

ADVICE FOR PERSONS WHO WERE THE VICTIM OF CHILD SEXUAL ABUSE, WHO MADE A SETTLEMENT IN THE PAST AND WANT THEIR MATTER RECONSIDERED

This protocol applies to people who allege that they were sexually abused as a child by a member of the Catholic Diocese of Maitland-Newcastle ('Diocese') and are seeking some further recompense from the Diocese for the harm suffered, and who have already had some form of settlement with the Diocese, either directly or through Towards Healing, for which they signed a deed of settlement.

If you believe that you have received a manifestly inadequate settlement, you can come forward.

The re-assessment of your claim will be based on the individual merits of the claim and on the amount you could have expected to receive by the standards of the day.

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

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 try to collect the records that were used to reach the original settlement. If these records contain enough information, the Diocese will rely on them and not ask you to provide any further evidence. If not, you may be asked to provide some further evidence (e.g. medical records, assessments etc.).

Through your lawyer, you will be invited to prepare a submission to the Diocese explaining why the original settlement was inadequate and what you believe would be a reasonable settlement in terms of both money and other reasonable conditions that may be important to you. For example, some people want to meet the Bishop to talk about what happened, others want the Diocese to tell their parents' that the abuse did happen.

With your lawyer, you and the Diocese will hopefully negotiate a settlement. If a settlement is reached you will need to sign a deed of settlement and release.