

RC 16

NICOL ROBINSON HALLETTS
LAWYERS
ESTABLISHED 1890

Our ref: SJH:HM:526420

14 March 2007

Mr Richard Campion

REDACTED

By Express Post

Dear Richard

The Church of England North Coast Childrens Home

We advise that this is a letter that is being sent to each of our 41 clients in exactly the same terms as this one.

Since our previous letter dated 14 February we have been in continual discussions with the Diocese of Grafton Lawyers as well as the Primate's office here in Brisbane.

We have been liaising with the Church's lawyers to ascertain the maximum payment that the Church would be willing to make in the event that these matters could be settled informally (i.e. without Court proceedings being issued).

It was crucially important that we undertake such exhaustive discussions to enable us to be assured that the Church's best offer was ascertained.

This has now been done.

Before advising as to the result of those discussions there are several matters that we wish to mention to you.

We have explored every single avenue possible in these negotiations and the work and effort we have put into these matters have been exhaustive, which is what each and every client in this matter has the right to expect of us.

We have done all we can to encourage Archbishop Aspinall to intervene either to encourage the Diocese to increase their offer or to contribute towards the settlement itself.

We have been advised that the Archbishop has spoken on a number of occasions to Bishop Slater and that the Archbishop's Assistant has spoken with the Reverend Comben.

The Archbishop's position is that the Diocese is autonomous and therefore he has no sway with the Diocese. The Archbishop has also refused to contribute to any settlement.

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To provide you with some indication as to the stance of the Archbishop we attach letters from the Archbishop's office dated 8 and 9 March. We also attach our response dated 13 March 2007.

It is clear to us that the Archbishop will not assist in any tangible way that would allow this matter to settle for higher figures (his view being that he cannot).

It is also our view that notwithstanding either the role of the body known as the Bishop-in-Council in Grafton or indeed Bishop Slater, that the person who is providing instructions is the Reverend Comben.

X The Reverend Comben referred this matter to the Bishop-in-Council after the offer of \$750,000.00 was put forward.

We understand that members of that body were split as to what they would "advise the Bishop" to do.

We understand that the majority thought the offer was already too high.

X At the end of that meeting however the Church's lawyers advised us that the Bishop-in-Council would increase its offer to \$800,000.00.

We advised that we could not recommend that amount at that time and therefore proposed that we may be willing to put to our clients a figure to settle without court proceedings in the sum of \$900,000.00.

We stress that this figure is one that we advised we would consider putting to clients but that it would always be a matter for them to decide whether they would decide to accept the same or not.

X We were therefore amazed to be informed that the Reverend Comben had then informed his lawyers to withdraw the \$800,000.00 offer and that no offer was to be made whatsoever. Therefore, after the request by the Diocese of Grafton to wait until the Bishop-in-Council met and within days of its decision, the Reverend Comben has overturned this entire sequence of negotiations.

The decision by the Reverend Comben, we believe, also surprised the Primate and his office.

During the course of this past month we have ensured that the Primate's office has been involved in these matters. This past few weeks we ensured that the Primate, who has been in Africa and last week was at the Bishop's Conference in New South Wales, was e-mailed, faxed and telephoned

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The Diocese early last week re-instated the \$800,000.00 offer and we re-iterated that we would not advise acceptance. We believed that the Diocese had more funds available to settle informally but again we needed to know how much.

They then increased the offer to \$820,000.00 and then a day later to \$825,000.00.

We understand Reverend Comben has provided instructions not to offer more than this figure.

The Church's lawyers this week advised that they would brace themselves if needs be for any media coverage but would not move above that amount even if the media were involved.

We had been contacted by the media the last week and have advised them that at that stage of negotiations we could not speak with them.

We confirm that we had also arranged for Hetty Johnston of Bravehearts to speak with the Diocese directly and also to communicate with the Primate's office (Ms Johnston knows the Primate and the Reverend Comben). Neither such contact has resulted in movement from the Reverend Comben.

We will write to you in the next couple of days setting out what the offer would mean in your individual case (should you provide instructions to settle) based on your payment from the global sum for all 41 clients of \$825,000.00. The letter will set out what payments will be deducted from the figure and what the amount in your hand would be.

The alternatives to the proposed settlement are Options 2 or 3 set out on page two of our letter dated 14 February 2007 (a copy is attached for ease of reference).

We confirm that New South Wales Police are now considering an investigation in respect of allegations of abuse at the Home. We have located and written to Canon Campbell Brown and Father Morgan.

Canon Campbell Brown's Lawyers wrote to us on 5 March 2007 advising that they are instructed by him should we wish to discuss any matters relating to the Canon.

Yours faithfully
NICOL ROBINSON HALLETTS
per:



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