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Email Letter

From Mark Henry	Date 31 October 2014	
Direct 03 9258 3535	Email mark.henry@maddocks.com.au	
To Tony Giugni Solicitor Assisting	Organisation Royal Commission into Institutional Responses to Child Sexual Abuse	Email tony.giugni@childabuseroyalcommission.gov.au

Our Ref MSH:6015312

Dear Mr Giugni

Royal Commission into Institutional Responses to Child Sexual Abuse Case Study 19: Bethcar Children's Home

We refer to your letter dated 27 October 2014.

The Department of Family and Community Services (FACS) is able to provide answers to paragraphs 2 and 3 of your letter.

FACS expects that it will be able to provide a response to paragraphs 1 and 4 of your letter during the week commencing 3 November 2014.

FACS currently holds statistics regarding civil litigation involving the Department for the period 1995 to present.

FACS statistics on the number of civil litigation cases brought in relation to the Department and its predecessor departments involving child sexual abuse

During the period 1995 to date, 81 individual plaintiffs have commenced claims against FACS regarding allegations of child sexual abuse.

FACS statistics on what proportion of child sexual abuse cases are settled

Of the above 81 individual claims, 34 were settled (including 15 of the individual plaintiffs in the Bethcar proceedings).

FACS statistic on the proportion of civil litigation cases brought in relation to the Department involving child sexual abuse are conducted by the Crown Solicitor's Office

On 24 October 2014, Counsel Assisting asked Mr Coutts-Trotter "*in what proportion of claims against the department involving child sexual abuse is the Crown Solicitor's Office retained?*" (T1036 L29). Mr Coutts-Trotter responded that he did not know but would come back to the Commission on this point.

We are instructed that all civil litigation claims brought against FACS which involve child sexual abuse are conducted by the Crown Solicitor's Office.

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Yours faithfully
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Transmission authorised by:
Mark Henry
Partner