

Professional Standards Office

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

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Edmund Fernandez
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Catholic Church Insurances Limited
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Dear Edmund,

Re: St Ann's Special School and Brian Perkins.

Thank you for your letter dated 21st October 2003.

I would also like to thank you for your involvement in the St Ann's Working Party which was formed to assist in the planning and implementation of the Adelaide Archdiocese gesture to the former students of St Ann's Special School.

I know that Archbishop Wilson and Monsignor David Cappo were very appreciative of the work done and the contribution made by all members. Your expertise and views were very valuable contributions to that process.

As you know the role of the Working party has ceased, but the St Ann's Taskforce is continuing to oversee the implementation of the work in relation this matter.

Much progress has been made in carrying the Archdiocese's plans into action and I now am able to respond more fully to issues that you outlined in the letter.

Background Information:

This matter is a complex one, further complicated by the fact that all of these former students have a disability and some are not verbal.

The police conducted a criminal investigation, which resulted in Brian Perkins being convicted for sexual offences against four former students (one of whom has since died) and receiving a sentence. Some families have made statements to the Director of the Professional Standards Office, or to personnel of the Catholic Education Office. These reports have been provided to you.

Upon examination of the information available to us, the former students were placed into one of three categories as follows: (the categories were developed for internal purposes, to assist guide and administer the payment of a gift to the former students. The families were not advised of these categories and it is intended to maintain confidentiality as to the criteria for the categorisation).

On September 23rd 2003, the parents/carers of 37 identified former students of St Ann's Special School, were sent a letter outlining an offer of a monetary gift for pastoral purposes.

Category 1A. This category is comprised of three former students whom Brian Perkins pleaded guilty to abusing. (A fourth former student whom he pleaded guilty to having abused, is now deceased as I mentioned earlier). They were offered a gift of \$100,000.

Category 1B. There is a high probability that these ten former students were abused on the basis that they have reported having been abused, and (in terms of opportunity for Perkins to abuse) regularly attended weekend respite care at Brian Perkins's house. They were offered a gift of \$75,000.

Category 2. The available information is equivocal as to whether these twenty-four former students were abused. The information indicates that there may have been the opportunity for Brian Perkins to abuse

them, directly or indirectly. They are former students who were regular users of the bus that Brian Perkins drove, and may have been in the woodwork centre where Perkins supervised the students alone. They were offered a gift of \$50,000.

For reasons outlined above, it is difficult to respond specifically to the areas that you have identified, however I will provide as much information as is possible.

(a) Identity of Victims:

Please refer to the attached table, which provides the names of the former students who have been offered a payment.

Apart from the letter, that you mention from Donal Craig dated 21 October 2000, no other communication has been received from him or from any other solicitors in this regard.

(b) The Approximate Date of loss for each victim.

For reasons already outlined, it is not possible to identify exact dates however to assist in this process it is possible to identify when the student was enrolled and when they left the school and compare this to the dates when Brian Perkins was involved in the School.

Please refer to the table for dates for student enrolments.

Brian Perkins commenced employment at St Ann's Special School in 1986 and left the school in August 1991.

Perkins commenced driving the bus immediately.

Dates for when respite care took place are not known.

No one in behalf of the former students has alleged any specific dates on which abuse occurred.

(c) Nature of the Offence and Psychological Impact.

Nature of the offence:

Exact details are not known to us for each former student.

(Category 1A)

Brian Perkins pleaded guilty to sexual offences in relation to four students. (One of these students is now deceased). The three former students are in Category 1A. Details of those offences were provided to the Court, so would be available in court transcripts. We do not have any of these transcripts.

(Categories 1A and 1B)

For those students who attended respite care, did so under an arrangement directly between the parents/carers and Brian Perkins. Some of these students may have been on the bus and in the woodwork centre.

(Category 2)

Those students did not attend respite care. They were on the bus and may have been present in the woodwork centre.

We were able to make a determination as to whether a former student was on the bus through – recollections of parents, police information and student addresses that correlated with the known bus route.

In relation to the Woodwork centre – no formal attendance records exist. However, it was possible for school staff to recollect students who did attend, and to deduce which others may have attended. Some parents reported that their child attended and had evidence of items that their child made.

Psychological impact:

Given the special needs of the former students it is a complex matter to determine the impact of abuse and distinguish those effects from any psychological, behavioural or psychiatric manifestations of their particular disability.

As you know, psychological assessments have not been sought at this stage. We do have one in relation to MO [redacted] and this is provided for your information. **(Attachment 1)**

(d) The location in which the Abuse occurred:

The respite care took place in the home of Brian Perkins outside of school hours.

For those who were on the bus run, the abuse occurred on the bus both whilst on route to the school and on the way home.

For those who attended the woodwork centre, at the school any abuse took place within school hours.

(e) Name of all offenders.

In all the cases outlined above, the students were categorised according to their contact with Brian Perkins.

Nothing of any substance is known about other offenders.

The Police have advised that they seized a video as evidence. On the video that was taken during respite care, Perkins was audible and Barton was visible on the video. Barton committed suicide after being arrested.

On the bus and in the woodwork Centre it is believed that Brian Perkins acted alone where abuse occurred.

Other matters:

Obligations under the Health Insurance and Other Services (Compensation) Act 1995 and the Social Security Act 1991 have been considered in the payments to the former students. Families were advised in the correspondence that was sent to them. I have attached a copy of the form of acceptance and the Explanatory notes.

Further communication has taken place between HIC and Tony Fuller as a consequence of which HIC has agreed that the payments are gifts and that the payments do not constitute compensation and as such, there is no obligation to withhold or to remit any money to HIC from the gifts.

I have attached a copy of the latest summary of payments to date. **(Attachment 2)**

You will see that we have received all but three signed forms of acceptance and to date have completed 27 payments. I have attached a copy of a memo to Monsignor David Cappelletti dated 5th February, which provides summary of monies paid to date. **(Attachment 3)**

If I can be of any other assistance, please contact me.

Yours sincerely,


Sue Cain
Director.