

Second Half Facilitation Notes Jennifer Ingham typed on 7/12/13 by Emma Miranda Fenby

Please note the following abbreviations:

MS: Michael Salmon
 CW: Christopher Wallace
 Peter: Peter kelso
 JI: Jennifer Ingham
 EF: Emma Fenby

EF = telephone Alex Kohn

solicitor want \$1 m or least ½ mil

vulnerable, sex slave. Needs over today

Doyle [**Dooley**] a good report -

loss of earnings

EF – jaw unrelated. \$380k comp (\$200k legals!)

= big claim, don't want to punish her.

- big money – GD

- very severe affect

- accept abuse – bad response from the Church.

- explained - \$250k, plus costs

Alex Kohn

no[t] much info on the claim

I # don't have benefit of the mood.

based on paper work – figures I have it on right. Not first time to put premium. Sticking neck out, on the fly. Comfortable if \$250k to get rid of it, strapped up into a big case.

EF – mindful, \$200k + costs best today

AK – comfortable with that & ?? would be but won't settle ??

EF – treating practitioner, would be accepted by a Crt [**Court**]

AK = yes, fair 75% to incident, sex slave in some respect most victims perceive situation where more than incident. Read time to time and again.

EF: not more info.

AK: higher if more info.

EF: good witness, today, shocking story, spend anyone \$250 would end up there. Do it.

AK: do it. Difficult nightmare \$250k. Convinced me. Bad b/c **[because]** abuse over many years, not just a one off \$200k-\$300k claim. If you can get \$250K no difficult recommending it, Re-assessed as best we can. Comfortable going. Main thing send Peter Kelso away clear msg **[message]**, isolated case, this is not the tariff. Very serious most not of this gravity.

EF: I'll ring Marita Wright.

EF called Marita Wright **[Please note that I did not speak to Marita Wright at this time. She was not in the office and not answering her mobile. I called the office and was put through to Charlie Nettleton. The conversation recorded in my note at this time is with Charlie Nettleton]**

EF: explained situation

Alex **[Kohn]** has \$190k on it, spoke about today, serious impact, long abuse, articulate and intelligent woman, good witness. Report from treator of 15+ years. Detailed 75% to abuse. Clinical notes will very same.

Difficult limited information.

Charlie Nettleton

- Explained

Charlie – comfortable to go along with it lawyers costs, not settle than \$250k

Comfortable \$250k + costs \$20k

Comfortable \$250k + costs \$20K. \$270,000 all in.

Charlie Nettleton

EF: explained \$250k + costs rea.

MS: different, place of safety, psych care and abuse continuing.

EF: yes care and then abusing.

MS: yes therapist trying and then he is. Case unusual.

EF: money doesn't give value.

MS; balance right, not just money Need pastoral and gesture. \$250 clear tax free I'll get her back

MS: conversation with lawyer re costs.

MS: Peters costs \$ fixed fee – he'd write down shortly. I said to him we are concerned that no figure is insulting. Leave with you, \$250k best Emma can do with rea. **[reasonable]** cost. Predicated on, not fixed costs. He said that won't get it. He said spoke to Emma about figure. He said closer to half + costs.

EF: can say talked to COO. Not sure people are helping her.

MS: no, they are not. Peter isn't + he has been abused somewhere, he told CW.

EF: yes, foster care.

MS: Peter's costs, other side \$36k coming out. I said best today \$250k. COO short of CEO. Plus rea.[**reasonable**] costs. Peter asked about Diocese what should they put in. I said fully funded insured.

EF: ugly.

MS: you not way works. He know Bishop \$250k on his house. He insisted I take it back. Fairly full on.

EF: how should we play it MS.

CW: my pt [**point**] of view fully funded insured. Bishop approval.

EF: fair and rea.[**reasonable**]

MS: sense of him running with it and JI. ?? him. Fully funded. No confidence in him in the spirit trying to frame it.

EF: crusader, new, trying to through weight around.

MS: bring Peter in – say costs far too high, ??

EF: right figure for the claim not about double dipping.

MS: CW @ end of Towards Healing claim, not a litigated claim. This is very significant Towards Healing offer. Upper end. Not a matter elsewhere. JI in control this is where she is. Payment 28 days. It ???

EF: 90/10 b/c [**because**] no current notice [**Medicare Notice of Charge**]

MS: option to take someone ? Not want JI. This is offer, moot pt [**point**]. Not a matter squaring up. Not defending what Diocese pay. Respectful and appropriate offer.

EF: comfortable.

Peter / CW / EF / MS

- MS I have come back with summary of our discussion, thought better we discuss. CW and EF can say if wrong. Diocese is coming from TH. Complaint of JI. They have put on the table through EF best offer today, no[**t**] a matter of going to grab elements of money. Best it can be down [**done**] today. Fully insured claim, Diocese responding to it. It doesn't ?in the Bishop ?? X or Y.

Peter: not the best.

MS: upper end of TH.

Peter: we know @ upper end.

MS: comes with not a forensic investigation. Payment 28 days, comes with offer pastoral outcomes and there would not be huge costs of legals with last settlement if \$200k correct. Not what is happening here. If not settle today other work going forward.

EF: costs, flabbergasted.

Peter: not good enough to say fully insured, not what it is about.

EF: appropriate and respectful figure.

Peter: not an appropriate figure for this CW.

CW: in TH.

CW: in Towards Healing.

Peter: not here to hide behind Towards Healing. █████ Settlement, otherwise through the finger, notice to produce insurance documents other notes. I won't put JI through this. JI is suicidal. She wanted this process as believed it would help her. Heart on line. She is exhausted I am concerned about her. I am concerned.

Investigate a lot. \$500m not unreasonable. If Diocese thinks \$250k poor form and won't help. Need a figure.

Church sorry. Get ?

EF: have you put it to her? Sounds like you haven't?

Peter: I have, she knows not correct. CW in your power, don't let yourself be bound by insurer, investments, profits, top up what they won't pay so a proper figure so she can go home and is ok. All worth it. First day of her healing journey.

CW; no, can't.

EF: can I clarify.

Peter: CW can answer, you sort out with insurance company, everything within you power to offer more.

CW; I can't. Not understanding.

EF: not hiding behind towards healing, settlement is same.

Peter: you need a top up, high end matter get \$\$ from Bishop and take up with insurance company. High end matter and end settlement.

EF: let's have a chat.

EF: like me, made call to make him happy.

MS: no issue Diocese \$ understand it problem going forward. You have to call him. If argument to say. Pay for legals.

EF: he wants another \$250k – biding against our self.

MS: maybe Diocese cost rea. Playing all fields.

[Phone number for Bishop location on the day Kyigle ? 02 6632 1074 School 02 6632 1988. This is not my writing]

Bishop

what CCI is paying @ top end of scale. Amount is very.

MS # not an easy one today. Main reason numbers, abuse continuing whilst in psych care in Sydney. In ranges extreme end, significant settlement Dealing with a difficult man in lawyer and impeding us but can't go past him. Legal fees over the top \$36k, if we could get to \$10k to \$15k today.

MS: options – rung Bishop as good as it gets. Other option can't do much more. Shut him up about what spent for a building. Small increase predicated on this reason if he shoots down in flames. Best we can do \$10-\$15k. Fair high moral ground here.

EF: that's why we are trying so hard.

MS: high moral + a rent a crowd.

MS: back to Bishop after he cut out high way to nothing with this lawyer. So Diocese \$10k-\$15k. EF confident she can get it back to you. Then in a position, then Bishop positive response. Lawyer not happy but as good as it gets.

Bishops: room to move working on basis on principal to help as a pastoral gesture to get back on feet It is about pastoral help. Help come back to church.

MS: I think she does. Bishop are you ok for Deacon Chris goes to \$10-\$15k?

Bishop: yes on basis of pastoral help.

MS / EF / CW

MS: a genuine pastoral offer for today. Pastoral needs, associated with today. Might take out of main payment.

So she gets \$265k - \$15 Diocese today, CCI could get back.

CW; she won't accept it.

EF: difficult as we are bidding against currently. He has to put to JI.

MS: where @

CW / EF / MS / Lawyer Peter

Peter: long weight **[wait]** hope fruit.

MS: CW spoke to Bishop. Bishop comfortable in general terms with offer. Willing as a pastoral initiative a bit extra. All up to JI to apply way she wants. Bishop mindful of counselling needs, will put \$15k so offer \$265k plus rea. **[reasonable]** legal fees. As good as we can do today.

Peter; JI go and talk, won't do it.

MS: you will, doesn't it doesn't, not dead in the water.

Peter: of not resolved today.

EF: JI can have time to reflect, offer open.

Peter: offer for all up figure of \$300 all in.

MS: that's as good as done today.

EF: @ the end today on what we have won't move.

Peter: what about Diocese.

CW: no, Bishop in line with others.

EF: all trying to do a bit.

Peter: limitation abolished?

EF: about what she can live with.

Peter: and the \$15k Bishop.

EF: honest all done, our best @ a real stretch. I've called the COO, CW the Bishop.

Peter: nothing else.

EF: all good as it get today. Dispute your cost, \$10k.

Peter: I'll talk to her.

MS: reality.

Peter: we might have a settlement.

Peter: disbursements and costs?

EF: \$10k plus disbursements today + meeting.

MS: it's settled.

Peter:

\$

\$276,736.46

So \$265,000

\$11,736.46

+\$53

\$11,736.46

Fixed Costs

EF: \$265,000 + costs fixed \$11,736.46

CW: pastoral follow up.

EF: meeting 24/6/13. Get meeting room. Ask Jeremy Howes – EF will do. Settled doc's signed.

End Session

MS: hope worthwhile for you. None perfect hopefully, good enough.

EF: I'll get Bernadette to get an email about venue to you.

MS: CW will follow up Mulgave [**spelling is wrong should be Mulcahy**]. Understand importance. CW will report back on that. CW will have written apology and will be the reference pt [**point**] for you. Happy to walk, walk with you. At some point helpful to engage a safe person closer to where you live. I have a lady in mind. Nat Com. [**National Committee for Professional Standards**] good to talk to: when and how you in take up to you. Invitation there and open ended. He'll know who you are and won't wrong him. When we meet with Bishop, CW asked me to come. Happy to do so. Again your meeting, opp. [**opportunity**] for the Bishop to engage with you. Hope it will bring it along. Where we go the funds, paid into trust account.

EF: I'll do it next week when I'm back in the office.

MS: anything else you'd like to say. All struck by your courage, survived against all the odds. No matter what.

Jl: real evil but I'm here.

MS: you'll work out your own relationship with the Church. We know other victims, you will help them come forward. Important for the Church to hear. We can all deal with it, if people come forward.

Jl: legacy, other people come forward, get to other side. I'm closer. All read in report, biggest ? is leaning of others. Fighting my demons. I have to turn around to be something great.

MS: confidential you will. When you meet with Bishop you'll be able to tell him long hard day, appreciate you have been here.

Jl: team Jennifer.

MS; thank them, Lindsay a special person, your sister, your girlfriend. Peter represented you strongly.

Appreciate all that. Meet 24/6/13.

Jl: happy you are coming.

CW: could I show Mulgave **[spelling is wrong should be Mulcahy] ??**

Jl: yes jog memory.