

Professional Standards Office

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

Postal Address: GPO Box 1364
Adelaide 5001

Address: Catholic Diocesan Centre
39 Wakefield Street Adelaide 5000

Telephone: 08 8223 5890
Fax: 08 8223 1572

Archbishop David
Sue Cain happy to be involved
Edmund Fernandez

Memorandum

To: Archbishop Wilson
From: Sue Cain
Subject: St Ann's Task Group
Date: 19 August 2003

Archbishop agrees with this action - details to be determined.
- David Cappo
- Angela Ryan
- CCI Edmund Fernandez
(0)99343000.
19/8 pc to David who happy.
(not E more for CCI I)

Background:

Young people/families:

- Category 1 = 7 *4 counselling.*
- Category 2 = 26 *10 counselling etc.*
- Category 3 = 57
- TOTAL = 90

It is regarded that the former students can be categorised as follows:

- Category 1: It is very likely that these former students were abused. *pc to Angela Ryan.*
- Category 2: There was the opportunity for these former students to be abused however it is not known if they were. *pc to Edmund Fernandez.*
- Category 3: There was no perceived opportunity for these former students to have been abused.

Towards Healing

In order to provide any reparation to the former students or their families under Towards Healing, the rigour of the Towards Healing process requires a finding that on the balance of probabilities the former student was abused by B.P. Whilst Category 1 former students are viewed with some certainty, for Category 2 it is viewed as unlikely that further interviews or assessment would provide this level of proof required.

CCI

Similarly involvement of CCI would require that there is proof on the balance of probabilities that the children were abused and in the context that the school knew about it.

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Recommendation:

This matter is a unique one and as such the special circumstances require a specialised response be developed and provided for these young people and families. Whilst the Towards Healing principles have application here in this matter, the Towards Healing process should be set aside and instead the following be considered:

In the spirit of healing and reconciliation the Church offers those in Category 1 and 2, a lump sum of money as a gesture of goodwill. That this not be an admission of liability. That the offer be unencumbered in the sense that the money is paid to families for them to do with what they wish. This offer would not preclude families from pursuing a civil claim if they wish to. That there be agreement that it is set against money the families may gain from other proceedings.

Advantage for the young people/families:

Not being put through a rigorous process where the burden is on them to prove that the young person was abused.
Earlier resolution of this matter.

Advantage for the Church:

The provision of a proactive response
An earlier resolution of the matter
Possibly more positive media response
Possible de-escalation of the interest generated by the Internal Inquiry report.

The practicalities and processes involved in all of this would have to be developed very carefully.

Issues to be considered:

CCI would need to be consulted to ensure that this did not compromise their issue of liability and the payment of any subsequent civil claims later.

A sum would have to be determined and allocated for each Category. If for example \$35,000 were offered to Category 1 and \$10,000 to Category 2 this would then result in a total of \$505,000.

Contact would need to be made with Donal Craig, for him to discuss with the families who have put their names down with him to pursue a civil claim.

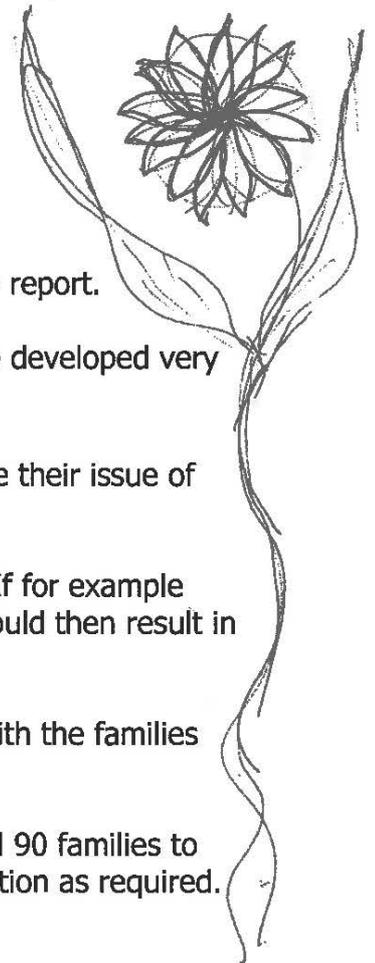
A process would need to be developed for how and when to contact all 90 families to inform them of this process and provide phone support and or information as required.

For your consideration,

Sue Cain

Email: professionalstandards@adelaide.catholic.org.au (Sue Cain)
Email: receptionprofstandards@adelaide.catholic.org.au (Barbara Abernethy)
Email: carmelkerin@adelaide.catholic.org.au (Carmel Kerin)

ABN: 29 608 297 01



Archbishop
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→ Ex gratia - no liability
→ If liable proved CFI