

ADVICE FOR PERSONS WHO WERE THE VICTIM OF CHILD SEXUAL ABUSE AND WHO WANT TO MAKE A CLAIM FOR DAMAGES

This protocol applies to people who allege that they were the victim of child sexual abuse committed by a member of the Catholic Diocese of Maitland-Newcastle ('Diocese') and are seeking some form of compensation from the Diocese for the harm suffered and have chosen not to go through 'Towards Healing'.

To protect your rights you must have a lawyer acting for you.

The assessment of your claim will be based on the individual merits of the claim. The Diocese wants to ensure that you receive an appropriate level of compensation for the harm done.

If you are already working with, or you want to start working with the Healing and Support Team of Zimmerman Services, you can do so without it affecting any possible future settlement. Anything you say to the Healing and Support Team is 'privileged' and cannot be considered by the Diocese as part of the settlement.

The Diocese wants to work towards a just outcome with you and won't use any 'technical' legal defences.

The Diocese will need to collect enough information to be assured that the abuse happened and to be able to assess the level of harm that you suffered as a consequence of the abuse. To help achieve this, you may need to attend a psychiatrist or other medical specialists. Your lawyer should make sure all these arrangements are fair and reasonable.

The Diocese will also conduct its own enquiries into the situation. It can take some time for all the information to be gathered together and assessed.

Through your lawyer and with them, you will be invited to meet with a representative of the Diocese and negotiate a reasonable settlement. This meeting gives you an opportunity to have your say about any aspect of your situation that you feel is important.

As part of the settlement conference there may be other things that are important to you, apart from a financial settlement. You may want a written apology and acknowledgement of the abuse, the Bishop meeting with you and other members of your family or some other thing particular to you and your situation.

If a settlement is reached you will need to sign a deed of settlement and release.
