

## STATEMENT

Name: The Honorable David Habersberger QC

Occupation: Retired

1. On 7 August 2014, officers of the Royal Commission into Institutional Responses to Child Sexual Abuse provided to me a statement of Christine Ann Foster dated 19 July 2014. I make this statement in response to Ms Foster's statement.
2. I served as chairman of the Compensation Panel of the *Melbourne Response* between June 1997 and July 2001 when I was appointed a Justice of the Supreme Court of Victoria.
3. I refer to paragraph 55 of Ms Foster's statement. I recall the hearing of the Compensation Panel to which Ms Foster refers. No lawyer from Corrs Chambers Westgarth was present at the hearing of the Compensation Panel on that occasion or on any other occasion during my time as chairman. It would not have been appropriate for anyone from Corrs Chambers Westgarth to be present at any hearing, owing to the nature of the hearings, the role of the Compensation Panel and its independence from the Archdiocese of Melbourne, for which Corrs Chambers Westgarth acted. On all occasions, including the one to which Ms Foster refers, the only people present, apart from the applicant and any support people, were the four members of the Panel.
4. I refer to paragraph 56 of Ms Foster's statement. I recall the Fosters raising with the Panel during the hearing the question of their expenses. I do not recall exactly what was said in response but I believe it was that they should contact Mr Leder of Corrs Chambers Westgarth.

5. I refer to paragraph 109 of Ms Foster's statement. I am sorry to read that Ms Foster found the experience to be daunting and that she felt intimidated. At all times I and the other members of the Panel tried to make the applicants and their support people feel welcome and as comfortable as possible with, what we hoped, was an informal and friendly process.

Signed:.....*D.J. Mahersberger*.....

Dated:.....*12 August 2014*.....