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PHONE NO. : 07 3216 4962

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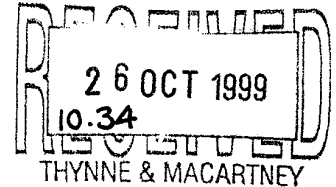
Brisbane Archdiocesan Chancery

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CONFIDENTIAL

25th October 1999

Attn: Mr Moore
Messrs Thynne & Macartney
Solicitors
GPO Box 245
BRISBANE 4001



Dear Sirs,

Professional Standards Resource Group

I have received a letter from Mr Laurie Rolls concerning the ownership of "Towards Healing" and any documents obtained through the activities of the above group. The relevant part of the letter reads:

Documents of the PSRG

Father Brian Lucas confirms the view you expressed that documents held by the Convenor of the Provincial Professional Standards Resource Group are owned by the Bishops of the Province of Queensland. Presumably, the Archbishop could not respond to a request for discovery of a document held by Ken Robertson without approval of his colleagues. Where a request is made sub poena, the position will be different, but technically, in Victoria certainly, discovery can only be requested of a party to the action. If neither the Trust Corporation nor the Archbishop is properly a defendant, the papers held by you as the delegate of His Grace remain safe?

I would be grateful if you would confirm the following points:

- 1) The Archbishop cannot be compelled to discover "Towards Healing" documents that were not specifically commissioned by and for him.
- 2) The Provincial Bishops cannot be compelled to produce documents if they are not parties to an action.
- 3) If the Archbishop is not a party to an action, discovery of any documents I might hold cannot be compelled.
- 4) If the Archbishop or the Provincial Bishops be a party to an action, they and I can be compelled to discover documents.
- 5) In any action we can be compelled by subpoena to produce documents at a hearing.

With every good wish

John Spence
The Very Rev Dr J R Spence
Chancellor