



Professional Standards Office

Established by the Bishops and Leaders of Religious Institutes of the Catholic Church in South Australia

Confidential Internal Memorandum

To: Archbishop Wilson and Monsignor David Cappo
From: Sue Cain
Subject: Request for Instructions regarding Settlement for
 LH [redacted] - St Anns Special School
Date: Thursday 12 May, 2011

Dear Archbishop Wilson and David,

I have been provided with a copy of the email from Tony Fuller, dated 9 May, 2011. Please see attachedⁱ.

Patrick Monahan of Monahan and Rowell Lawyers is concluding the Settlement of this matter with Duncan Basheer Hannon Lawyers. He is recommending that in this particular case that an agreement be reached to keep the Settlement sum itself confidential.

In general the accepted practice under Towards Healing and in other civil matters in the Church of this nature is that confidentiality agreements are not favoured. However, there have been precedents where in some cases it has been considered wise to seek a confidentiality agreement only in relation to the monetary amount. This does not request the parties to agree to confidentiality in relation to any other aspect of the matter.

In the email Patrick Monahan outlines his reason for seeking the agreement is his concern that LH [redacted] may give evidence in support of claims of other victims of Brian Perkins, and that in the course of his evidence, evidence might be led about his own settlement.

Tony Fuller is of the view that it is the prudent course of action to take.

On balance, I would support the acceptance of these recommendations that an agreement to confidentiality about the monetary amount be sought.

I provide this for your information.

Kind regards,

Sue Cain
 Director

ⁱ Email from O'Loughlins, dated 9 May 2011.