
From: Jim Mein
To: Christian Mathis
CC: John Oldmeadow; Dunstan Berenger; Gavin Pretorius
Sent: 11/06/2010 10:40:16 AM
Subject: Queensland Synod Policy Documents

Dear Christian,

I offer=fifer these comments n the Queensland policy documents you sent me and ask that you note that I have not spoken to my Queensland counterpart at this stage as we may not go down that route for sexual abuse of school students and likewise I do not believe we should mention their approach when we speak to the Bursars Group or anyone else in the schools network until we think this is the right path to follow:-

1. Their main thrust is to keep small claims under the policy excess from affecting their premiums and to minimise legal and court costs. To do that under \$35,000 seems impossible for the Knox scenario as our experience with both Knox and with the earlier Kinross Wolaroi experiences, to achieve under \$100,000 as a total per claim cost is not possible in almost all cases. Also the damages sought will always be in future dollars, not current dollars.
2. When a complaint is referred to the Police and therefore freezes our private settling of a claim, the costs may be higher as the hearing delays and sentences usually will impact us with higher and more claims, especially as the sentence may be felt to be too light, or the proving of guilt will give a potential complainant a higher expectation of compensation.
3. When I was Moderator, I would welcome the Queensland approach for finalising a complaint between adults but sexual abuse of a minor is a much different scenario. The psychological impact is more likely to be greater and permanent and counselling for up to ten or so sessions is insufficient to allow a victim to move on in a positive manner.
4. I cannot see whether they report the in-house settled matters to the insurer such that it still has an impact on premiums.
5. Our experience in paedophilia cases is that it is rare that a claim or complaint does not come through a solicitor. Once lawyers are involved, the costs can escalate significantly.
6. The policy documents do not cover a situation where the costs exceed \$35,000 when not originally expected to do so. Does that Synod still make a claim for the amount in excess of the policy excess?
7. Who bears the in-house costs if dealt with in-house?
8. Do they still report all incidents or only those that they anticipate will exceed the policy excess?
9. Are the Queensland policies consistent with the Church's Regulations?
10. I feel their policies are so broad and tend more to deal workplace abuses than paedophilia and especially where the latter is a serial scenario.

Christian, I am happy to talk further if you wish.

Regards,

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