approved external provider.*

*When I meet them I will emphasise these points to them."*

In suggesting the above response, we have assumed that following our facsimile to you of yesterday, His Grace has already responded to Ms Last's memo of 8 November. If that response has not yet been sent the two could be combined.

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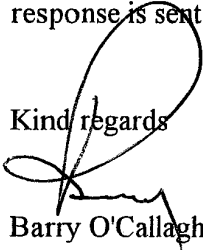
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Once you have considered the above would you please telephone Richard or me so that we can discuss sending a copy of this fax to Professor Ball. Our suggestions for what His Grace should say to the Fosters should be confirmed with Professor Ball before His Grace has the meeting or the response is sent to Ms Last.

Kind regards



Barry O'Callaghan  
Partner

M/45747/RLeder/S1