

FURTHER STATEMENT

Name: The Honourable David Habersberger QC

Occupation: Retired

1. I refer to my 12 August 2014 statement to the Royal Commission into Institutional Responses to Child Sexual Abuse (**Royal Commission**). I provide this further statement in order to respond to evidence given to the Royal Commission during Case Study 16 in Melbourne between 18 and 26 August 2014.
2. During Mr Richard Leder's evidence on 21 August 2014 (C4404-4405) he was asked questions about comparability and fairness between different applicants for compensation under the Melbourne Response. Reference was then made to a suggestion that a record could be kept of each award made by the Compensation Panel. Mr Leder said that he did not believe that I, or subsequent Chairs of the Panel, did that.
3. Whilst I understand from the evidence before the Commission that each of the different Chairs of the Panel may have approached the matter in different ways, I did, in fact, keep such a record during the time that I was Chair of the Panel. I assume that Mr Leder was not aware of that record due to the confidentiality of the Compensation Panel's process and the fact that he was not involved in it.
4. The record, which was constantly updated, was a table that listed the name of each applicant, the name of the offender, the amount which the Panel recommended should be offered to the applicant and whether or not that offer had been accepted.

5. I took the current version of the table to each meeting of the Panel that I chaired. From time to time it was referred to, particularly when the members of the Panel thought that there was some similarity between the current application and an earlier application and we wanted to refresh our memory of what the earlier applicant had been offered.
6. The question of fairness and parity between different applicants was one of many important considerations influencing the Panel's decisions.

Signed: *D. J. Habersberger*

Dated: *5 September 2014.*