

REDACTED

Mobile

22 May 2008

PRIVATE AND CONFIDENTIAL

By email:

Fr John Usher
Chancellor
Archdiocese of Sydney

Dear Fr John,

I am writing by email rather than asking for another meeting because I realise how busy you are and because I feel an urgency about communicating with you. If you would like me to meet with you again about the contents of this letter, please call me on my mobile (above). I can come in to the Polding Centre to suit your convenience if another meeting would assist.

I am writing because I am so concerned about what is happening at the moment regarding John and Corrs Chambers Westgarth. I was greatly comforted by our last meeting and appreciative of your listening and encouragement, in particular that you doubted that the Cardinal would want to see John made bankrupt and for John to lose our house.

However, since our meeting there has been a flurry of correspondence from Corrs that has severely heightened John's anxiety and therefore seriously affected his current psychological state. We had a dreadful week last week and, as it happens, this was a week when Dr Funnell (John's treating psychiatrist) was away. Things are not improving this week, hence my decision to write to you.

I have not seen all of the correspondence between David Begg & Associates and Corrs. I have however seen the effect on John. As I understand it, for some time now, David Begg has been asking Corrs for a decision regarding the costs issue, ie. whether or not the Cardinal intends to enforce the costs order. I am told by David Begg that Corrs said over a month ago that they would give a decision by Monday last week so long as they were provided with a report from Dr Funnell beforehand. That report was provided to Corrs well before their deadline. Instead of giving a decision, Corrs then said that they would only consider a decision if John advised them of his financial position. He did that by setting out in detail his assets, debts and liabilities and the assurance that he has not taken any steps to divest himself of assets ie. the house is in

his name not transferred to me. He has not tried in any way to dispose of any assets despite knowing about the costs order.

Then, instead of responding with any indication about the promised decision, Corrs issued an 'Examination Notice' on John which asks again for the important financial information about John's assets (information which Corrs already have) but also asks for every single detail of his financial position down to our household expenses such as what he spends on electricity, phones, groceries etc. etc. As I think I mentioned to you, while John appears to function well in some respects (intellectually), in other ways, he lives with acute inertia and chaos (ie. lack of maintenance of the house and complete disorder re. filing etc.). Corrs now say that 'they' will not make a decision re. the enforcement of the costs order until he has given them all of this detailed information required by the Examination Notice.

Fr John, he simply cannot do this. I can make a start on getting the information together, but there are literally cupboards stuffed full of his papers that I would have to sort to complete the Examination Notice. I suppose I am so upset because the Examination Notice seems so invasive which, in this specific psychological context, exacerbates the damage. Corrs have the information about the value of the house, the amount of equity that John has in it, that he has no other assets, and that he has not tried to hide anything. Yet, they continue to be as aggressive as might be expected of such a firm of primarily commercial lawyers. I wonder whether even CCI understand how Corrs are conducting their business in this case with all of its repercussions which are magnified by John's abuse history. There are some other legal issues going on that I'm not fully aware of and so will not comment on here except to say that John genuinely believes that Corrs are deliberately whipping things up unnecessarily to incur further costs unnecessarily.

In the recent correspondence to Corrs, John has asked several times to meet with Corrs 'client' to discuss a resolution of the costs issue. Corrs have now repeatedly stated that 'our client does not wish to meet with [John] to discuss the issue of costs'. David has said in correspondence to Corrs that clearly a meeting would have a greater significance than usual given the circumstances. Given your understanding, I cannot help but wonder whether Corrs have actually asked their 'client' ie. the Cardinal and I hope yourself, for instructions before saying that their client refuses to meet.

Can I ask whether you and the Cardinal have been shown the most recent report from Dr Funnell about John's psychiatric state? I find it hard to believe that Corrs would be instructed to act and respond in the way that they are if you had been shown that report and had been given an opportunity to guide what the lawyers are doing and saying.

I have swung between outrage and despair in witnessing the effect on John of possibly losing the family home. As I am sure you know, in analytical psychology terms, a 'house' is often seen as a symbol for the 'self'. With John it seems that the original sexual abuse robbed him of his early, true 'self' and inner 'house' / place of safety, and now as a consequence of his legal action, another loss of 'self' is threatened. This time

with the potential for both external and internal devastation. The loss of the house is far from simply a financial matter.

My other urgent concern is about the timing of all of this. I am fearful that there is an ever increasing likelihood that this will 'blow up' in a way that will be detrimental to both John and the Cardinal / Archdiocese because of adverse publicity.

Late last week there was a voicemail message on the home phone from someone from Broken Rites and David Begg told me that a journalist has recently contacted him. I know that John has told David that there is to be no publicity because he believes that if anything is made public then it is inevitable that the costs order will be enforced. I am so concerned that something will get out anyway, irrespective of John's wishes. I know only too well that there are journalists who will publish first and seek comment later... The Court of Appeal judgement is of course a publicly available document, and I can imagine that Broken Rites would have a field day with it if it suited them... I have to say also that John now believes that Corrs are deliberately delaying things, ensuring his silence by holding the costs order over him, until after World Youth Day. Again, if there is any truth in this, this would be a deplorable and cynical manipulation of the psychological state of someone like John whose whole world is still coloured and affected by the years of sexual violation.

Also, I hope you know that the Royal Australian and NZ College of Psychiatrists are holding a conference in late June at the University of NSW about 'sexual abuse in religious contexts'. I am attending and John has decided to come too (although I'm really not sure that is a good idea). One of the speakers is the senior counsel who represented John. Bishop Robinson is also speaking. This event increases my concern that the media will finally pick up on the Court of Appeal decision which (over-simply, I know) basically gives the Church immunity from being sued in circumstances like John's. Either this story or one about the church holding a costs order over a sexual abuse victim and possibly making him bankrupt would be explosive and I cannot see any positive outcome whatsoever for anyone (other than others who might want to use the situation to their political benefit irrespective of the individual concerned).

Given the timing of this conference just before World Youth Day and my other concerns about growing pressure from the media, I can only ask of you that a decision about John and the costs order, and even some gesture of restoration (such as a meeting with yourself?), happen well before that time. It is very difficult for John to read in the papers that the Pope may apologise to victims of sexual abuse and is exhorting a compassionate response when Corrs are acting so aggressively, postponing a decision and stating that 'their client' refuses to meet with John. It seems fundamentally hypocritical to John and once again he feels 'invisible' / re-abused by the inconsistency between the rhetoric and reality of the church's response.

Fr John, I do not believe that the aggressive brinkmanship that Corrs are engaged in is coming from the Cardinal's instructions. I would like to think that such instructions are not even coming from CCI because they are a church organization and ultimately they

are, I believe, answerable to the Cardinal in this matter. If Corrs are acting without specific instruction, please could this be stopped?

I ask also please could you intervene as soon as possible to bring a compassionate voice to the resolution of this situation. Whatever the decision is re. enforcing the costs order, any decision would be better than the current situation where Corrs keep introducing further hurdles which can only 'prolong the agony'.

Please do call me if you would like to talk about this with me. I have sent this unedited so my apologies if it's a bit clumsy in places.

As I said, I was very glad to meet with you because I couldn't believe that the way Corrs were acting was consequent to specific instructions from the Cardinal. I realise that you said that he would be away for three or so weeks since we met (which is now just over two weeks ago), but if there is any way that you could intervene so that a decision could be made as soon as possible (whatever it is), I would be so grateful.

Thank you.
Nicola.