

Professional Standards Office

Established by the Bishops and Leaders of Religious Institutes
of the Catholic Church
in NSW and the ACT

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SYDNEY NSW 2000

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26 June 2003

Mr Michael Eccleston

REDACTED

Dear Mr Eccleston,

I wish to appoint you to act as an assessor in the matter of the complaint of Mr John A Ellis, the details of which are attached. It would be appreciated if you could return these materials once the case is finalised.

The Archbishop of Sydney, Archbishop Pell, is the responsible authority in the Church in this matter, your client for the assessment and the person to whom you address your report and send your invoice. The address is 276 Pitt Street Sydney NSW 2000. Please also send a copy of your report to this office at the above address.

You are asked to make contact with Mons Brian Rayner, Chancellor, Level 16, 133 Liverpool Street, Sydney, [phone: 9390 5100] who will act for the Church Authority in this matter.

This letter will serve as your authorisation to carry out the assessment and to make such inquiries and examine any material you judge to be pertinent to the matter of the complaint. If there is an objection from within the Church to your examining any material, the most direct way of proceeding will be to refer the person raising the objection to the Archbishop Pell's office.

It is usual to interview the complainant first, and contact details are set out in the attached statement of complaint.

Mr Ellis has been informed of your appointment and he is anticipating contact from you.

Fr Aidan Duggan who suffers from Dementia and Alzheimer's disease, and who is the subject of the complaint, will not be interviewed.

On the basis of your assessment report it will be the Church authority's task to determine, on the balance of probabilities, whether the alleged incidents occurred and what response is called for in the respective interests of the complainant, the accused and any other person affected in this matter. As you will understand the standard of proof of "balance of probabilities" usually requires more than the uncorroborated word of one person. While it is appreciated that abusive behaviour rarely has witnesses, later discussions with, or reference to third parties can help to establish that one version of the incidents in question is more likely to be based on fact.

In your carrying out this assessment you are asked to address the following:

- Are there grounds for concluding, on the balance of probabilities that the complaint is justified - either in whole or in part?
- Does the perception of the essential facts differ significantly between the people you have interviewed?
- If their perceptions differ significantly, is one view more likely to be accurate, and, if so, what leads you to that opinion?

- Are there any factors that you see as relevant that you have been unable to address, and, if so, what are those factors, and why could they not be addressed?
- Are there any other matters that came to your notice that could have some bearing on the final determination of this matter? What are those matters?

The assessment is to be carried out with all due discretion but without limiting its scope. You are asked to confine your interviews initially to the complainant, to the accused person and to anyone whose knowledge of the circumstances makes it likely that he or she would have some relevant information on the matter. If you consider that the focus of the assessment should be widened to include more remotely placed people or groups you should first check with Archbishop Pell's office.

Yours sincerely,

Michael Salmon

Director of Professional Standards