

11/07 2011 MON 17:09 FAX +61 3 96723010 MEL011

0003/006

The Most Reverend Denis J. Hart, DD

AFA	
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Deed of Release

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004/005

Date:

Parties

The Most Reverend Denis J. Hart, DD of 228 Victoria Parade, East Melbourne, Vic, 3002 (Archbishop)

AFA of REDACTED Vic, 3040 (Applicant)

Background

- A Archbishop Hart is the Archbishop of the Catholic Archdiocese of Melbourne.
- B In October 1996, the then Archbishop of Melbourne:
- (a) appointed Peter O'Callaghan QC (the "Commissioner") as an Independent Commissioner to enquire into allegations of sexual abuse by priests, religious and lay people who are or were under the control of the Archbishop of Melbourne;
 - (b) established Carelink, a counselling and professional support service for the victims of sexual abuse by priests, religious and lay people who are or were under the control of the Archbishop of Melbourne; and
 - (c) established a Compensation Panel (the "Panel") to provide recommendations, binding on the Archbishop, to make ex gratia compensation payments to persons who the Commissioner had found to be victims of sexual abuse.
- C The Commissioner has found that the Applicant was the victim of sexual abuse (the Abuse);
- D The Applicant has made an application to the Panel for ex gratia compensation in respect of the Abuse.
- E The Panel has recommended to the Archbishop that he make an ex gratia payment to the Applicant in respect of the Abuse. The Archbishop has accepted that recommendation and has made an offer to the Applicant, which the Applicant proposes to accept.

Agreed terms

- 1 The Archbishop will cause a payment to be made to the Applicant in the sum of \$50,000 (the "Payment").
- 2 Subject to paragraph 6, the Payment is accepted in full and final settlement of the Applicant's claims in respect of the Abuse.
- 3 For the avoidance of doubt, the Applicant and the Archbishop agree to bear their own legal and other costs of and incidental to the application to the Panel.
- 4 In consideration of the matters aforesaid, and subject to paragraph 6, the Applicant hereby releases and forever discharges the Archbishop, any person who has in the past been the Archbishop of the Catholic Archdiocese of Melbourne, any person who may in the future be the Archbishop of the Catholic Archdiocese of Melbourne and the Roman Catholic Trusts Corporation for the Diocese of Melbourne from all actions, claims, demands, causes of action and costs howsoever arising or of whatsoever nature arising out of, connected with or in relation to the Abuse.
- 5 In consideration of the matters aforesaid, the Applicant agrees and warrants that subject to paragraph 6 he will bring no action and make no claim for damages or compensation howsoever arising or of whatsoever nature arising out of or connected with the Abuse.
- 6 This deed does not affect any entitlement that the Applicant may have to the services of or to services supplied through Carelink, nor does it oblige the Archbishop or any person who may in the future be the Archbishop of the Catholic Archdiocese of Melbourne to cause any such services to be supplied.
- 7 This deed may be pleaded by the Archbishop, by any person who was is or becomes the Archbishop of the Catholic Archdiocese of Melbourne and the Roman Catholic Trusts Corporation for the Diocese of Melbourne in bar to any action, claim or demand now or hereafter commenced or made by any person arising out of or connected with the Abuse.

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Executed as a deed.

Signed sealed and delivered
by AFA [redacted] in the
presence of:

[redacted]

Witness

[redacted]

Name of Witness (print)

AFA