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 under the Legal Profession Act.

27 May 2013



Jennifer Ingham
 43 Andrew Avenue
 TARRAGINDI QLD 4121

Good morning Jennifer

YOUR UNLITIGATED CLAIM CATHOLIC DIOCESE OF LISMORE

I confirm that your "Towards Healing" facilitation with the Catholic Diocese of Lismore in Brisbane last Friday was successful.

The facilitation commenced at 9:30am and concluded at around 4:30pm. Ultimately, you settled for \$265,000.00 plus your reasonable costs as agreed with the diocese.

The diocese has paid my out of pocket expense of attending the facilitation in Brisbane (including air tickets, accommodation, taxi etc). The diocesan insurer has agreed to contribute \$10,000.00 towards your legal costs of \$34,320.00 (inclusive of counsel's fees).

You will receive a clear amount of \$240,680.00 after payment of legals etc.

I have given my trust account details to Emma Fenby, the representative of the Catholic Church Insurance. She will forward 10% (\$26,500.00) to the Health Insurance Commission (Medicare) in accordance with the law. The HIC will deduct any health payments made for you in relation to your treatments for the abuse suffered by Father Brown. This figure is unknown at this stage. You have been made aware of this. Once the amount is deducted from the 10% held by the HIC you will receive a cheque for the remainder.

On your advice, it is not expected that there will be any recovery by Centrelink as you have not received Centrelink benefits since you were about 20 years old. Any applicable 'preclusion period' will have been self-served.

I will account to you shortly by way of a trust account cheque when I receive the payment from the Catholic Church Insurance. Emma Fenby advised last Friday that she will process the payments this week, although the Deed of Release allows for the diocese to have 28 days to pay.

As advised, there is a possibility that you may be entitled to further amounts in the future. There may be a national fund set up resulting from any recommendations of this nature made by the Royal Commission. You may be entitled to a top up from any future national fund. Also, if the statute of limitations is abolished for child sexual abuse you may be



entitled to institute Court proceedings against the diocese for vicarious liability and or breach of a non-delegable duty of care.

You received an award of \$380,000.00 in 2011 for your medical negligence claim in relation to your maxillofacial surgery. That settlement almost certainly included a component for economic loss which could also be contributed to the Church case. The Catholic Church insurer indicated that if the matter wasn't settled at the facilitation last Friday then the insurer would require further information such as your income tax returns and they would look into the medical negligence claim to see if there was an economic loss component. Those further investigations may have been unfavourable and may even have resulted in the diocese withdrawing its offer. I believe that acceptance of the offer last Friday was the best course of action. That figure also included a component of around \$15,000.00 to be paid directly by the Diocese of Lismore over and above the contribution of the insurer.

It is also noteworthy that the Bishop of Lismore will be providing, shortly, a written apology containing certain admissions. That document, depending upon its ultimate wording, may be used against the Church in any future litigation.

I very much enjoyed the opportunity to represent you and to meet your husband, sister and best friend during the day. I hope that as a result of the facilitation and the financial settlement that you are beginning to feel better than when you commenced the process.

I will be in touch with you again once I receive the payment into my statutory trust account from the insurer.

Best Wishes,



Kelso's The Law Firm
Peter Kelso, Director