

Private and Confidential
ADDENDUM TO REPORT
OF P.J. O'CALLAGHAN Q.C.
RE: CARMEL RAFFERTY

I have been asked to make an apportionment of responsibility between the Archdiocese and the Catholic Education Office (CEO) for the payment of \$150,000 which I recommended be paid ex gratia to Ms Rafferty.

Once again, the similarity between the situation of Ms Carmel Rafferty and that of Mr Graeme Sleeman is relevant.

I understand that following my report in respect of Sleeman entitled "The Parish Priest and the Principal" and my letters of recommendation to the Archbishop, it was agreed between the Archdiocese and the CEO, that the burden of the payment to Graeme Sleeman should be shared equally between the Archdiocese and the CEO. Had I been asked to make an apportionment in that case, I believe that would also have been my recommendation. Because, as I have stated in my report, there is a great similarity between the positions of Mr Sleeman, and Ms Rafferty, my recommendation is that responsibility be apportioned equally.

It will be appreciated that in neither case have I found the Archdiocese or the CEO in breach of a duty of care. However the reason for my recommending an ex gratia

payment in the case of Ms Rafferty, is that she was employed by Fr Searson through the CEO, and the stress and strain occasioned by the conduct of Searson, compelled her to resign as it did Sleeman.

not employed by CEO

Similarly with Sleeman, Ms Rafferty was unable to obtain employment.

It is now known that the many suspicions held by the CEO and the Archdiocese and Sleeman and Rafferty of the conduct of Searson, were justified, by the establishment of the complaint of AB, and others. I will not be surprised if in the future, other complaints are made about Searson during what I will call the years of Sleeman and Rafferty. As I stated in my letters to the Archbishop in regard to Sleeman, had it been the case that the complaints about Searson could have been established at the time Rafferty was employed, I believe that she would probably not have resigned, but rather continued her career as a teacher in the Catholic Education system.

As with Sleeman, Rafferty complained to the Archdiocese in that she wrote to the Archbishop and in particular complained to Monsignor Cudmore. Partly in consequence of this Searson, in 1993, was given a Canonical warning by Monsignor Cudmore.

Rafferty complained to the Principal Mr Ray Adams, and to other officers in the CEO including Mr Peter Lalor and Mr Peter Annett. The CEO evidenced its concerns at the

conduct of Searson, by commissioning a report by from Minter Ellison which chronicles the astounding and bizarre misconduct of Searson.

Accordingly, I consider that the recommendation that the ex gratia payment recommended be paid and apportioned as aforesaid, produces a just and equitable result.

A handwritten signature in black ink, reading "Peter J. O'Callaghan", written over a dotted horizontal line. The signature is cursive and includes a long horizontal flourish at the end.

P J O'Callaghan QC

19th October 2010
