

26 FEB 2009

John Ellis

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FR J. Walker
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24 February 2009

His Eminence George Cardinal Pell AC
 Polding Centre
 133-141 Liverpool Street
 SYDNEY NSW 2000

Dear Cardinal Pell

Meeting on 18 February 2009

Thank you for meeting with Nicola and I last week. This was a difficult thing for us to do, as the last 7 years of working through the Towards Healing Process and Court proceedings have been traumatizing, disheartening and emotionally and financially exhausting for us.

It has taken much courage and faith to continue to walk this road, and to commit to continuing to do so in collaboration with the Archdiocese, as its ally rather than its accuser.

Our meeting with you has given us some heart that the perseverance has been to some avail. It was encouraging to hear your frank acknowledgement of the mistakes of the past and a commitment that you would not like to see some aspects of the manner in which I have been responded to by the Archdiocese repeated.

Of course, all human agencies are fallible, and no-one can ensure that undesired consequences do not occur. Yet a willingness to recognize and seek to redress the harm caused by decisions which would not (in hindsight) have been made today, and a commitment to do things different where possible is an immeasurable comfort to those who, like us, have been dismayed by the abuses of the past and the patent failure of Church authorities to respond appropriately to at least some, if not many, of its victims.

One issue which arose as relevant to my particular circumstances was your belief that my claim was for multi-millions and needed to be defended vigorously to protect the Archdiocesan resources. The other issue was the amount of the legal fees expended on behalf of the Archdiocese to defend the matter and the proportionality between those fees and the amount we had posited as proper redress.

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I think it is appropriate that the true facts of this matter be known. To that end, I attach for your records:

1. A file note indicating that someone designated as "RH" was aware that the figure put to the Archdiocese as an appropriate gesture of atonement was \$100,000.
2. The "Offer of Compromise" submitted to Corrs Chambers Westgarth by my lawyers in December 2004. This took into account the loss of income I had then suffered and anticipated to suffer in the future and was quantified at \$750,000. No response whatsoever was received to this offer.
3. The letter I received from Corrs Chambers Westgarth in December 2007, indicating that by that time, some 3 years later, the Archdiocese had incurred legal fees of **\$755,940**.

I do not wish to make any particular commentary on this state of affairs. It largely speaks for itself.

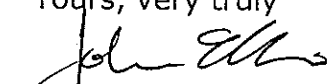
However, your surprise at the real nature of my claim and your doubt as to the figure we had suggested as the legal fees do reinforce the impression we had during the course of this matter that this was a runaway train that the Archdiocese did not have control of. How else could the expenditure of this obscene amount of legal fees whilst leaving the victim of admitted sexual abuse without any redress whatsoever be justified?

This, of course, is a rhetorical question, and I do not ask for your response. In truth, there really is no answer. I take comfort only in your indications that you would not want to see that sort of legal abuse repeated.

Nonetheless, if there is anything you feel moved to add, I would, of course, welcome it. In particular, it would help to know how the attitude of the Archdiocese went within the space of less than 4 weeks from inviting discussions "*in an attempt to resolve matters expeditiously, and in a manner that is just and acceptable to all parties*" to a notice that the Archdiocese intended to "*vigorously defend*" my claim, and there being no further discussions. I attach the 2 letters, only because they paint such a sharp contrast. In light of your own attitude to the proper response to these matters – to always seek to achieve justice – the contrast between the 2 letters is (to me) totally unfathomable and appears oddly capricious.

Once again, thank you so much for your generosity and open-ness in meeting with us.

Yours, very truly


John Andrew Ellis

ec Fr John Usher