

**COPY**  
*Colonel Schmitt*

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GS/mm

13 June 1997

Major Garth McKenzie  
 Divisional Commander  
**WESTERN AUSTRALIA**

**E.H.S.**

Dear Major

**Re: ALLAN SMITH CASE - UPDATE**

1. I have enclosed for your confidential information a copy of the prosecution indictment which outlines the charges to which Allan Smith has pleaded guilty.

You will notice that **REDACTED** who wrote to you on 16 May is not mentioned in the indictment, and that **BMF** who is mentioned, has apparently not yet made contact concerning compensation.

2. I have arranged for the processing of accounts to Liberation Management and Susan Brill.
3. On the matter of counselling for Allan Smith, we have taken the initial view that we need to have all the support mechanisms and compensation assessment processes in place for victims before we attempt to consider responses to him. We note your further consideration and suggestion that it may be inappropriate for a counsellor working with victims to endeavour to work with the perpetrator.
4. One of the basic principles established by the Territorial Finance council in setting the policy framework within which compensation may be considered, is that the Army does not accept legal liability for the actions of individual salvationists or employees.

This is to avoid the possibility of a claimant moving the claim straight into Court on any perceived admission of liability by the Army.

I am therefore taking legal advice on the request by **REDACTED** that The Salvation Army provide a verbal apology "towards his healing and not connected with any financial compensation that he may seek through legal means".

I will be examining with our legal advisers whether it is possible to convey an apology without incurring liability. I will contact you again on this point as soon as possible.

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With kind regards.

Yours sincerely



Graham R Sapwell  
**DIRECTOR EMPLOYEE RELATIONS**

cc. Members of the Monitoring Task Force