

BREAKING DOWN THE

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SOMETIME in 2008 Adelaide lawyer Peter Humphries had a call from a Melbourne lawyer who was acting for the Catholic Church. Humphries was representing families whose disabled children were abused on the bus as they travelled to and from St Ann's special school. The lawyer was coming to Adelaide and wanted to meet. It seemed a good sign.

"I somewhat foolishly thought this indicated that we could have a discussion and maybe sort something out because by that time these claims were six or seven years old," says Humphries.

The lawyer told Humphries that he was instructed by the Catholic Insurance Office to take every legal point in court, including the statute of limitations. Disappointed, Humphries told him to go ahead because in South Australia a plaintiff with a disability had a 30-year window in which to bring a proceeding. It signalled to him that in the eyes of the Catholic Church, more than a decade after the release of their Towards Healing protocols, the suffering of victims was still coming a poor second.

As a partner at Duncan Basheer Hannon, Humphries has been at the cutting edge of the institutional calling to account that in the past 15 years has



Peter Humphries says he never set out to be a crusader for the underdog, so how did this Adelaide lawyer become the first choice for many frustrated abuse victims facing an institutional wall of silence?

swept like a tidal wave through the South Australian branches of the Anglican and Catholic Church, and the Salvation Army. Yet he is not a social campaigner, far from it. Almost by accident, this ordinary working lawyer fell into a line of work that has assumed significance because of its scale and subject matter.

"It just fell to us," he says. "I wouldn't say I was any sort of crusader. The work has found us through a series of events."

This personal injury lawyer has become the public voice of the system's underdogs who have typically sought remedy elsewhere and failed.

"It's the nature of personal injury work, you are working for the underdog," Humphries says. "Some people hate to do it, others don't."

There has been no shortage of cases. Just as the church and charity scandals started tapering off, Families SA began to implode. Humphries is now acting for three families who share five of the seven very young victims of alleged serious sexual abuse by a care worker employed by the State Government.

Humphries says the pattern of response never seems to change. Those in authority are not helpful or forthcoming, all seek to avoid blame and none put the victim first.

"The knee-jerk response is to deny or minimise – it didn't happen, it wasn't that bad, there weren't that many," he says. "And this is the institutional response typically. We had that very clearly."

Humphries tells the story of a well-known Anglican who was heard to

complain that her Church was being unfairly singled out over the systematic abuse of 70 or more boys by a trusted youth leader, Robert Brandenburg.

"She was saying that what was being done by us was completely inappropriate because it was just a little bit of 'love gone wrong'," says Humphries.

"When you are dealing with people who are coming at it from that perspective, it's not all that easy to introduce reality."

Humphries, who grew up in Kalangadoo, is an accidental lawyer. He started out planning to do pharmacy but switched to law, spending his first 20 years at Mt Gambier where he ran most of the criminal trials in town.

In 1991 he returned to Adelaide to join what became Duncan Basheer Hannon,

named after the controversial former Labor Attorney-General, Peter Duncan, lawyer and long-time administrator of the SANFL Max Basheer, and a former labour lawyer Peter Hannon. Only Basheer still has a relationship with the firm, which has become known for its class actions, including representing 37 people who were injured when the Spin Dragon ride at the Royal Adelaide Show collapsed in 2000.

Class actions are complex and demand extraordinary co-ordination and management. Humphries fell into it almost by accident when in 1993 he acted for about 1300 Australian women with faulty breast implants that were leaking silicone gel. The case was run through the US courts against Dow Corning.

"That went on for about 10 years, through the American courts," he says. "There were three law firms in Australia and lots of these women so we did it co-operatively and channelled (the action) through the proceedings in the US."

Class actions then were relatively new. In Melbourne they were taken on by Slater and Gordon and in Sydney by Maurice Blackburn. In Adelaide it fell to Humphries and his firm, which was also running another significant local action,