



Memo

To: Pauline Verity

From: Karen Mole

Date: 14 May 2002

Subject: Notes from telephone discussion between Pauline Verity and Karen Mole re St Ann's

Discussion to catch up on what has happened since the meeting in April with matters in Adelaide and develop a framework for assessing and managing the claims.

The Police have advised Pauline that Towards Healing can now become involved in 4 claims as the Police investigation is now completed on those matters following a meeting with Pauline, Fr David Cappo, Tony Fuller and Police representatives.

Emerging Claim Details and Potential Costs

Pauline has some well-founded concerns in regard to what is appearing to be significant needs for these emerging claimants. One particular claim was outlined as follows:

- A victim (dob [REDACTED] 81) was transported to St. Ann's by bus during the early 1990's. He became increasingly anxious about being on the bus with physical attacks on other students and the driver to the extent in 1998 he was no longer allowed to travel on the bus.
 - He now attends a day centre and is transported by car has run yellow and red lights to try and prevent outbursts
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- The parents have paid for a significant amount of therapy to address this issue with not much success. Pauline has been told of an agency that can provide the transport at a quoted cost of \$50,000 per year. The parents have asked for the cost of transport to be met plus reimbursement of past counselling costs. No timeframe has been put on the duration of this need but as the victim has autism he would have the same life expectancy as a non-disabled person.
- Pauline is to meet with the parents and their Options Coordinator plus the manager of the Day Centre on 31 May to discuss transport options.

Even with a conservative estimate of transport alone for 30 years we are looking at \$1,500,000. It would not be difficult to draw a conclusion as to the cause of the disturbed behaviour as we are told that it only occurs under these circumstances.

Specialist Assessment and Evaluation

We are advised that the parents do not want this victim interviewed or assessed as he becomes too disturbed and as he has such limited ability to communicate there would be little gain. Given that the above victim was in therapy for some time and that the police are agreeing not investigate this complaint, it would not be unreasonable to comply with this request. I believe that the treating therapist could provided a detailed report.

Pauline advises that several complainants are in therapy funded by the Archdiocese or have funded treatment themselves. I recommend that we should approach these treatment providers for reports. It would prevent retraumatizing the complainants and provide a suitable expert report to assist with claim quantification.

We have very disabled young adults who have experienced a major life event. A new or strange assessor would likely need to assess these people over a period of several sessions and develop a relationship with each one to provide a report on each complainant. The treating therapists have already established this rapport and developed a treatment program.

For those who have not entered into therapy or been assessed by a therapist, we could first consider if the police report provides enough information to assist with quantifying a claim. There may be a small number of remaining complainants where there is insufficient information to assess a claim quantum. We could then consider approaching a known treatment provider and seek their assistance with an assessment.

The benefits of utilising the treating therapists, I believe, will outweigh the seeking of separate independent reports of our own. It will be less traumatic for the victims and also reassure the parents, carers and guardians that we are not unsympathetic to their needs.

Court Approval

I have raised the possibility that any settlement may need Court approvals with Pauline given that these claimants are disabled and some have been placed under the care of the Guardianship Board or have appointed guardians or share guardianship between the Board and an interested party.

Channels of Communication with Claimant Agents

We discussed that it may be prudent for Tony Fuller be approached to seek a nominee who can be the contact person at the Guardianship Board. John Harley might be a choice for this given his role with PAG and the parents. Pauline reports that during media interviews he comes across as very anti-Church but she has been told he is not so in chaired meetings. We feel that this may be a role that he is taking so the people he represents don't feel that his is captured by the Archdiocese.

Permission to Approach Treatment Providers

Pauline and I discussed the need to prepare to draw up an Authority to approach the therapists and police to seek their assistance in preparing reports for our needs in assessing these claims. We will need the parents' permission to gather this information due the changes within the Privacy Act and to assure the parents that the information will be protected.

Settlements

It is unclear as to when more families will be cleared for Towards Healing to proceed. Hopefully it will be in small reasonably manageable numbers. It may make the management and settling of claims more manageable to address matters on the same format. It may also assist in deflecting the demands of parents if they begin to see movement and we can set the expectations of parents in regard to reasonable timeframes.

Other matters

Pauline has raised the matter of a current therapist who is funded by the Archdiocese who is submitting sizable expense accounts and fee costs. Pauline has received unsolicited comments from other professionals that would indicate that this person has a habit of this. Pauline will approach the Psychologists Board with a general inquiry regarding reasonable fee expectations and canvass other therapists for comparison. If there is a discrepancy Pauline will discuss this with the Archdiocese.