

## Royal Commission into Institutional Responses to Child Sexual Abuse

### Statement of Emma Miranda Fenby

1. My name is Emma Miranda Fenby.
2. I have a Bachelor of Laws with Honours, Bachelor of Arts, and Masters in Law from Monash University in Victoria.
3. I commenced my Articled Clerkship at Hunt & Hunt lawyers in March 2002.
4. I was admitted to legal practice in Victoria in March 2003.
5. After my admission to practice, I remained employed as a solicitor at Hunt & Hunt lawyers in their insurance litigation department until September 2006.
6. In October 2006 I commenced as a solicitor at Phillip Fox lawyers (now known as DLA Piper) in Melbourne in the Property and Liability insurance team. On 1 September 2007 I transferred to DLA Piper's office in Bangkok. At DLA Piper Bangkok I worked as an Associate in the litigation team until May 2009.
7. In September 2009 I again commenced working at Hunt & Hunt in their insurance litigation team and was appointed as a Senior Associate on 1 October 2009.

### Employment by Catholic Church Insurance Limited

8. On 27 April 2011 to 16 July 2013 I was employed by Catholic Church Insurance Limited ("CCI") in the position of Special Issues Case Manager. On 22 July 2013 I commenced at the Victorian Managed Insurance Authority as a Major Claims Executive, Casualty and Financial Lines. I remain in this role.
9. During my time at CCI I maintained, and still maintain, a Corporate Legal Practising Certificate in the State of Victoria.
10. CCI is a registered insurance company, which is principal insurer of Catholic Church entities in Australia such as Archdiocese's, Diocese's and Religious Orders.
11. In my role as Special Issues Case Manager at CCI I managed the personal injury claims made against Catholic Church Authorities across Australia in respect of sexual molestation where a CCI insurance policy responded to the claims.
12. At any given time I was the case manager of in excess of 200 claims files for claims of sexual molestation across Australia, resulting in my undertaking extensive travel throughout Australia to facilitate management of these claims.
13. In my role as Special Issues Case Manager I had a financial authority of \$250,000; which included the claim settlement, CCI's legal costs and any other associated claim costs (such as counselling expenses and provision of medical reports) and the claimant legal costs.
14. I reported to the National Claims Manager, Marita Wright.
15. Marita Wright reported to the Chief Operating Officer, Charlie Nettleton.

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**Insurance**

16. When a claim was made by a Church Authority under its insurance policy in respect of a claim of sexual molestation my role required me to first determine if a CCI policy could respond to the claim.
17. The CCI insurance policies that I considered were the Public Liability Policy and the Ethical Standards Policy (otherwise known as the Special Issues Policy).
18. Under the Public Liability Policy CCI indemnified a Church Authority for all amounts which the Church Authority shall become legally liable to pay as compensation in respect of personal injury which first occurred during the period of the insurance and caused by an event in connection with a Church Authority's business. An occurrence was an event that was neither expected nor intended from the standpoint of the Church Authority.
19. To determine whether the sexual molestation occurred during the course of the business of the Church Authority it was necessary to determine if the accused was an employee or someone with a relevant association with the insured Church Authority at the time the event occurred and/or whether the accused was in a pastoral relationship with the victim at the relevant time such as a member of the accused Parish or involved in a Church Authority Youth Group.
20. When I commenced my role at CCI I was advised by Marita Wright that under the Public Liability Policy the 'insured' was the Bishop of the Diocese, Archbishop of an Archdiocese or head of a Religious Order. Therefore, in determining whether the Public Liability Policy responded to the claim Marita Wright advised that CCI determined whether the insured, in this claim the Bishop of Lismore at the time of the offending, knew (had 'prior knowledge') of the propensity of the accused (Fr Rex Brown now deceased) to commit acts of sexual molestation at the date of the offences.
21. The Ethical Standards Policy was a claims made and notified policy of insurance. Church Authorities made notifications during the 4 policy years that this policy operated, July 1991-1995. I have not had access to the notifications to CCI under the Ethical Standards Policy in preparing this statement. Therefore, I cannot say whether the accused in this claim, Fr Rex Brown (deceased), was notified under the Ethical Standards Policy. Regardless of whether a notification was made, the Ethical Standards Policy would not have responded to this claim as the accused's offending was known to the Diocese of Lismore prior to the inception of the Ethical Standards Policy in July 1991 and would have thus been a known circumstance. As a consequence the applicable policy for consideration in this claim was the Diocese of Lismore's Public Liability Policy.
22. The Diocese of Lismore's Public Liability Policy at the date of the first offending in this claim, 1978, had a limit of liability of \$2 million plus claimant and plus defence costs. There was no excess payable under the policy.
23. On commencing at CCI I was advised by Marita Wright that indemnity was granted by CCI on notification of the claim on the basis of known facts and circumstances. Indemnity investigations were then undertaken.
24. In granting indemnity to the Diocese of Lismore for this claim, CCI's letter of 14 December 2012 to the Diocese of Lismore, the letter requested a copy of the accused (Fr Rex Brown) personnel file. This request was to allow CCI to determine the Dioceses of Lismore date of knowledge of Fr Rex Brown's (deceased) offending.
25. In this claim, the Diocese informed me that the personnel file of Fr Rex Brown's (deceased) was voluminous and asked if I could inspect the file at their offices. I travelled to Lismore and inspected the file at the Diocese's offices on 5 February 2013. I prepared a typed file

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note of my inspection of the file on this day, which included the date of the documents inspected, a brief description of the documents and whether I took a copy of the documents to include on CCI's file. My typed file note and the documents copied from Fr Rex Brown's personnel file were placed on the CCI file under the tab for "Investigations". From this inspection I determined that the date of knowledge of Fr Rex Brown's offending by the Bishop of Lismore was March 1985. As this post-dated the sexual assaults in Jennifer Ingham's claim, the grant of indemnity by CCI stood.

26. The Bishop of Lismore at the date of Fr Rex Brown's offending was deceased as was Fr Rex Brown and thus neither could not be interviewed as to the date of knowledge of the Bishop of Fr Rex Brown's offending.
27. On opening the claim file, CCI also undertook an assessment of the quantum of the claim to allow CCI to adequately reserve the claim. Depending on this reserve and the applicable reinsurer relevant to the claim, this quantum reserve may have triggered a reinsurance notification.

### Claim Forums

28. Claims of sexual molestation were made against Church Authorities through various forums. The forum was chosen by the victim and/or their lawyers. The Church Authority and CCI accommodated the forum chosen by the victim and/or their lawyer. These forums included, but were not limited to, litigated claims and claims within the Church's Towards Healing protocol.
29. The Towards Healing protocol was facilitated through the Church's State based Professional Standards Offices and the National Professional Standards Office in Sydney.

### Request by the Royal Commission into Institutional Responses to Child Sex Abuse

30. The Royal Commission into Institutional Responses to Child Sex Abuse ("the **Royal Commission**") has requested that I provide a statement which would include issues pertaining to the application and implementation of the Towards Healing protocol that existed at the time that Jennifer Ingham took part in the Towards Healing process.
31. I wish to fully cooperate with the Royal Commission without any hesitation or qualifications.

### Towards Healing

32. The Towards Healing protocol was implemented through State based Professional Standards Offices. A victim would make a complaint through the Professional Standards Office and this Office would:
  - a. Determine whether a Contact Officer should be appointed to take a statement from the victim.
  - b. Liaise with the relevant Church Authority to determine whether the Church Authority required the claim to be assessed under the Towards Healing protocol, an Assessment involved the Professional Standards Office appointing a person to investigate a complaint of sexual molestation and provided an Assessment Report.
  - c. Appoint a facilitator to facilitate the claim.
  - d. Arrange the facilitation.
33. When I received a claim from a Church Authority in the Towards Healing protocol or any other forum, I reviewed the documents provided (which may have included the Contact

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Report, Assessment Report etc) to determine whether the Church Authority had a CCI policy that may respond to the claim. In this regard:

- a. CCI only commenced writing Public Liability insurance in 1969 and not all Church Authorities took out a policy at that date.
  - b. The Ethical Standards Policy required that the accused was notified during the one of the four policy years from July 1991 and that this notification was the first knowledge the insured had of the propensity of the accused to commit acts of sexual molestation. If the first knowledge was prior to the inception of the Ethical Standards Policy in July 1991 it was a 'known circumstance' under this claims made and notified policy and thus the policy would not respond.
34. Once it was established that a CCI policy responded to a request for indemnity by a Church Authority CCI's usual practice was to grant indemnity on receipt of the claim on the basis of currently known facts and circumstances.
  35. I had two principal areas to focus on in the claim process. Firstly, assisting the Church Authority and the Professional Standards Office in minimising the impact as much as possible of the claim process on the victim, through offering to fund counselling with a psychologist of the victims choosing etc and secondly undertaking investigations in respect of indemnity.
  36. In undertaking my role, I had the objective of treating all victims in a dignified and respectful way and moving claims forward expeditiously in an attempt to minimise the stress and anxiety caused by the claim process.
  37. CCI's objective was to accommodate the needs and requests of the victim. I was guided by the Professional Standards Office, the Church Authority and/or the appointed facilitator to determine how to proceed with the claim.

#### *Claims Management in Towards Healing Cases*

38. CCI actively encouraged victims to obtain independent legal representation in all claim forums and met the reasonable costs of such advice. The vast majority of victims obtained such advice.
39. CCI had a standard precedent letter for requesting a psychologist / psychiatric report which I forwarded to the Professional Standards Office to assist them prepare a letter requesting a report for the purposes of a Towards Healing claim. This letter attached the National Professional Standards Psychological Assessment Report Points.
40. On receipt of the psychologist / psychiatric report a quantum assessment was made on the papers. This assessment would often change during the course of the facilitation as this process allowed for firsthand account of the impact of the sexual molestation on the victim and a discussion with their lawyers as to their current status and future treatment needs.
41. I obtained a quantum advice in this claim from Makinson & d'Apice lawyers to assist with the assessment of the claim, the reserve and a potential settlement at facilitation.
42. CCI would often offer to pay for a claimant's treating psychologist / psychiatrist to attend the facilitation with the claimant and provide additional support.

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*Facilitation*

43. The facilitation would take place at the victim's convenience and the Church Authority and I would travel to the location accordingly.
44. The Church Authority would nominate the appropriate person to attend the facilitation and provide a pastoral session and apology to the victim.
45. Subject to the victims wishes, a facilitation would normally commence with the facilitator speaking with the victim, their lawyer and support person(s). A pastoral session would then follow. Whilst I sat in on the pastoral session if required I did not participate in this session and simply took notes that would assist with a quantum assessment of the claim for when I discussed with the Church Authority after the pastoral session what settlement offers should be made.
46. The duration of the pastoral session in the Towards Healing protocol could take in excess of an hour and the victim could request at a later time during the facilitation or at a later date to speak to the Church Authority's representative privately. The process was flexible at the victim's discretion.

**The Claim File: Jennifer Ingham**

47. CCI provided access to the claim file for Jennifer Ingham on a WatchDox data base at approximately 4:48pm 15 November 2013. This WatchDox data base consisted of approximately 207 PDF documents. Access to the CCI WatchDox data base expired on 20 November 2013. My perusal of the file indicated that it was not a complete copy of the file.
48. I have reviewed the documents on the WatchDox data base and documents provided by the Royal Commission and I note the following.
49. On Thursday 13 December 2012 at 5.32pm I received an email from the Diocese of Lismore's Chancellor, Christopher Wallace. In this email a new special issue claim was notified to CCI. This email attached a letter from Peter Scanlan of 8 November 2012, which enclosed the Towards Healing Contact Report of Jennifer Ingham, the Contact Report taken on 18 October 2012, Peter Scanlan's running sheet, Jennifer Ingham's letter to Pat Mullins, Director of the Professional Standards of 4 September 2012, Peter Scanlan's invoice, Jennifer Ingham's email of 14 November 2102 to Pat Mullins, Pat Mullins response to Jennifer Ingham of 15 November 2012 and Jennifer Ingham's email to Pat Mullins of 12 December 2012.
50. On 13 December 2013 at 5.53pm I emailed Christopher Wallace. In my email I thanked Christopher Wallace for his email and noted that I would have a read of the material. I also noted that I had just landed back in Melbourne and would be in the office the following day. I noted that I would come back to Christopher Wallace the following day.
51. A claim file for Jennifer Ingham's claim was open by CCI on 14 December 2012.
52. On Friday 14 December 2012 at 5.26pm I emailed Christopher Wallace. In my email I acknowledged Christopher Wallace email of 13 December 2012. I also attached the letter granting indemnity to the Diocese of Lismore as was CCI's standard practice to grant indemnity on receipt of the claim on the basis of currently known facts and circumstances and subject to any required indemnity investigations. In CCI's letter granting indemnity CCI requested a copy of Fr Rex Brown (deceased) personnel file. In my email, I confirmed that the Diocese of Lismore accepted Jennifer Ingham's complaint. I also noted in this email that *"fairly and justly consider Jennifer Ingham's claim a report on her current status and future treatment needs would be of great assistance. In an attempt to minimise the stress of the claim process, I would suggest that Pat Mullins [the then Director of the Queensland*

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*Professional Standards Office] raise with JI [Jennifer Ingham] the possibility of obtaining a report from her treating psychologist/psychiatrist", I asked Christopher Wallace for his views on this suggestion. I noted that "CCI actively encourages claimant's to obtain legal advice, most particularly should the claim resolve in relation to the deed of release and the Medicare requirements. CCI will pay the reasonable costs of such advice in addition to any agreed settlement sum." I also noted that "I note that JI is receiving current treatment, CCI is happy to pay for the reasonable costs of any additional counselling needs that JI may have to assist her through the Towards Healing claim process, I can communicate this to Pat Mullins."*

53. On 14 December 2012 at 5.31pm I emailed Pat Mullins. I copied Christopher Wallace into this email. In my email I informed Pat Mullins that CCI was involved in the claim of Jennifer Ingham [meaning that the Diocese of Lismore had made a claim to CCI in respect of the claim] and that I would touch base with Pat Mullins after speaking with the Diocese of Lismore about Jennifer Ingham's claim.
54. On Tuesday 18 December 2013 I spoke to Christopher Wallace. In this conversation he agreed that I could visit the Diocese of Lismore to inspect Fr Rex Brown's personal file as it was too voluminous to copy and that we could discuss the claim at that time. I asked if Christopher Wallace was happy for me to speak to Pat Mullins, I noted that I would prefer to request a report from Jennifer Ingham's treating psychologist / psychiatrist and to try and avoid an independent psychiatric assessment, which may cause more trauma. Christopher Wallace agreed with this approach and commented it was pastoral. Christopher Wallace also confirmed that he would attend the facilitation and provide an apology. In this conversation I also commented that CCI would not engage an external lawyer in this claim at this time and would instead try and keep it within the Towards Healing protocol and not too legalistic.
55. On 18 December 2012 I spoke by telephone with Pat Mullins. In our telephone conversation I noted to Pat Mullins that I had spoken to the Diocese and asked Pat Mullins if Jennifer Ingham would be agreeable to her treating psychologist / psychiatrist providing a report to avoid an independent assessment. Pat Mullins agreed with this approach and informed me that he would ask Jennifer Ingham if she was agreeable to a report being provided by her treating psychologist / psychiatrist. Further, that he would also let Jennifer Ingham know that the Diocese did not require a Towards Healing Assessment of her claim. Pat Mullins agreed to come back to me once he had spoken to Jennifer Ingham.
56. On Sunday 23 December 2012 at 3.45pm I received an email from Pat Mullins. This email attached the email correspondence between Pat Mullins and Jennifer Ingham of 18, 21 and 23 December 2012. In this correspondence Pat Mullins informed Jennifer Ingham that the Diocese of Lismore did not require a Towards Healing Assessment of her complaint and it could go directly to facilitation and that in preparation for the facilitation the Diocese would like to obtain a psychologist report, which could be provided from her treating psychologist.
57. On 23 December 2012 at 4.16pm I emailed Pat Mullins. In my email I noted that I would be back in the office on Thursday 27 December 2012 and that I could email through CCI's standard letter [of instruction to a psychologist to obtain a report] in Word.
58. On Thursday 27 December 2012 at 8.17am I emailed Pat Mullins. My email attached a draft letter to Jennifer Ingham's treating physiologist to obtain a report for the purposes of her Towards Healing claim and the National Committee for Professional Standards Psychological Assessment Report Points.
59. On Thursday 3 January 2013 I engaged in email correspondence with Christopher Wallace regarding travelling to Lismore to inspect the personnel file of Fr Rex Brown for the purposes of investigating indemnity under the Diocese of Lismore's Public Liability Policy. It was agreed that I would fly to Lismore on the evening of 4 February 2013 from Sydney (I was in

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Sydney on 4 February 2013 for a mediation in another claim) and attend the offices of the Diocese of Lismore on 5 February 2013.

60. On Tuesday 5 February 2013 I attended the offices of the Diocese of Lismore to inspect the personnel file of Fr Rex Brown. The purpose of this inspection was to attempt to determine at what date the Bishop of the Diocese of Lismore was aware of Fr Rex Brown's offending to determine whether the Diocese's CCI Public Liability Policy responded to the claim of Jennifer Ingham. In this course of this inspection I prepared a typed file note, which listed the date of the documents I reviewed, a brief description and whether a copy was taken, which was placed on the CCI's claim file. In the course of this day I spoke to Christopher Wallace about Jennifer Ingham's claim. Christopher Wallace informed me that the Diocese of Lismore accepted Jennifer Ingham's claim. I also meet briefly with the Bishop of Lismore.
61. On Monday 18 March 2013 at 10.55am I emailed Pat Mullins. In my email I noted that the claim of Jennifer Ingham had come out of my diary system, that I recalled we were waiting on a report from her treating psychologist and assuming that this was the case I would re-diarise the claim for another 4 weeks. I asked Pat Mullins in this email to let me know if my assumption was incorrect.
62. I received an email from Pat Mullins on 18 March 2013 at 12.42pm. This email advised that my assumption in my email of 18 March 2013 at 10.55am was correct.
63. On 18 March 2013 at 12.43pm I emailed Pat Mullins. In this email I thanked him for his email of 12.42pm that day.
64. On Thursday 4 April 2013 at 9.53am I received an email from the Queensland Professional Standards Office via the offices of Mullins Lawyer. This email attached a letter to Professor Dooley of 2 April 2013. This letter to Professor Dooley referred to the Queensland Professional Standards Office's letter asking Professor Dooley to provide a report of 4 February 2013 and asked if Professor Dooley could let the office know when a report would be received.
65. On Friday 19 April 2013 at 11.10am I emailed Bernadette Rodgers, the new Director of the Queensland Professional Standards after Pat Mullins resigned this position and took on a new role in the Archdiocese of Brisbane. In my email I confirmed that we were waiting on the report from Jennifer Ingham's psychologist. I also suggested that Michael Salmon, who I noted was the Director of the NSW Professional Standards Office, be appointed as the facilitator.
66. On Thursday 2 May 2013 at 12.47pm I received an email from Bernadette Rodgers. In this email Bernadette Rodgers asked me to confirm that we would wait for the psychologists report before the claim went to facilitation.
67. On 2 May 2013 at 1.13pm I emailed Bernadette Rodgers. In this email I noted that Michael Salmon could be appointed now as this might help Jennifer Ingham feel that her claim was moving forward. I noted that this decision to appoint a facilitator was Bernadette Rodgers' and that I would leave it to her. I also asked Bernadette Rodgers to follow up the report of Jennifer Ingham's treating psychologist as I was concerned about the delay.
68. On Monday 6 May 2013 at 4.16pm I emailed Bernadette Rodgers and asked if the report from Jennifer Ingham's psychologist had been received.
69. On 6 May 4.26pm I received an email from Bernadette Rodgers. In her email she noted that the report from Jennifer Ingham's treating psychologist had arrived today and asked who to send it to

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70. On 6 May 2013 at 4.38pm I emailed Bernadette Rodgers. In my email I asked Bernadette Rodgers to scan and email the report of Professor Dooley to Christopher Wallace and CCI.
71. On Tuesday 7 May 2013 at 3.17pm I received an email from Bernadette Rodgers. In this email she advised that she did not have a working phone yet and provided me with her personal mobile number and noted the Towards Healing number diverted to her mobile. Bernadette Rodgers also noted that I was welcome to ring her anytime as she did not have set working hours.
72. On 7 May 2013 at 3.26pm I emailed Bernadette Rodgers. In my email I noted that CCI would arrange payment of Professor Dooley's invoice.
73. On 7 May 2013 at 5.40pm I emailed Christopher Wallace. In this email I attached a copy of the Professor Dooley report.
74. On 8 May at 9.40am I received an email from Christopher Wallace. In his email Christopher Wallace advised that he was available on 23 or 24 May 2013 for a facilitation.
75. On Wednesday 8 May 2013 at 9.57am I emailed Christopher Wallace. In this email I thanked Christopher Wallace for his email and noted that I would come back to him.
76. On 8 May 2013 at 10.09am I emailed Michael Salmon. In my email I confirmed that Michael Salmon had been appointed as the facilitator in Jennifer Ingham's claim and that I understood Bernadette Rodgers had provided him with a copy of Professor Dooley's report. I noted that I had spoken to the Diocese of Lismore and that Christopher Wallace was happy for the claim to move to facilitation and was available on 23 and 24 May 2013 and if these dates were not suitable I would obtain Christopher Wallace's availability for June and July 2013. I also noted that CCI was happy to pay the reasonable costs of Jennifer Ingham's psychologist attending the facilitation if that would assist her. Further that CCI was happy to pay the reasonable costs for Jennifer Ingham to obtain legal advice.
77. On 8 May 2013 at 2.30pm I received an email from Michael Salmon, which copied in Bernadette Rodgers. In this email Michael Salmon forwarded my email of 10.09am that day and confirmed his availability for 23 and 24 May 2013 for the facilitation. Michael Salmon's email asked Bernadette Rodgers to determine whether Jennifer Ingham was available for either date or otherwise to provide dates for the June and July 2013 period. Michael Salmon also requested that Bernadette Rodgers pass onto Jennifer Ingham that CCI had offered to pay for Jennifer Ingham's psychologist to attend the facilitation with her and for her to obtain legal advice.
78. On 8 May 2013 at 3.40pm I emailed Makinson & d'Apice lawyer's new instructions to provide a quantum advice in the claim of Jennifer Ingham. My letter instructing Makinson & d'Apice lawyers of 8 May 2013 was attached to my email.
79. On Thursday 9 May 2013 at 11.09am I emailed Bernadette Rodgers. In my email noted that Michael Salmon and Christopher Wallace and I could attend a facilitation in Brisbane on 23 and 24 May 2013, with a preference for 24 May 2013. In my email I asked Bernadette Rodgers to check if either 23 or 24 May 2013 were suitable for Jennifer Ingham and if so we could lock a date in.
80. On 9 May 2013 at 11.16am I received an email from Bernadette Rodgers. In this email Bernadette Rodgers noted that she had tried to ring Jennifer Ingham and sent her an email with possible dates, with a reassurance that if that is too quick the facilitation could be scheduled for June or July.
81. On 9 May 2013 at 5.14pm Bernadette Rodgers emailed Michael Salmon and I. In this email, Bernadette Rodgers confirmed the facilitation date for 24 May 2013. Bernadette Rodgers

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noted that she had discussed with Jennifer Ingham CCI's offer to pay for her psychologist to attend the facilitation and that Jennifer Ingham would think about this offer overnight. Bernadette Rodgers also asked what Christopher Wallace's position at the Diocese of Lismore was and noted that Jennifer Ingham had asked if the Bishop would be present.

82. On 9 May 2013 at 5.28pm I emailed Bernadette Rodgers. In this email I noted that I had sent through Christopher Wallace's details. I also asked for the venue of the facilitation on 24 May 2013.
83. On 9 May 2013 at 5.35pm I received an email from Bernadette Rodgers. In this email Bernadette Rodgers noted that Jennifer Ingham wanted Christopher Wallace's CV and that Jennifer Ingham had been told that the Bishop would attend the facilitation.
84. On 9 May 2013 at 5.38pm I emailed Bernadette Rodgers. In this email I noted that Christopher Wallace was a Deacon and that I would see if I could get the Bishop to attend the facilitation.
85. On 9 May 2013 at 5.39pm I emailed Christopher Wallace. In my email I noted that Jennifer Ingham wanted to meet with the Bishop. I asked if there any chance that the Bishop could attend the facilitation on 24 May 2013.
86. On 9 May 2013 at 6.22pm I received an email from Bernadette Rodgers. In this email Bernadette Rodgers noted that Jennifer Ingham thought that her complaint was sufficiently serious to involve a Bishop.
87. On 9 May 2013 at 6.27pm I emailed Bernadette Rodgers. In this email I noted that we would see what could be done and that I would touch base tomorrow.
88. On Friday 10 May 2013 I spoke to the Bishop of Lismore. In this conversation I noted that Jennifer Ingham wanted to meet with him, that I understood the proposed facilitation dates of 23 and 24 May were not suitable for him and asked if the Bishop could meet with Jennifer Ingham on other dates in Brisbane post facilitation or if we could postpone the facilitation to a more suitable date. In this conversation the Bishop noted that his diary was full, 24 May 2013 was impossible, he was away in July, he could do 24 June and maybe 27 or 28 June. The Bishop also noted that he had worked with Christopher Wallace for a long time on these matters and that Christopher Wallace was very good. The Bishop noted that when he travelled to Brisbane he needed to allow a day and to be driven. I noted that I understood this.
89. On 10 May 2013 at 5.10pm I emailed Bernadette Rodgers. In my email I asked Bernadette Rodgers to call me on Monday, on my mobile as I would be working in Canberra. I noted in my email that we could not get the Bishop for the facilitation on 24 May 2013. However, that Christopher Wallace, a former police officer, who had worked for the Bishop for 7 years and managed professional standards claims in the Diocese would attend the facilitation and that the Bishop would meet with Jennifer Ingham at a later date. I noted in my email that I appreciated this situation was not ideal but that after a long conversation with the Bishop that this was the best we could do.
90. On Saturday 11 May 2013 at 11.30am I received an email from Bernadette Rodgers, which attached Jennifer Ingham's email of 10 May 2013 at 5.33pm. Bernadette Rodgers noted in her email that she would speak to me on Monday.
91. On 11 May 2013 at 11.49am I emailed Bernadette Rodgers. In this email I noted that I had spoken to the Bishop of Lismore, that Christopher Wallace was involved in professional standards, protection and prevention matters and preparing for the Royal Commission and that I would obtain a copy of his CV and provide it Bernadette Rodgers. I asked that

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Bernadette Rodgers telephone me on Monday on my mobile as I was working interstate that day.

92. On Tuesday 14 May 2013 at 9.37am I received an email from Bernadette Rodgers. This email attached Jennifer Ingham's emails of 10 May at 5.33pm and 13 May 2013 at 2.47pm and Bernadette Rodger's email of 9 May 2013 at 10.38am.. In her email Bernadette Rodgers noted that she had spoken to Jennifer Ingham and that she had agreed to proceed with the facilitation as arranged and that meeting with the Bishop at a later date was a satisfactory approach for her. Bernadette Rodgers agreed to ask for a copy of Christopher Wallace's CV.
93. On 14 May 2013 I telephoned Bernadette Rodgers. I noted in this conversation that CCI was agreeable to paying Jennifer Ingham's lawyers costs to travel from Newcastle to Brisbane to attend the facilitation as Jennifer Ingham trusted her lawyer in Newcastle and that CCI wanted her to have legal advice. Bernadette Rodgers thanked CCI for this and noted that Jennifer Ingham's lawyer was Peter Kelso and that she trusted him and felt comfortable with him. Bernadette Rodgers' requested a copy of Christopher Wallace's CV, which I agreed to obtain and provide to her.
94. On 14 May 2013 at 10.14am I telephoned the Diocese of Lismore. The Diocese advised that Christopher Wallace was not in Lismore that day and provided me with his mobile number. The Diocese also agreed to locate a copy of Christopher Wallace CV and send it to me.
95. On 14 May 2013 at 10.27am I emailed Bernadette Rodgers and confirmed the content of our telephone conversation that day.
96. On 14 May 2013 at 1.38pm I received an email from Bernadette Rodger. In her email Bernadette Rodgers thanked me for my email and noted that she would forward on Christopher Wallace's CV.
97. On Wednesday 15 May 2013 at 9.29am I received an email from Bernadette Rodgers. In this email Bernadette Rodgers attached an email from Jennifer Ingham of 14 May 2013 at 3.11pm, which stated that her solicitor was unable to meet on 24 May 2013. In Bernadette Rodgers email she noted that she had subsequently received a further email from Jennifer Ingham and saying that her solicitor could shift his appointments.
98. On 15 May 2013 at 9.34am I emailed Bernadette Rodgers. In my email I noted that I had a meeting on 22 May 2013, which could probably be moved, but my memory was that Michael Salmon was available on 23 and 24 May 2013. I asked if Jennifer Ingham's solicitor could shift his appointment on 24 May 2013 as this date worked for everyone else. I also noted that I could not attend a facilitation in late June 2013.
99. On 15 May 2013 I telephoned Christopher Wallace on his mobile. I left a message on Christopher Wallace's voice mail that we were going ahead next Friday in Brisbane and that I needed a copy of his CV ASAP.
100. On 15 May 2013 at 12.55pm I received an email from Alex Kohn of Makinson & d'Apice lawyers. This email attached Makinson & d'Apice's letter of advice. The advice assessed the claim at \$189,992 as the likely common law assessment based on the available material and stated that *"in light of this matter being under Towards Healing, it may be possible to achieve a settlement for an amount lower than this assessment. We would recommend a starting offer of approximately \$30,000 inclusive of costs and to go up to about \$75,000 inclusive of costs in order to attempt settlement of the matter under Towards Healing."*
101. On 15 May 2013 at 1.21pm I emailed Alex Kohn of Makinson & d'Apice lawyers. In this email I thanked Alex Kohn for his advice. I also noted in this email that CCI was pleased Jennifer Ingham had obtained legal advice, her lawyer being Peter Kelso, that I thought the recommended first offer in the advice was too low and instead in Towards Healing I liked to

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limit it to two offers, the first very close to the final position as I found it a more dignified and respectful way to proceed without detracting from the often lengthy pastoral sessions. At that time I noted that I was thinking of finishing around the \$100,000 plus costs mark. I also noted for completeness that I had reviewed Fr Rex Brown's personnel file in Lismore and that the date of knowledge of Fr Rex Brown's offending was March 1985.

102. On 15 May 2013 at 1.38pm I received an email from Nancy Tarlinton of the Diocese of Lismore. This email attached Christopher Wallace's CV.
103. On 15 May 2013 at 1.48pm I emailed Bernadette Rodgers a copy of Christopher Wallace CV. I noted in my email that Christopher Wallace had been the Diocesan Chancellor since 2005.
104. On 15 May 2103 at 2.01pm I emailed Christopher Wallace. My email attached a draft Deed of Release and Solicitors Certificate for the facilitation on 24 May 2013. I asked Christopher Wallace to review and comment on the draft, to contact me should he have any questions and/or would like to discuss.
105. On 15 May 2013 at 2.49pm I received an email from Bernadette Rodgers. In this email Bernadette Rodgers asked what dates we were proposing for the Bishop to meet with Jennifer Ingham. This email attached Bernadette Rodgers' email to Jennifer Ingham of 2.10pm, which attached Christopher Wallace's CV. This email also attached an email from Jennifer Ingham to Bernadette Rodgers' of 15 May 2013 at 2.41pm that requested confirmation of the date for meeting with the Bishop of Lismore in June.
106. On 15 May 2013 at 2.54pm I emailed Bernadette Rodgers. In my email I noted that the Bishop could come to Brisbane on 24, 27 or 28 June 2013 and asked for confirmation of the date so it could be confirmed. I also noted that the Bishop would meet with Jennifer Ingham at her convenience (i.e. at her home, a coffee shop, Pat Mullins office etc, whatever suited her best). I also asked Bernadette Rodgers if the 24 May 2013 facilitation date had been confirmed.
107. On 15 May 2013 at 3.00pm I received an email from Bernadette Rodgers. In this email Bernadette Rodgers noted to keep 24 May 2013 but that she was still exploring other options.
108. On 15 May 2013 at 3.01pm I emailed Bernadette Rodgers. In this email I thanked her for her assistance.
109. On Thursday 16 May 2013 at 2.22pm I received an email from Bernadette Rodgers. In this email Bernadette Rodgers attached an email from Jennifer Ingham of 2.08pm that day. Bernadette Rodgers asked that I confirm the 24 June 2013 meeting with the Bishop. Bernadette Rodgers also noted that she was still waiting to hear from Jennifer Ingham's solicitors for their confirmation.
110. On 16 May 2013 at 2.49pm I emailed Bernadette Rodgers. In my email I noted that I had spoken to the Diocese and asked that they block out the Bishop's diary for 24 June 2013.
111. On Friday 17 May 2013 at 8.35am I received an email from Bernadette Rodgers. This email attached emails from Jennifer Ingham of 16 May 2013 at 3.53pm, which confirmed the 24 May 2013 date for the facilitation. Bernadette Rodgers asked if CCI wanted to organise to pay Jennifer Ingham's lawyers travel costs to Brisbane directly or if it would like them passed through her.
112. On 17 May 2013 at 9.06am I responded to Bernadette Rodgers email. In my email I noted that CCI did not tend to prepay lawyers' travel expenses to facilitations and would normally reimburse such expenses on provision of invoices.

Signature: ... *Emma M. Fenby* ...

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113. On 17 May 2013 at 9.18pm I emailed Christopher Wallace. In my email I confirm that the facilitation in Jennifer Ingham's claim was confirmed for 24 May 2013 in Brisbane. I noted that I would not be in the office until Tuesday and asked that he telephone me to discuss on that day. I also noted that the Bishop would meet with Jennifer Ingham separately on 24 June 2013.
114. On 17 May 2013 at 11.24am, Bernadette Rodgers emailed me and noted that she had spoken with Peter Kelso' officer and told them to book and that we would pay the reasonable costs. She also noted in this email that she thought it was all lined up.
115. On Tuesday 21 May 2013 I telephoned Michael Salmon to discuss the claim. Michael Salmon asked the date that the Diocese of Lismore first knew of Fr Rex Brown's offending. I noted that I believed it to be 1985. Michael Salmon noted that Jennifer Ingham had not been well served by the Church. He noted that he would speak to Christopher Wallace about the facilitation.
116. On 21 May 2013 I telephoned Christopher Wallace. In this conversation I noted the following:
- a. The details for the facilitation on Friday 24 May 2013.
  - b. Christopher Wallace confirmed that Jennifer Ingham's complaint was accepted and thus no investigation of the sexual abuse she reported was required.
  - c. That Jennifer Ingham spoke to the Diocese of Lismore about the sexual abuse, the date of which may have been after the accused was known to the Diocese of Lismore, 1985.
  - d. Christopher Wallace noted that he was happy with the draft deed of release I had emailed him.
  - e. I asked Christopher Wallace to be prepared to answer questions on protection and prevention measures in the Diocese of Lismore and the supervision of Priests.

***The Facilitation: Jennifer Ingham***

117. On Friday 24 May 2013 I attended the facilitation of Jennifer Ingham's claim at the offices of Mullins lawyers in Brisbane, Queensland. Jennifer Ingham attended with her lawyer, Peter Kelso, her husband, sister and a friend, Alison Reichert. Christopher Wallace of the Diocese of Lismore attended. Michael Salmon was the facilitator.
118. On the CCI file there is my hand written note taken during the course of the facilitation. This note includes the following:
- a. A note that the sexual abuse was very severe and that Jennifer Ingham had received a bad response from the Church when she approached the Church on two occasions.
  - b. A note that I telephoned Alex Kohn during the course of the facilitation, noting the offers made by Peter Kelso and the discussion about what was a reasonable and fair counter offer.
  - c. A note that Jennifer Ingham had had an unrelated medical malpractice action in relation to jaw surgery in which Peter Kelso had advised that a settlement of \$380,000 was reached and of this settlement Jennifer Ingham had paid \$200,000 in legal costs and disbursements

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- d. A note that my telephone conversation with Alex Kohn that Jennifer Ingham's claim was in its early stages, we did not have any medical records, tax returns or our assessment of Jennifer Ingham from a psychiatrist. We did have a report from her treating psychologist, who had treated Jennifer Ingham for a significant period of time and provided a reasonably balanced report.
- e. A note that I was mindful that Alex Kohn's advice had recommended an assessment in the range of \$190,000 plus costs.
- f. A note that I telephoned Charlie Nettleton as I was unable to get hold of Marita Wright. I explained the situation to Charlie Nettleton, the legal advice and received authority from Charlie Nettleton to resolve the claim up to \$250,000 plus legal costs and disbursements. Further that I expected Peter Kelso's legal costs and disbursements to be approximately \$20,000.
- g. A note that Peter Kelso initially advised that he thought his legal costs and disbursements were \$36,000. However, this amount was reduced by Peter Kelso to \$11,736.64 when I requested that he itemise his professional costs and disbursements.
- h. A note that Michael Salmon considered the offer at the upper end of a Towards Healing claim.
- i. A note that \$250,000 plus reasonable costs and disbursements was the best offer that could be made at the facilitation today. However, there was no pressure to accept it today or at a later date and further investigations could be undertaken and documents received and Jennifer Ingham's claim mediated at a later date.
- j. A note that if the claim did not settle at the facilitation other work would be undertaken.
- k. A note that in response to Peter Kelso's assertion that the Diocese was hiding behind Towards Healing that this was not the case, the settlement offer would be the same in any forum on the basis of the material we had at this point in the claim.
- l. A note that Christopher Wallace telephoned the Bishop of Lismore to discuss the facilitation. The Bishop decided to contribute a further \$15,000 to the settlement.
- m. A note that Jennifer Ingham had time to reflect on the offer, it was open indefinitely. If the claim did not resolve at the facilitation we would all keep on working.
- n. A note that Jennifer Ingham's claim resolved for \$276,736.64 inclusive of legal costs and disbursements.
- o. After the settlement of the claim we then had a closing session, at this session all parties were present except for Jennifer Ingham's friend, Alison Reichert. I was informed that Alison Reichert had left at some point during the facilitation. In this closing session I stated that I would ask Bernadette Rodgers to contact Jennifer Ingham regarding a venue for the pastoral meeting with the Bishop of Lismore on 24 June 2013. Further that I would arrange for payment of settlement monies the following week when I was back in the office in Melbourne. I made no further comments during this session. I did not comment on the financial negotiations or the settlement amount.
119. On 24 May 2013 Peter Kelso provided me with a signed authority from Jennifer Ingham for settlement monies to be paid into Peter Kelso's account and provided electronic funds transfer details accordingly.

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120. I did not negotiate directly with Jennifer Ingham. I negotiated with her lawyer, Peter Kelso, with the facilitator present for the majority of these discussions.
121. I agree with the Statement of Jennifer Ingham of 23 October 2013 at paragraph 37 that other than general courtesies I had no communication with Jennifer Ingham during the facilitation.
122. I refer to paragraph 44 of the Statement of Jennifer Ingham of 23 October 2013. At no time did I speak to Jennifer Ingham about financial matters, at no time did I speak to her about the settlement and at no time during the course of the facilitation did I say that Jennifer Ingham's payment was the highest ever paid by CCI.

### Finalisation Matters

123. On Monday 27 May 2013 I prepared a file note of the facilitation. In this note I recorded the following salient points:
- a. The facilitation took place on Friday 24 May 2013 at the offices of Mullins Lawyers.
  - b. The facilitator was Michael Salmon, the director of the NSW ACT Professional Standards Office.
  - c. Jennifer Ingham attended with her lawyer, Peter Kelso, and her sister, husband and friend.
  - d. An unreserved apology was offered by Christopher Wallace to Jennifer Ingham.
  - e. Christopher Wallace accepted Jennifer Ingham's description of the meeting with a representative of the Diocese of Lismore in 1989.
  - f. Jennifer Ingham's lawyer made an initial offer of \$1 million.
  - g. I telephoned Alex Kohn during the course of the mediation to discuss Jennifer Ingham's claim. In this conversation Alex Kohn agreed that if the claim could resolve at \$250,000 plus legal costs that would be reasonable.
  - h. I telephoned Charlie Nettleton as I was unable to contact Marita Wright. Charlie Nettleton provided me with authority to resolve Jennifer Ingham's claim over my authority.
  - i. Jennifer Ingham's claim was resolved for \$265,000 plus costs and disbursements fixed at \$11,736.46.
  - j. The Diocese contributed \$15,000 to the settlement. This amount would be reimbursed by CCI as it was in the range of settlement for the claim.
124. On 27 May 2013 CCI arranged for payment of the settlement sum to Jennifer Ingham less the 10% advanced payment to Medicare and for payment of Peter Kelso's legal costs and disbursements.
125. On 27 May 2013 at 9.32am I emailed Jeremy Howes, the Financial Controller of the Archdiocese of Brisbane, who I had met on a number of occasions in relation to the Archdiocese's of Brisbane's special issues claims. In my email to Jeremy Howes I noted that the Bishop of Lismore, Christopher Wallace and Michael Salmon were having a pastoral meeting on 24 June 2013. I asked Jeremy Howes if a room could be arranged at the Archdiocese of Brisbane's office, specifically a room that I had had a meeting in the previous year with Jeremy Howes that was private and quiet. I also noted that whilst the facilitation

Signature: ..... *Emma W. Fenby* .....

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had taken place at the offices of Mullins lawyers that these offices were not appropriate for a pastoral meeting.

126. On 27 May 2013 at 9.44am I emailed Christopher Wallace. In this email I attached some sample apology letters. I noted in my email that I was sure the samples would not be needed but may assist. I also noted that the best advice was to make the apology letter personal and pick up from the points raised by Jennifer Ingham at the facilitation.
127. On 27 May 2013 at 9.46am I emailed Christopher Wallace. In my email I provided Peter Kelso's electronic fund transfer details and asked that he arrange for the Diocese to pay the \$15,000 contribution to the settlement of Jennifer Ingham's claim.
128. On 27 May 2013 at 11.04am Michael Salmon emailed a copy of the Facilitator's report to Christopher Wallace, Bernadette Rodgers and myself.
129. On 27 May 2013 at 11.08am I emailed Michael Salmon and thanked him for a copy of the Facilitator's Report and asked for his account so that I could arrange payment.
130. On 27 May 2013 at 12.14pm I received an email from Jeremy Howes, which copied in the Archbishop of Brisbane's secretary, Claudine Kelly. This email advised that the meeting room in the Francis Rush Centre was available for the date of the pastoral meeting and that the Archbishop of Brisbane's secretary would contact me in relation to the details.
131. On 27 May 2013 at 12.20pm I emailed Jeremy Howes and copied in Claudine Kelly and thanked them for making a room available and noted that I looked forward to hearing from Claudine Kelly.
132. On 27 May 2013 at 12.22pm I emailed Christopher Wallace and Michael Salmon and noted that the Archdiocese of Brisbane would make a meeting available for the pastoral meeting with Jennifer Ingham and the Bishop of Lismore on 24 June 2013 and that I would book the room for the day and arrange tea and coffee. Further that the room was private and quiet. I noted that I would confirm the arrangements shortly.
133. On 27 May 2013 at 6.12pm I received an email from Claudine Kelly following up the email from Jeremy Howes, with the details for the meeting room and asking what would be required on the day, such as catering.
134. On 27 May 2013 at 6.14pm I responded to the email from Claudine Kelly and noted that tea and coffee would be needed, that I would not be present at the meeting on 24 June 2013 and I asked who the Bishop of Lismore should contact on arrival.
135. On 27 May 2013 at 6.15pm I received an email from Claudine Kelly. In this email Claudine Kelly noted that the Bishop of Lismore, Bishop Jarrett knew her and could contact her.
136. On Tuesday 28 May 2013 at 8.23am I emailed Michael Salmon and Christopher Wallace and advised that I had arranged with the Archdiocese of Brisbane to book the Archbishop's Office Boardroom for Jennifer Ingham's pastoral meeting with the Bishop of Lismore. I noted the address of this room, to contact the Archbishop of Brisbane's secretary on arrival, who I noted would provide tea and coffee. I asked whether Bernadette Rodgers should communicate the details of the pastoral meeting to Jennifer Ingham.
137. On 28 May 2013 at 10.53am I received an email from Bernadette Rodgers, which copied in Michael Salmon and Christopher Wallace. Bernadette Rodgers advised that Jennifer Ingham had requested the details for the meeting on 24 June 2013. Further that Bernadette Rodgers had discussed this meeting with Michael Salmon and they had thought out a possible time line for the meeting, which allowed Jennifer Ingham to meet with Michael

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Salmon and her support people first and then with the Bishop of Lismore and Christopher Wallace.

138. On 28 May 2013 at 10.57am I responded to Bernadette Rodgers' email. In my email I noted that I would leave the arrangement for the pastoral meeting on 24 June 2013 to Bernadette Rodgers, Michael Salmon and Christopher Wallace. I noted in this email that Jennifer Ingham would need to be met on the morning of the meeting to gain access to the Archbishop's Boardroom. Further that the room had been booked for the day. I also noted that I would on leave from 10 to 26 June 2013 and provided the contact details for the CCI Claims Administrator, who assisted with special issues claims as part of her role, should any assistance be required whilst on was on leave.
139. On 28 May 2013 at 11.34am I emailed Peter Kelso and attached confirmation of electronic transfer of settlement monies, less the 10 per cent advanced payment to Medicare and the \$15,000 contribution from the Diocese of Lismore (\$223,500). I also attached confirmation of the electronic transfer of the payment of Peter Kelso's costs and disbursements (\$11,736.46). I noted that the funds should be in Peter Kelso's trust account within 48 hours. I copied Christopher Wallace in this email to Peter Kelso.
140. On 28 May 2013 at 11.39am I received an email from Peter Kelso. In his email, Peter Kelso thanked me for *"my prompt action in this matter which is greatly appreciated by Jennifer"*.
141. On 28 May 2013 at 11.40am I emailed Peter Kelso and thanked him for his email.
142. On 28 May 2013 I wrote to Medicare Australia. In my letter I enclosed a cheque in the amount of \$26,500 representing a 10 per cent advanced payment and the executed Notice of Judgment of Settlement.
143. On Wednesday 29 May 2103 at 11.08am I received an email from Christopher Wallace. In this email Christopher Wallace advised that he had arranged for the payment to Jennifer Ingham of \$15,000 from the Diocese of Lismore. Christopher Wallace also had a query in relation to the Diocese of Lismore's execution clause in the Deed of Release.
144. On 29 May 2013 at 11.10am I emailed Christopher Wallace. In my email I noted that I would consider the deed and the Bishop of Lismore's proposed wording and come back to him before we took any steps.
145. On 29 May 2013 at 11.14pm I emailed Alex Kohn a copy of the Deed of Release executed by Jenifer Ingham and provided a copy of the email from Christopher Wallace in relation to the Diocese of Lismore's query in relation to the execution clause in the Deed of Release. In my email I informed Alex Kohn of my preference that Jennifer Ingham did not have to execute a new Deed of Release unless there was no other option. I considered that asking Jennifer Ingham to execute a new Deed of Release may cause her distress, which I wished to avoid.
146. On 29 May 2013 at 12.52pm I received an email from Alex Kohn. In his email Alex Kohn advised that there was nothing legally incorrect about the Diocese of Lismore's execution clause in the Deed of Release. Further that any changes to the Deed would for reasons other than legal necessity.
147. On 29 May at 1.04pm I emailed Alex Kohn. In my email I thanked Alex Kohn for his email and also asked if he would telephone Christopher Wallace to explain the position and also the Bishop of Lismore directly if required. I asked as I thought that an explanation from an external lawyer may assist Christopher Wallace and/or the Bishop of Lismore.

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148. On 29 May 2013 at 1.14 pm I received an email from Alex Kohn. In his email Alex Kohn advised that he would be happy to do so [speak to Christopher Wallace and/or the Bishop of Lismore about the execution clause in the deed of release].
149. On 29 May 2013 at 2.28pm I emailed Christopher Wallace. In my email I noted that I had spoken to Alex Kohn and that he had agreed with me that there was nothing legally incorrect about the Diocese of Lismore's execution clause in the Deed of Release. I also noted that I had asked Alex Kohn to telephone Christopher Wallace to discuss and that Alex Kohn could also speak to the Bishop if that would assist.
150. On Thursday 30 May 2013 at 9.14am I received an email from Michael Salmon. In his email, Michael Salmon forwarded an email he had received from Jennifer Ingham of 28 May 2013 at 11.13am.
151. I responded to Michael Salmon's email on 30 May 2013 at 9.17am. In my email I thanked Michael Salmon for his email and assisting at the facilitation on 24 May 2013.
152. On 30 May 2013 at 9.23am I emailed Marita Wright and Charlie Nettleton. My email attached the email of Michael Salmon of 9.14am that day and the email Michael Salmon had received from Jennifer Ingham of 28 May 2013 at 11.13am. In my email I noted that the facilitation was a tough day but a positive outcome for Jennifer Ingham. I also thanked Marita Wright and Charlie Nettleton for their assistance on the financial side during the facilitation.
153. On 30 May 2013 at 9.25am I emailed Christopher Wallace. In my email I forwarded a copy of Michael Salmon's email of 30 May 2013 at 9.17am.
154. On 30 May 2013 at 5.23pm I received an email from Charlie Nettleton. In this email Charlie Nettleton thanked me for the update in the claim and noted that it sounded like a good outcome in stressful conditions.
155. On Saturday 8 June 2013 at 7.16am I emailed Christopher Wallace and asked for the Diocese's electronic fund transfer details to enable CCI to reimburse the Diocese's \$15,000 contribution to the settlement.
156. On Tuesday 18 June 2013 CCI received the original executed copy of the Deed of Release from the Diocese of Lismore.
157. On my return from annual leave on Wednesday 26 June 2013 I requested that the CCI Claims Assistant copy the deed, white out the identifies (names) and provided this copy to CCI's Reinsurance Department, which occurred. I also arranged for the reimbursement of the \$15,000 contribution to the Diocese of Lismore.
158. I cannot ascertain from the Jennifer Ingham claim file provided by CCI on the WatchDox data base system when the claim file was closed by CCI.

Signed:

.....*Emma M. Fenby*.....

Date:

21 November 2013

Witness:

.....*Stephen Grant*.....

Name of Witness:

.....STEPHEN GRANT.....

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Date:

21 November 2013

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Signature: Emma W. Fenby

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