



CATHOLIC ARCHDIOCESE
OF MELBOURNE

media release

25 August 2014

MEDIA STATEMENT BY ARCHBISHOP HART

The Archbishop of Melbourne, Denis Hart, today announced that he had engaged a retired Federal Court Judge, the Hon. Donnell Ryan QC, to undertake a consultation to review the compensation payments process of the Melbourne Response.

The Archbishop made the announcement while giving evidence at a public hearing of the Royal Commission into Institutional Responses to Child Sexual Abuse in Melbourne.

Archbishop Hart said the review will consider how payments paid to victims should be reviewed and how payments should be awarded in the future.

“The actual manner and form of the consultation will be determined by Mr Ryan” the Archbishop said.

“While I believe the Melbourne Response has been very effective I believe the time is right for us to conduct this review so that we can be certain that we have arrangements in place for victims that recognise the abuse they have suffered and the effect of that abuse on their lives.

“We are very keen to hear their views on how we can do it better,” Archbishop Hart said.

The Melbourne Response, which was introduced in 1996, is the process for dealing with sexual and other abuse claims against priests, religious and lay people, who are, or were, under the control of the Archbishop of Melbourne within the Melbourne Archdiocese.

By way of background, in April this year the Archbishop said that he would revisit the compensation arrangements under the Melbourne Response with a view to either increasing or removing the current cap of \$75,000.

Today’s announcement was made in the context of the *Betrayal of Trust* report of the Victorian Parliamentary Inquiry into the handling of child abuse by religious and other non-government organisations and the work of the Royal Commission which is inquiring into institutional responses to child sexual abuse.

It is expected that Mr Ryan will present his report to the Archbishop by the end of November this year.

The Archbishop will be pleased to provide the Royal Commission with the results of the consultation.

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For further information: Mr Peter Mahon, Royce, tel 0418 351 754

Inclusions: Terms of Reference of the consultation (included next page)

Additional information

Terms of Reference of the consultation

Archbishop Hart requests that the Hon. Donnell Ryan QC undertake a consultation and provide a report to him in relation to compensation under the Melbourne Response including:

1. Whether the current cap of \$75,000 should be increased or removed;
2. If a cap is to be retained, the amount of the cap having regard to the amounts available under existing or proposed redress schemes responding to victims of sexual abuse;
3. How the amount of compensation to be paid to victims should be determined;
4. How past cases where compensation has been paid should be reviewed and the procedures that should apply to any such review;
5. Any changes to the structure, practices, policies, protocols and procedures of the Melbourne Response arising from any increase in the cap or its removal.

In undertaking the consultation, the reviewer should be mindful of not encroaching on the responsibilities of investigatory agencies, the courts or the Royal Commission in relation to particular cases or prejudicing the conduct or outcome of the investigations or court proceedings.

In undertaking the consultation, the reviewer is requested to seek the views of:

- Victims of clergy child sexual abuse;
- Victims' advocates and legal representatives;
- Independent Commissioners under the Melbourne Response;
- Current and former members of the Melbourne Response Compensation Panel;
- Carelink;
- Truth Justice & Healing Council.

The reviewer in undertaking the consultation can determine the manner and form in which the consultation is undertaken.

Biographical information: Hon. Donnell Ryan QC

The Hon D.M. Ryan QC practised at the Victorian Bar from 1965 until his elevation to the Federal Court in 1986. After a general practice as Junior Counsel, he took silk in 1980 and practised throughout Australia in industrial, commercial, constitutional and administrative law.

He was admitted to practice in New South Wales as well as Victoria and appeared at first instance and on appeals in the Supreme Courts of both States as well as the High Court, the Conciliation and Arbitration Commission, the NSW Industrial Commission and various specialist tribunals. He has served as an acting Chairman at the Victorian Liquor Control Commission and been Senior Counsel assisting the Hope Royal Commission into Australia's Security Organisations.

As a judge of the Federal Court, he was a member of the corporations, industrial, maritime and taxation panels within the Victoria Registry and presided at first instance and on appeals across the whole range of the Court's jurisdiction. He also oversees the conduct of a pending native title claim by the Biljana people centred on the Charleville in south-west Queensland. During his tenure on the Federal Court he served as an additional judge of the Supreme Court of the Australian Capital Territory where he presided over criminal trials and civil litigation including claims for personal injuries and property and commercial disputes. As well, he sat regularly in the appellate jurisdiction of that Court.

Mr Ryan has also been Editor of the Federal Law Reports and a part-time Commissioner of the Australian Law Reform Commission and has published numerous papers on aspects of the maritime, industrial and procedural law. He is a nationally accredited mediator, holding a lawyers Mediation Certificate and is available to be retained as an arbitrator or mediator or to advise in any area appropriate to his experience.