

From: John F. Davoren

Sent: Wednesday, 19 March 2003 12:59 PM

To: john@ado.syd.catholic.org.au; mcasey@ado.syd.catholic.org.au

Subject: RE John Ellis and Aidan Duggan

Dear John and Michael,

John Ellis rang me this morning, spoke for about 10 minutes and was somewhat upset throughout.

I explained that the legal advice to the Church authority was that there were significant restrictions against the Church being able to obtain information regarding Fr Duggan's mental health, and that without a reversal of the earlier diagnosis of significant dementia, it was not possible for an assessor to question him about the matters of John's complaint.

John pointed out what he saw as inconsistencies here. He sees some inconsistency in that we could discover that he was not able to be interviewed, but that we cannot now discover if he can be interviewed.

He said that he may need to seek his own [presumably legal] advice, but that he does not know what to do at this stage. When I explained that his beginning a legal process would require our pausing the Towards healing process he asked if we could continue at this stage to see if Fr Duggan could be interviewed.

We went around a few complicated paths when he thought that I was saying that no one could talk to Fr Duggan. I explained that that was not the issue, but what was in question was whether Duggan is capable of defending himself, and that if he is not capable then questioning him is unjust, and any findings of guilt would be doubtful to say the least. I pointed out that John is looking for an apology from the Church and some unspecified assistance with processes towards his personal healing, and that the Church cannot agree to any of his requests if it is not first able to conclude that the complaint was substantiated on the balance of probabilities - requiring some corroboration of John's statements.

John Davoren