

"SJH 63"

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13/03/2007

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NO. 701 0001

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 ESTABLISHED 1890

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Our ref: SJH:HM:526432

13 March 2007

Mr Rod McLary  
 Director of Professional Standards  
 BY FACSIMILE: 3831 9873

Dear Rod

**North Coast Children's Home**

We write further to your letters of 8 and 9 March 2007.

We respectfully request that you and the Primate perhaps revisit your letter of 9 March 2007 as to paragraphs three, four and five. Isn't that strict legal argument?

We are sure that that our clients will not be too comfortable with the Church equating itself with local government and assure you that they will take the view that pastoral care processes make any comparison with local government redundant.

Having spoken with our clients, we would also suggest that no matter how many tribunals or enquiries or reports are commissioned, it is the actual delivery and impact upon individual complainants that matters.

The Primate should, in our view signal whether or not he believes that the offers presently put forward are fair and reasonable and should also advise our clients as to whether or not the local government comparison means that the Primate cannot exercise his discretion in assisting these claimants.

If it is the case that the Diocese of Grafton has limited resources, one would expect the Church to come to the aid of that particular diocese and contribute towards reasonable recompense for these 41 complainants.

We would invite the Primate to comment on the above observations and then specifically to confirm the following:

1. Does he believe that the offers put forward by the Diocese of Grafton are fair and reasonable?

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Mr Rod McLary

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2. Is the Primate advising that he cannot exercise his discretion in assisting the Diocese of Grafton in settling these claims?
3. Is the Primate of the view that the "structure" he refers to is one that if rigidly observed by the Primate, can give rise to inequities?
4. Is the Primate of the view that if one individual has suffered injury as a result of alleged abuse to the same extent as another individual in a separate diocese, that the recompense offered to each should be determined by the level of resources available in the particular diocese?

These are extremely serious questions and ones that we believe actually get to the nub of the issues presently before our 41 claimants and we await your urgent responses.

Yours faithfully  
NICOL ROBINSON HALLETTS  
per:

  
**SIMON HARRISON**  
Partner

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