

**From:** [Policy MailIn](#)  
**To:** [REDACTED]  
**Date:** Wednesday, 15 April 2020 9:29:36 AM  
**Attachments:** [FW: Setting Aside Settlement Agreements for Past Child Abuse.msq](#)  
[RE: Setting Aside Settlement Agreements for Past Child Abuse.msq](#)

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**From:** [REDACTED]  
**Sent:** Tuesday, 14 April 2020 6:36 PM  
**To:** Policy MailIn  
**Subject:** Setting aside settlement agreements

Dear Sir/Madam

I am writing this email for [REDACTED] who has asked me to contact your department on his behalf. [REDACTED] lives in New Zealand at present but has lived in Australia over a number of periods of time in order to pursue his legal action.

As a young boy he attended the [REDACTED] boarding school in [REDACTED] run by the [REDACTED]. Whilst a student at this school [REDACTED] was sexually and physically abused by two brothers, one being [REDACTED] h, who is at present serving a prison sentence for multiple offences at [REDACTED]. The other abuser, [REDACTED], is deceased.

Over the years I have assisted [REDACTED] with his attempts via two firms of Solicitors in Sydney to overturn the Deed of Release he signed on 30th May, 2001 after he was paid a sum of money that in no way compensated him for the sexual and physical abuse suffered over the 3 years from 1974 to 1977 when he resided at the [REDACTED] school (head office in [REDACTED]). Rather than restating [REDACTED] words here, I am attaching the following documents:

- the email I received from [REDACTED] dated 22 March 2020 asking me to send his story to the Department of Communities and Justice. (refer to above attachment FW: Setting Aside Settlement Agreements for Past Child Abuse.(63 KB)
- email to me also dated 22 March 2020 giving me permission to write his submission. (refer to above attachment RE: Setting Aside Agreement for Past Child Abuse.(31KB)
- link to his submission to the Australian Parliamentary Senate in 2003 which more fully covers details of his abuse.

[REDACTED]

Should you require clarification of any matter, please contact me as I hold [REDACTED] papers, including the signed Deed of Release that he has given me permission to hand to you if required.

Or [REDACTED] behalf I request that you consider his case as an example of one which should be set aside. At the time he signed the Deed of Release there was no proper defendant to sue as the Order of [REDACTED] was unincorporated.

[REDACTED] legal case has been before the NZ Supreme court, [REDACTED] as a plaintiff. He attended again as a witness when [REDACTED] was convicted for abuse of other [REDACTED] boys in 2005/6 as well as being an evidence witness (via video) for further convictions of [REDACTED] in the Supreme Court, [REDACTED] in 2018, whilst he was Prior of the [REDACTED] in [REDACTED].

I look forward to hearing from you with regard to [REDACTED] submission in due course. I can be contacted as follows:

[REDACTED]  
[REDACTED]  
email [REDACTED]  
Mobile: [REDACTED]

Yours sincerely  
[REDACTED]

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DISCLAIMER: This email message, including any attachments, is intended for the individual or entity to whom it is addressed and may contain information that is confidential, privileged and/or exempt from disclosure under applicable law. If you have received this email in error you must not disclose or use the information in it. Please delete the email and any copies and notify the sender. Confidentiality or privilege are not waived or lost by reason of the mistaken delivery to you. Views expressed in this message are those of the individual sender, and are not necessarily the views of the Department of Communities and Justice. The Department accepts no liability for any loss or damage arising from the use of this email or attachments and recommends that the recipient check this email and any attached files for the presence of viruses.

Use of electronic mail is subject to NSW Department of Communities and Justice policy and guidelines.



PS. On a separate email would you write a line which states that you have given me permission to write a submission on your behalf. You won't be able to hand sign it but

typing your full name at the bottom should be sufficient.

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]  
Date: March 20, 2020 at 7:06:29 AM GMT+11  
To: [REDACTED] >  
Subject: Setting Aside Settlement Agreements for Past Child Abuse

[https://www.justice.nsw.gov.au/justicepolicy/Pages/lpclrd/lpclrd\\_consultation/setting-aside-settlement-agreements-for-past-child-abuse.aspx](https://www.justice.nsw.gov.au/justicepolicy/Pages/lpclrd/lpclrd_consultation/setting-aside-settlement-agreements-for-past-child-abuse.aspx)

Sent from my iPhone

**Subject:** FW: Setting Aside Settlement Agreements for Past Child Abuse  
**Attachments:** RE: Setting Aside Settlement Agreements for Past Child Abuse

From: [REDACTED]  
Sent: Sunday, March 22, 2020 10:23 AM  
To: [REDACTED]  
Subject: RE: Setting Aside Settlement Agreements for Past Child Abuse

Hi [REDACTED]  
I hope what I have written down here is enough for you to work with, so you can write a submission to the Justice and Community Department on my behalf. This is an important email as to how I was treated by [REDACTED], and [REDACTED]. As far as dealing with [REDACTED], is concerned. At the beginning he told me at the time in 2001 that I had a solid case to seek legal action in the NSW Courts against the [REDACTED]. I remember [REDACTED], also telling me that my claim was worth going for as my claim could be worth several millions of dollars in Compensation and that he would be more than happy to represent me to take on the case on a pro bono basis. After several months had passed I was shocked to find out that [REDACTED], and after him receiving legal advice was unwilling to continue with my claim. Instead I was asked to see him at his offices in downtown Sydney, to sign a Deed Of Release Document that the [REDACTED] with the help of their legal team had written up. After I had read that Document and before I signed it, I asked [REDACTED] was the AUS\$82,500.00 was all they were prepared to offer me, and he said yes! I remember being very unhappy and disappointed at the time as what the [REDACTED] were wanting to settle for, as it was know where close to the amount of money in Compensation that I should have being entitled to. This includes loss of income, damages, pain and suffering, and the cost of Counselling and professional help and the way it has affected every area of my life! I remember [REDACTED] informing me after not being at all happy, that what was on offer and that I had no choice than to sign on the dotted line. If I did not sign The Deed of Release I would not be receiving the money. Under much pressure I felt at the time that I had no choice than to accept the offer and sign Deed Of Release, in order to receive my hush money and to just go away. In me receiving The \$82,500.00 settlement was on the condition that Legal Fees would be taken out of the \$82,500.00 and that I was not allowed to discuss to any one about my case or to how much I had received in 2001. I was not happy so much with [REDACTED] himself, it was the way he handled my case in the end that disappointed me. The second point I would like to make is: Back in 2006 I sort legal counsel from a litigation law firm in [REDACTED]. For Three long years [REDACTED] and several other lawyers took on my case to try and have the Deed of Release overturned through the NSW Courts but without success. When back in 2008 during the financial crises I was ready to have my case heard in the NSW Supreme Court to try and have that Deed Of Release overturned so I could seek proper Compensation from the [REDACTED] and [REDACTED] within a NSW Court of Law. Sadly my Case was thown out of Court, due to my legal team failing to turn up on the day of my Court Hearing. With The help of my good friend [REDACTED], I have being trying off and on over the years to have the Deed of Release overturned but without success! Signed By my hand. Kind Regards [REDACTED]

From: [REDACTED]  
Sent: Saturday, 21 March 2020 10:45 PM  
To: [REDACTED]  
Subject: Fwd: Setting Aside Settlement Agreements for Past Child Abuse

Hi [REDACTED]  
Hope you are well and in good health. As you know the Victorian Government has already brought in laws to overturn Deeds of Release in settlements of child abuse with the [REDACTED]. At last it looks as though NSW is catching up but slowly. I'm attaching a Discussion paper in which it is proposed to allow those people like you and [REDACTED] to make a submission to the Justice and Community Department to tell their story about why these Deeds of Release should be set aside. This submission is to be forwarded by 14 April 2020.

■■■■, as I hold your paperwork here I should have enough material to write up a submission on your behalf. Im going on a trip with ■■■■ for a few days. If you would type an email to me with a few lines about your treatment by ■■■■ w hen trying to settle your claim that would be helpful. I will start writing a draft from early April to send it before the 14th. No worries if you can't do this. Just if you have time.

Best wishes

■■■

Mobile: ■■■■

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