

Carmel Kerin

From: Carmel Kerin
Sent: Wednesday, 14 April 2004 4:13 PM
To: 'Watson, Liz (PT)'
Subject: RE: MC [redacted] Your ref CSO- MC [redacted] 1.doc (Professional Standards Office-Catholic Church)

Liz,

Thanks for your response. There is a bit of a history to this matter and it took some time to sort out the exact wording in this matter but not the reference to "ex gratia" payment in the context of a compromise regarding civil action was not acceptable to the Church. This was sorted out between Tony Fuller (EMA LEGAL) Church lawyer and John Harley (Public Advocate.) John was then in touch with the Guardianship Board. The agreed wording for the Order was:

"by accepting in a form prescribed by the Catholic Church, Archdiocese of Adelaide ("Church") a gratuitous offer of money as set out in a Letter of Offer dated 23rd September 2003 from the Church, and to receiving and managing that money on behalf of and for the benefit of the protected person."

If looking for a precedent then there are a number of matters where this wording has been used e.g.

though it is the parents who are Administrators with reporting requirements to the Public Trustee (16/2/04)

(This is the wording we are looking for in both [redacted] and MC [redacted])
 I am sorry to burden you but there is one more matter you may be able to help with as we believe that Public Trustee may have recently been appointed Administrator in relation to the affairs of [redacted] who is another of the St Ann's Students. We were communicating with his carer [redacted] who has subsequently died and we need to make contact with his new carer/ foster family or the Public Trustee if that be the case. Would you be able to assist us here?
 We would be really grateful for your assistance in clarifying these matters.

Regards Carmel

-----Original Message-----

From: Watson, Liz (PT) [mailto:Watson.Liz@saugov.sa.gov.au]
Sent: Wednesday, 14 April 2004 9:37 AM
To: Carmel Kerin
Subject: RE: MC [redacted] -Your ref CSO- MC [redacted] 1.doc (Professional Standards Office-Catholic Church)

Hi Carmel--have just returned to the office. I will see if I can clarify this annoying issue as soon as possible. Is reference to an "ex gratia" payment not satisfactory to the church?

-----Original Message-----

From: Carmel Kerin [mailto:carmel.kerin@adelaide.catholic.org.au]
Sent: Tuesday, 13 April 2004 12:26 PM
To: watson.liz@saugov.sa.gov.au
Subject: MC [redacted] -Your ref CSO- MC [redacted] 1.doc (Professional Standards Office-Catholic Church)

Dear Liz,

I wonder whether you can chase up the Guardianship Board Order for MC [redacted] as we need to pay those monies over for her benefit. Also while you are at it the matter of [redacted] is still outstanding also. [redacted] sent a copy of an order dated 2nd December 03 but we already had that one. We need to have a copy of the new Order as in MC [redacted] and all the other matters that had to go back to the Guardianship Board for rewording to accommodate the notion of gift rather than compensation. My direct no is 82108276. We would be most grateful for your assistance to conclude these matters.

Hope you had a good Easter.
 Thanks Carmel