

10/08 '01 FRI 15:56 FAX 61 3 96025544

CORRS CHAMBERS WESTGARTH

002

10 August 2001

BY COURIER

Ms Susan Crennan QC
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Owen Dixon Chambers West
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MELBOURNE VIC 3000

Partner
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Our reference
RAL/ROMA5455-5683690

Dear Susan

In our capacity as the solicitors for Archbishop Denis Hart, the Catholic Archbishop of Melbourne, we are instructed to confirm your appointment as Chair of the Compensation Panel that has been established in the Melbourne Archdiocese to offer ex gratia compensation to victims of sexual abuse. As you are aware, the ex gratia Compensation Panel is one of the initiatives announced by the previous Archbishop to respond to allegations of sexual abuse within the Melbourne Archdiocese.

The role of the Compensation Panel is to receive applications from persons who have been found by the Independent Commissioner, Peter O'Callaghan QC, or by an ad hoc Independent Commissioner, to have been victims of sexual abuse, as that term is defined in the Commissioner's terms and conditions of appointment. The Commissioner provides the Compensation Panel with a report.

In addition, victims are encouraged to provide the Panel with medical, psychiatric and psychological statements, and this often takes the form of a report from Carelink. The Panel then schedules a time to meet with each victim for approximately 30 minutes.

Having met with the victim, the Panel then settles upon a recommended settlement amount.

It is intended that, insofar as possible, the Compensation Panel operate independently of the Archbishop and Archdiocese and accordingly, while you are briefed on behalf of the Archbishop, your brief is to act independently, and not on the Archbishop's instructions.

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For the same reason, while we are your instructing solicitors and are happy to provide administrative assistance, the practice to date has been that we do not involve ourselves in the detail of a case going before the Panel until the point is reached in the process that you as chairperson of the Panel advise us of the Panel's recommended figure.

When we receive a letter of recommendation from you, we write to the victim and make an offer on the Archbishop's behalf. If the offer is accepted, then the victim is required to sign a release. If the victim chooses not to accept the offer, then he or she is free to initiate or to proceed with such legal proceedings as are desired. Those proceedings will be strenuously defended.

The Archbishop has committed himself to act in accordance with recommendations of the Compensation Panel, and to make settlement offers in the amount the Panel recommends. By the same token, we will not enter into negotiations with victims to increase the Panel's recommended figure.

The other members of the Compensation Panel and their contact details are as follows:

Mrs Geraldine Croagh

REDACTED

Mr Tim McFarlane

REDACTED

Dr Barbara Taylor

Mobile: REDACTED

REDACTED

The Panel meets at 402 Albert Street, East Melbourne. Until now, Tuesday evenings have been convenient for the Panel members.

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I have written to the other Panel members to advise them of your appointment.

As discussed, I will come up and see you shortly to discuss the procedures in greater detail. At that time we can work through some of David Habersberger's files dealing with completed matters so that I can familiarise you with the letters that need to be written and so on. For your assistance a sample of the relevant documents is enclosed, along with a flow chart summarising the procedures.

I have already sent you a copy of the Application for Compensation Form and of the brochure that describes the Archdiocese's response to allegations of sexual abuse.

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REDACTED



I will be in touch shortly to arrange a time for a conference.

With kind regards



Richard Leder

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IN THE MATTER of AN INDEPENDENT
COMPENSATION PANEL ESTABLISHED BY
THE CATHOLIC ARCHBISHOP OF
MELBOURNE TO OFFER EX GRATIA
COMPENSATION TO VICTIMS OF SEXUAL
ABUSE

Brief to Counsel

\$750 / hour

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