

pls replace letter

Nevitt Ford
Lawyers
DX 490
MELBOURNE

ANS 204/4266

14 February, 2005

Attention: Phillip Brewin

"WITHOUT PREJUDICE"

Dear Partners,

Our Client: Brian Cherrie
Your Client: Salvation Army – Box Hill Boys Home

We advise that we act on behalf of the abovenamed who was a resident at Box Hill Boys Home from 12th April 1965 to 16th December 1966.

Our client alleges that whilst he was a resident at Box Hill Boys Home, he was repeatedly raped by the adult supervisor who was in charge of the dormitory who he recalls as being called **REDACTED**

Our client has been troubled by these experiences for many years. Our client first reported to the police in 1993. The police took no action because our client could not correctly identify the alleged offender.

Our client went back to the police and made a further statement, a copy of which is enclosed, on 6th February 1995. Again, the police took no action because of difficulties in identifying the alleged perpetrator.

We are now in the process of assisting our client in having the police investigation re-opened.

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We also enclose, in support of our client's claim, copies of the following further documentation:

1. Medical report dated 10th September 1993 from Monash Medical Centre.
2. Medical reports extracted from our client's DHS file:
 - a) Dr J. Gorman dated 16th September 1963
 - b) Turana Psychiatric Clinic dated 4th February 1970
 - c) Turana Psychiatric Clinic dated 25th February 1970.
3. Summary of DHS file.
4. Medical report from Dr Susan Brand dated 29th November 2004.

We submit that we will be able to demonstrate that our client was a victim of regular and significant sexual assault at the hands of **REDACT**. We submit that in the circumstances we will be able to show that the Salvation Army knew or should have known that these assaults occurred and that they failed to take reasonable steps to protect the victims.

We submit that as a result of these assaults, our client has suffered significant psychological injuries in relation to which he requires ongoing counselling.

Our client now looks to your client for compensation. As you are aware, it is not our intention at this stage to issue proceedings in relation to these matters although we reserve the right to do so should settlement negotiations fail.

We would be grateful however to have the opportunity to discuss our client's claim with you further prior to making any decisions regarding litigation.

We look forward to hearing from you regarding our client's claim. In the meantime, however, as indicated above, we are in the process of trying to convince Victoria Police to reopen investigations regarding our client's allegations. We believe that we are now able to provide evidence to the police that the alleged perpetrator was a Sargent **REDACT**. Our client's instructions are that Major Broadstock was the manager of the home when he was a resident. We understand Major Broadstock is still alive. Our client has asked us to make a formal request that the Salvation Army assist the police in their investigations in this matter and in particular in providing information about **REDACT** that will assist the police in properly identifying and locating him.

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In particular, we understand that Captain Sanders and/or Major Broadstock had some involvement with Sargent **REDACT** and the complaints may have been made directly to them regarding sexual misconduct. If they can assist the police in their investigations, we would be grateful if you could seek their cooperation. In addition, if the Salvation Army has records confirming the full name of Sargent **REDACT**, we would also seek that these details be provided to the police.

We thank you in anticipation and look forward to hearing from you further regarding these matters.

Yours faithfully,

Angela Sdrinis
RYAN CARLISLE THOMAS

Direct Line: **REDACTE**

Direct Fax: **D**

E-mail: **REDACTED**

Enc: Documents as above.