

CA3

NICOL ROBINSON HALLETTS
LAWYERS
ESTABLISHED 1890

Our ref: SJH:CLK:527446
Your ref:

25 November 2005

CA
REDACTED

BY EXPRESS POST

Dear CA

North Coast Childrens Home

Thank you for speaking with me recently concerning your time at the North Coast Children's home.

May I say that I am sorry that you suffered as you did.

Childhood trauma can have long term effects upon a persons life which of course can never be underestimated and I am genuinely privileged that you felt able to speak to me as you did.

We have been receiving calls from a number of people who attended the home at various times all of whom have relayed to me details of severe physical ,emotional and sexual assault.

They have asked that we assist them by representing their interests in claims against the Anglican Church.

We believe at this time that these matters will be capable of being resolved without resorting to the Courts.

Indeed having been involved in a number of such actions over the years it is almost always the case that the institutions involved whether that be Churches, private Schools or other organisations do not want to see these matters reach the Courts.

I will therefore very briefly outline how we would see matters progressing:

- 1. We would need to have you provide information as to the experiences that you had at the Home and how you believe that has affected you over the years. We can do this by you setting it out in writing for us your memories of what happened and what you witnessed (you need only put down short notes as to what happened if you find that easier). Some people prefer to do this in one sitting at home, others find it easier to take their time over it, there is no right or wrong way you must simply do what feels right for you.

WRITTEN

If you chose not to write matters down then we can of course take instructions from you over the telephone. You may also wish to make use of the attached enquiry form to assist you.

*TAPED
RECORDING*

CA

25 November 2005

STATEMENT 2.
PREPARED
I'M HAPPY
AND SIGNING
RE: DONE
STILL
NOT HAPPY
SIGNING
WITH ME 4.

Once you have been able to provide us with such information we can then have a statement prepared for you to sign. We will explain the importance for you of doing this later in this letter.

Once we have prepared your statement we will contact you to discuss and provide our advice as to how we would propose to proceed and how we can help.

The statement will be provided to the other side, in this case the Churches Lawyers.

5. We may well need to obtain a medical report setting out the effects of the assaults upon you. We will discuss this with you should we feel a report would be appropriate in your particular situation. Because we would have a statement from you, you would not have to go through details of what happened to you again.
6. Once we have discussed any medical report with you, and any other relevant matters, we would then arrange to meet with the Church and its lawyers to try to settle matters in an informal conference. We would be seeking to obtain compensation for you and a full and unequivocal apology at the meeting.
7. It is generally the case that the relevant church would wish to apologise to anybody who has been assaulted for what that individual has suffered and it would be a matter for you as to whether or not you would wish to receive an apology should one be suggested.

I would also say that you do not need to attend the meeting and may prefer to be on the end of the phone for example, this will be entirely a matter for you .

No settlement will take place without your approval.

Please also be assured that details of the assaults will not be discussed at the meeting unless you wished to. The assaults and their effect upon you would be set out in your statement and the other side will not be entitled to ask you any questions.

You are not on trial here, it is you who has been wronged and this is the way that the conference will be conducted please be well and truly assured of that.

NOT
PRESENT
NOT
GIVEN

Once we have discussed any matters that either side wish to clarify then both parties will separate into different rooms and offers to settle the claim and other issues would then be conducted between ourselves and the churches lawyers .

Normally what will happen is that we will sit with you (and anyone you wish to attend with you) in a private room and when the other side want to start to make offers to settle your claim (or when we go back to them with our observations) we as your Lawyers would meet them in a third room. We would not have any discussions take place in your presence that could cause even the remotest possibility of anxiety for you.

As I mentioned at the outset of this letter the above is a typical description of how these matters would be dealt with.

CA

25 November 2005

If for any reason Court proceedings would need to be issued we would advise as to why we would be recommending that course and it would be a matter for you to consider whether you wanted to do that again we have to say that this would be rare.

*NOT ADVISED IN DETAIL
ASSURES LIMITATIONS NOT
ISSUE*

We are more than happy to discuss any aspect of this letter further with you and please do not think twice about asking questions no matter how minor you may consider them to be.

Assuring you of our best attention at all times.

Yours faithfully
NICOL ROBINSON HALLETTS
per:



SIMON HARRISON
Partner

Direct Line: (07) 3853 8943

Email: REDACTED

*PROMPT TO DISCUSS.
LIMITATION ISSUES.
CASES QUOTED AS ASSURANCE*