



CHRISTIAN BROTHERS

TRUSTEES OF THE CHRISTIAN BROTHERS ARBN 066 939 786
 INCORPORATED IN NEW SOUTH WALES
 THE LIABILITY OF THE MEMBERS IS LIMITED

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MEDIA RELEASE

CHRISTIAN BROTHERS ANNOUNCE SETTLEMENT

Long running court actions in the New South Wales and Victorian Supreme Courts, involving the Christian Brothers and 260 ex-students of their former Western Australian childcare institutions, have ended with a multimillion dollar out of court settlement.

"This settlement flows from a recognition that many of the issues raised by these cases cannot be adequately dealt with through the legal system," said Br. Julian McDonald on behalf of the Trustees of the Christian Brothers. "We welcome the settlement as a more constructive alternative to the confrontation and polarisation involved in the legal process," he said.

The centrepiece of the settlement is a \$3.5m Trust Fund to assist the plaintiffs. Known as the W.A. Institutions' Reconciliation Trust, it will be independently administered and will operate over the next three years.

The Christian Brothers will also pay \$1.5m in legal costs incurred by the ex-residents to their lawyers Slater & Gordon. Further, the Christian Brothers will waive an estimated \$750,000 in cost orders made against the plaintiffs by the New South Wales Supreme Court.

One-third of the Trust Fund will be available for cash payments to a group of plaintiffs with particularly urgent needs. "Men who are alleging serious sexual assault and who have suffered continuing psychological problems will be eligible for payments of either \$25,000 or \$10,000, according to the severity of their situation," said Br. McDonald.

All plaintiffs will be paid \$2,000 each in recognition of expenses incurred through their participation in the litigation. They may claim further reimbursement from the Trust where they can demonstrate that they have incurred additional expenses.

The remainder of the funds, approximately \$2m, will be administered by the Trust to provide a flexible and wide range of services to the men, including therapy and other treatment, rehabilitation and retraining, family reunification, emergency relief and low interest loans.

"The Trust will be flexible and efficient in its workings and will not normally require further medical and legal examinations of the men," said Br. McDonald.

"We acknowledge with sincere regret that instances of abuse did occur in our childcare institutions in W.A.," said Br. McDonald, "and accept our moral responsibility to do what we can to help the men who were our students in these W.A. institutions. This settlement gives expression to that responsibility.

"We want to reiterate what we said publicly in July 1993 - we share the wider community's sense of shock and disgust at physical and sexual abuse; we apologise unreservedly to anyone who has been a victim of abuse in our institutions or schools; and we pledge ourselves to continue to respond to the needs of all former students of the childcare institutions in W.A., as well as any other former students who have been victims of abuse."

The complex and costly legal procedures of the last three years have been an attempt by lawyers for the plaintiffs to establish administrative negligence on the part of Christian Brothers' leadership in the 1940s, 1950s and 1960s.

"We maintain that there is substantial documentary evidence to indicate that our leaders acted with due care and responsibility, which is why we chose to defend the negligence allegations," said Br. McDonald.

"We also recognise the courage and persistence of victims in speaking up about their experience. Bringing these matters to our notice and that of the wider public has led to the exposure of abuse and deficiencies in childcare systems, and to the actions now being taken to address these problems.

"We will be continuing various forms of assistance for our ex-students which began before these legal actions commenced, including CBERS (Christian Brothers' Ex-Residents' Services), which is independently administered and which operates in Perth with Christian Brother funding.

"We Christian Brothers renew our pledge to listen to anyone who has been a victim and commit ourselves to continued action to protect children and to eliminate all forms of child abuse," said Br. McDonald.

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