

Our reference
RAL/ROMA5455-5883690

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13 November 2006

Private and confidential

Mr Paul Hersbach

REDACTED
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Partner
Richard Leder (03) 9672 3489
Email: richard.leder@corrs.com.au

Dear Mr Hersbach

Offer of compensation

As you may know, we act for the Archbishop of Melbourne and for the Catholic Archdiocese of Melbourne.

We are instructed that you have made an application to the Compensation Panel established by the previous Archbishop of Melbourne for ex gratia compensation in relation to sexual abuse.

The Archbishop established the Compensation Panel to provide an alternative to the pursuit of legal proceedings. The offer in this letter is a genuine attempt by the Archbishop to provide an alternative to litigation.

The compensation offer, together with the services that remain available through Carelink, are offered to you by the Archbishop in the hope that they will assist your recovery. Importantly, it is also hoped that you will in time be able to put the abuse you have suffered behind you and focus on the future. **Enclosed** is a personal letter to you from the Archbishop.

The Compensation Panel has recommended to the Archbishop that you be offered compensation in the sum of \$17,500. **Enclosed** for your information is a copy of a letter from the Chairman of the Panel to the Archbishop containing the recommendation.

In accordance with the procedure established by the Archbishop, we are instructed to offer this amount to you. If you wish to accept it, you will need to sign the **enclosed** document which releases the Archbishop from all further claims arising out of the sexual abuse or any other sexual abuse by a priest, religious or lay person under the control of the Archbishop of Melbourne. We note, however, that you will remain able to receive treatment and counselling through Carelink. We have **enclosed** two copies of the Release. Assuming that you wish to sign the Release, you should sign one copy for return to us and retain the second copy for your records.

The Release that you sign contains **no** confidentiality provisions. Whilst your right to confidentiality will be respected if that is your wish, you are under no confidentiality

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restrictions if you accept the offer. You are free to discuss the abuse and the payment you have received if you want to.

If you reject the offer, you remain bound by the terms of the application for compensation form. This offer is put on a "without prejudice" basis, in order to preserve the rights of all concerned if your claim proceeds to court. The only matters that you are asked to keep confidential are the details of your application to the Panel and this "without prejudice" offer. However, there are no restrictions on you discussing the circumstances of the abuse and its effect on you, whether publicly or in any other forum.

The Archbishop and the Archdiocese acknowledge that for some applicants, the ability to speak publicly about the abuse they have suffered is important. Applicants to the Compensation Panel have never been restricted from speaking publicly about this, and the Archbishop wishes to assure you that you have every right to make your allegations public if you so wish.

Would you please advise us in due course whether you will accept the offer. Upon return of the signed Release we will forward to you a cheque for the agreed amount.

If you have any queries, please contact the writer.

Yours faithfully
Corrs Chambers Westgarth



Richard Leder
Partner

attachments