

**IN THE SUPREME COURT OF
THE AUSTRALIAN CAPITAL TERRITORY**

Number:

Plaintiff:
TERRENCE JAMES LUTHY

Defendant:
THE SALVATION ARMY

**BRIEF TO ADVISE AND DRAW
STATEMENT OF CLAIM**

ROMANO SATSIA KORDIS LEGAL
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Circuit
CANBERRA ACT 2601
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Ref: 19319

OBSERVATIONS

Mr. Luthy instructs that during the time he was a resident of the Salvation Army "Gill" home in Goulburn between 1965-66, he was subjected to significant physical abuse by Captain X11 and Major X3. Mr. Luthy instructs that as a result of the abuse during that time he has continued to suffer debilitating psychological sequelae.

On 23 May 2005 The Salvation Army offered Mr. Luthy an ex-gratia payment of [REDACTED]. Mr. Luthy accepted the payment, however, did not retain any copies of documents signed from the receipt of the monies. Mr. Luthy **did not obtain legal advice** in relation to the offer. Mr. Luthy instructs that he would like to commence legal proceedings against The Salvation Army.

Counsel is kindly requested to advise generally in relation to this matter and the likely success of the same, but specifically assist in drafting a Statement of Claim in the relevant jurisdiction.

Counsel is instructed on a no-win, no-fee basis. Should Counsel not be willing to advise on this basis, he should contact his instructing Solicitor immediately.

Please find enclosed the following documentation:

1. Statement by James Luthy to the Senate Community Affairs Committee Secretariat.
2. Letter from George Mallos Lawyer to Verifact Commercial Investigations enclosing Statement of James Luthy.
3. Letter from The Salvation Army dated 26 August 2004.
4. Letter to The Salvation Army.
5. Letter to Mr. James Luthy dated 2 March 2004.
6. Letter to The Salvation Army.
7. Letter to The Salvation Army.
8. Letter to Mr. James Luthy dated 23 May 2005 (offering ex-gratia payment of [REDACTED]).
9. Extract titled 'The Homies'.
10. The Salvation Army – Children's Home Application.

We thankyou for your assistance in this matter and look forward to receipt of your advice shortly.

Dated 19 April 2007.



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Andrew Satsia
ROMANO SATSIA KORDIS LEGAL