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Our Ref EMD:211258
 Your Ref

7 March 2002

The Salvation Army ats

Dear Sir

I refer to my letter of 16 January 2002 and our telephone discussions.

I confirm that this matter was listed before Master Harrison for hearing of the plaintiff's application for an extension of time on 5 March 2002. Mr Ian Harrison SC and Mr Patrick See were briefed to appear on behalf of the Salvation Army.

The hearing did not proceed as the matter was resolved on the basis of discussions by the commissioner directly with an offer to pay on an *ex gratia* basis the sum of \$100,000.00. Accordingly the master noted that the proceedings have been settled and ordered that terms be filed within 28 days.

We attach copies of a deed of release and terms of settlement which have been sent to the plaintiff's solicitors for execution. A few comments are necessary. Firstly, there is a judgment in favour of both Wilson and the Salvation Army on the plaintiff's allegations if anyone asks questions or seeks to publicise the matter. Secondly, the *ex gratia* offer is framed in terms of a payment to assist and not because of any wrong doing by the Salvation Army or Wilson. Thirdly, the release covers not only the Salvation Army but all servants or agents and any other persons who had care of whilst he attended Bexley Boys Home. Accordingly if he can identify the persons to whom he was sent on weekends, they are covered by the terms of the release. Finally, the release also covers any action or inaction by the Salvation Army after the period he attended Bexley Boys Home so that if was able to frame a claim against the Salvation Army for anything done or not done during that period that has also been released.

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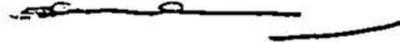
Major Ken Middleton
The Salvation Army

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You will note from the deed of release that the *ex gratia* payment is to be paid to the plaintiff's solicitors and I would be pleased if you could let me have a cheque as soon as possible.

We also enclose a copy of an advice from Ian Harrison SC cautioning against dealing with any of the plaintiffs directly. We have written to the commissioner directly sending him a copy of Ian Harrison's advice.

Yours faithfully



Malcolm Davies

REDACTED

Direct phone REDACTED

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