

Supreme Court of Victoria  
**NOTICE OF PROPOSED SETTLEMENT**

**Manus Island class action**

**Kamasae v Commonwealth & Ors (S CI 2014 06770)**

**Please read this notice carefully. It is an important document that contains information that may affect your legal rights.**

**The key dates in this notice that you need to be aware of are as follows:**

**Monday, 21 August 2017** – Deadline for submitting any objections to the proposed settlement

**Monday, 21 August 2017** – Deadline for applications to extend time to opt out of the proceeding

**Monday, 4 September 2017** – Application for approval of the proposed settlement

**Monday, 25 September 2017** – Deadline for registering to participate in the proposed settlement

**If you require a copy of this notice that has been translated into another language, please contact Slater and Gordon Lawyers using the contact details in the final section of this notice below.**

**If you have any questions about this notice or if there is anything in it that you do not understand, you can contact Slater and Gordon Lawyers to ask about it, or you can seek advice from any other lawyers you wish to engage if you wish.**

**What is this notice about?**

A group proceeding (the '**Manus Island class action**') is being conducted in the Supreme Court of Victoria, arising out of alleged failures to take reasonable care of people held at the 'Manus Island Regional Processing Centre' ('**the Centre**'), and the alleged false imprisonment of people held there between 21 November 2012 and 12 May 2016. The Manus Island class action is brought by Mr Majid Karami Kamasae (the '**Plaintiff**') against the Commonwealth of Australia, G4S Australia Pty Ltd and Broadspectrum (Australia) Pty Ltd (the '**Defendants**'). Wilson Protective Services PNG Ltd has been joined to the proceeding as a third party (the '**Third Party**').

The Court has previously approved two notices advising group members of the times by which they could opt out of the Manus Island class action. You can access these notices via the website of Slater and Gordon Lawyers, the lawyers representing the Plaintiff, at <http://www.slatergordon.com.au/manus>.

The Plaintiff, the Defendants and the Third Party have recently reached an agreement concerning a proposed settlement of the Manus Island class action, which will affect the rights of group members if it is approved. The Supreme Court of Victoria has ordered that this notice be published for the information of persons who may be affected by the action.

**You should read this notice carefully. Any questions you have concerning the matters contained in this notice should not be directed to the Court.** If there is anything in this notice that you do not understand, you should seek legal advice.

If you are under 18 years of age as at Monday, 25 September 2017, or if you are under a disability or are incapable of managing your own affairs, please provide this notice to your guardian or personal representative if you have one. If you are not sure whether you may be under a disability or unable to manage your affairs, you can contact Slater and Gordon or have another person do so on your behalf.

If you require a copy of this notice that has been translated into another language, you can request one by contacting Slater and Gordon Lawyers using the contact details in the section headed “How to contact Slater and Gordon” below.

## **Proposed settlement**

The Plaintiff, the Defendants and the Third Party have reached an agreement to settle the proceedings, subject to the Court’s approval. The settlement is recorded in a deed of settlement that was entered into by each of the parties and Slater and Gordon on 7 July 2017 (the ‘**deed of settlement**’). The deed of settlement can be provided to you on a confidential basis on request from Slater and Gordon Lawyers.

Under the agreement reached, the Defendants and Third Party will pay \$70 million (in Australian dollars) to resolve the claims of all group members. Group members will need to register their claims in order to be entitled to receive a payment out of this money. If fewer than 1,000 group members register their claims, the amount that the Defendants and Third Party will pay will be reduced proportionately (so if only 500 group members registered their claims, for example, the Defendants and Third Party would only pay \$35 million).

Under the agreement reached the Defendants and Third Party will also pay the Plaintiff’s legal costs involved in running the proceeding, as well as a number of other costs connected with the proposed settlement. This is in addition to the \$70 million and those costs will need to be approved by the Court. None of the payments for legal costs are to be taken out of the amount to be paid to group members who register their claims – the full amount of \$70 million (or the lower amount if fewer than 1,000 group members register their claims) will be paid to the Plaintiff and group members. However, the Plaintiff is to receive a reimbursement for his costs incurred in the proceeding of \$10,000 and that amount will come out of the settlement sum. That reimbursement will also need to be approved by the Court.

If the proposed settlement is approved, the \$70 million paid by the Defendants and Third Party will be divided up amongst group members. The Plaintiff has proposed a Settlement Distribution Scheme that will determine how the money will be distributed, if the proposed settlement is approved. You can access a copy of the proposed Settlement Distribution Scheme on a confidential basis upon request from Slater and Gordon.

## **Court approval**

The Court must approve a proposed settlement of a class action like this one before it can take effect. The Court will consider the proposed settlement, and must assess in particular whether it is fair and reasonable and in the interests of group members.

If the proposed settlement is approved, all group members will be bound by it. This means that no group member will be able to take any further step in the class action, and will not be able to take any further legal action in relation to the claims made in the class action, or bring any future claims against the Defendants or Third Party or their 'related parties' (as that term is defined in the deed of settlement, which includes their directors, officers, agents, servants, employees, third party contractors and subcontractors, among others) relating to the subject matter of the class action. If the proposed settlement is not approved, then the case will either proceed to trial or the parties will undertake further discussions to determine whether agreement can be reached to resolve the case on terms likely to be approved by the Court.

The Court will hear the Plaintiff's application for approval of the proposed settlement at **10:30am on Monday, 4 September 2017**, in the Supreme Court of Victoria in Melbourne. This will be a public hearing, and group members may attend the hearing in person if they are able to. The views of any group members who oppose the proposed settlement will be considered by the Court as part of this hearing, as discussed below.

## **How will the proposed settlement affect you?**

The proposed Settlement Distribution Scheme allocates the settlement funds to group members depending on three factors:

- (1) The length of time each group member spent at the Centre;
- (2) Whether each group member was present at the Centre during certain specific incidents; and
- (3) Whether each group member has suffered particular kinds of physical or psychological injuries.

If the proposed Settlement Distribution Scheme is approved by the Court, group members who have been at the Centre for longer periods of time or who have experienced more serious injuries and medical conditions will receive more compensation than other group members who have not.

The details of how these factors affect the allocation of funds to individual group members are set out in the proposed Settlement Distribution Scheme, which can be obtained from Slater and Gordon upon request, using the contact details at the end of this notice.

### Distribution estimate for your claim

When this notice is sent to you individually, it will be accompanied by a report from Slater and Gordon providing an estimate of how your personal claim would be assessed using the procedure set out in the proposed Settlement Distribution Scheme, if it is approved by the Court. This report will state the factors from the proposed Settlement Distribution Scheme that Slater and Gordon has identified as being relevant to your personal entitlement to compensation under the proposed

settlement, and how they affect your entitlement to compensation under the proposed Settlement Distribution Scheme, based on the evidence that is currently available to Slater and Gordon. The report also provides a range of estimates of how much money you would receive based on that assessment, if the settlement is approved by the Court.

If you do not receive this report when you receive a copy of this notice addressed to you individually, please contact Slater and Gordon using the contact details at the end of this notice in order to obtain another copy.

If you disagree with the data included in this report, or the decisions that have been made in the report concerning your estimate, you can contact Slater and Gordon to have these matters reviewed. The procedure for doing so is explained below in the section below headed 'What if you disagree with the proposed settlement?'. Any such requests for review should be submitted as soon as possible, and by no later than Monday, 25 September 2017. **You can seek a review of your distribution estimate without objecting to the proposed settlement itself.**

If you believe the approach taken in the report is correct, or if you do not seek to have it reviewed, then the facts and data shown in the report are likely to be the ones used to calculate your payment if the proposed settlement and the Settlement Distribution Scheme are approved. You do not need to do anything to confirm that the information used in the distribution estimate is correct, **but you will still need to register your claim in order to be able to participate in the proposed settlement and receive your payment if the settlement is approved. If you do not register you will not receive any money.**

### **What if you want to participate in the proposed settlement?**

If the Court approves the proposed settlement, you will need to have **registered** your claim in order to be able to receive any compensation. If you do not register your claim, you will not receive anything and you will lose the right to advance a claim any further.

**The deadline for registering your claim is Monday, 25 September 2017.**

If you do not register your claim by this deadline, you may lose your right to obtain compensation through the class action, if the proposed settlement is approved.

Under the proposed settlement, if 1,000 or more group members register their claims, then the full settlement amount (\$70 million) will be distributed to those people shortly after the registration deadline has passed. If fewer than 1,000 group members register their claims by the registration deadline, there will be some additional time for other group members to register their claims late, however these late registrations will only be able to receive funds out of the amount that is left over after the group members who registered on time have been paid – so if you register your claim after the deadline, you are likely to receive less money (and potentially far less money) than you would have if you had registered on time, and you will receive nothing if 1,000 or more group members have already registered on time before the deadline. As such, **it is in your interests to register your claim before the deadline of Monday, 25 September 2017 if you want to participate in the**

**settlement – this is the only way to guarantee that you will receive compensation if the proposed settlement is approved.**

To register your claim, you will need to answer the questions in **Form A** at the end of this notice, and submit them using one of the methods set out below in the section headed “How to respond”.

If you have previously instructed Slater and Gordon to register your claim, then your claim will be registered for you, and you do not need to complete Form A or do anything else in order to register your claim. Slater and Gordon will send you a message to confirm that your claim has been registered, and you can contact Slater and Gordon if you have any questions about whether your claim has been registered. **However, if you are in any doubt about whether you have previously instructed Slater and Gordon to register your claim, then you should complete and submit Form A.**

If you are under 18 years of age as at Monday 25 September 2017, you will be deemed to have registered your claim, in order to ensure that your rights under the proposed settlement are protected. If this is contrary to your wishes, your guardian or personal representative can contact Slater and Gordon to revoke this registration. Even though you have been deemed to have registered, in order to ensure that any settlement funds can be paid if the proposed settlement is approved, it will be necessary for Slater and Gordon to be able to communicate with your guardian or personal representative, so it is in your interests for them to make contact with Slater and Gordon using the contact details at the end of this notice.

If you are known to the Commonwealth or Slater and Gordon to otherwise be under a disability or incapable of managing your own affairs, this notice should also have been sent to your personal representative or guardian, who can take steps to register your claim on your behalf. Your guardian or personal representative may wish to contact Slater and Gordon to discuss this, using the contact details at the end of this notice, or alternatively you can advise Slater and Gordon Lawyers of the details of any person that you wish to have appointed as your personal representative, so that they can take steps on your behalf in relation to this matter.

If you are still in detention or residing at a Regional Processing Centre, you cannot be penalised or treated differently by any of the Defendants or the Third Party because you registered your claim.

### **What if you disagree with the proposed settlement?**

If you oppose some aspect of the proposed settlement, or any of the matters set out in this notice, you can take steps to have your views considered. There are different procedures to follow depending on whether you disagree with the proposed settlement itself or the way that the proposed Settlement Distribution Scheme allocates the settlement funds between different group members, or whether you disagree with the way Slater and Gordon has produced the distribution estimate for your claim in the report that accompanies this notice.

### If you oppose the proposed settlement itself or the proposed Settlement Distribution Scheme

If you disagree with the proposed settlement of the proceeding (as described above in the section headed 'Proposed settlement') or the Settlement Distribution Scheme itself (which is available upon request from Slater and Gordon), rather than how your own distribution estimate has been prepared by Slater and Gordon in the report that will accompany the version of this notice that will be sent to you individually, you can make a submission to the Court to indicate this. In your submission, you can include a statement of your reasons for objecting to the proposed settlement or the proposed Settlement Distribution Scheme.

The Court will take account of any objections submitted by group members, and the reasons they have provided, when it considers whether to approve the proposed settlement. An independent barrister will be appointed to make submissions to the Court on behalf of the interests of group members, and these submissions will be informed by the contents of any objections that are submitted. You are also free to engage your own lawyer to represent you in relation to any objection you might have, if you wish.

Any objections to the proposed settlement must be received by **4:00pm on Monday, 21 August 2017**. If you do not submit an objection by this time, you are likely to lose the ability to object to the settlement.

To submit an objection to the settlement, you will need to answer the questions in **Form B** at the end of this notice, and submit them using one of the methods set out below in the section headed "How to respond".

If you submit an objection, you can also choose to indicate whether you wish to register your claim at the same time, in case the Court approves the settlement despite your objection. You can register your claim separately to submitting an objection (using Form A at the end of this notice) if you wish, however all registrations must be received by Monday, 25 September 2017. If you do not register your claim, you will not be able to receive any compensation from the settlement.

### If you disagree with the way your distribution estimate has been produced

If you believe that the report concerning the distribution estimate for your personal claim that will accompany the version of this notice that will be sent to you individually is incorrect or incomplete, or that it does not take account of any factor that would affect your entitlement to compensation under the proposed Settlement Distribution Scheme, you can request that Slater and Gordon considers any additional or corrected information that you want to provide, and if necessary re-evaluate the distribution estimate provided to you. When you do this, you can provide any additional information you wish to, and you can also choose to complete a medical release authority which will allow Slater and Gordon to request a copy of your medical records from the Commonwealth or IHMS to use when reviewing your claim. You are not required to complete the medical release authority in order to request a review.

Slater and Gordon will consider any additional or corrected information that you provide, and will provide you with advice about whether this information would change the assessment that would be made of your claim under the proposed Settlement Distribution Scheme. Slater and Gordon will

inform you of what has changed in your distribution estimate (if anything) as a result of the additional or corrected information you provide, based on the principles included in the proposed Settlement Distribution Scheme that the Plaintiff will be asking the Court to approve.

If the Court approves the proposed settlement, then there will be a process available for you to seek a formal review of the assessment of your claim. This process is set out in the proposed Settlement Distribution Scheme, and will commence if the Court decides to approve the proposed settlement. You do not need to provide any additional or corrected information now in order to be able to seek a formal review at that stage, however if you seek to provide any further information relevant to your entitlements under the proposed Settlement Distribution Scheme now, it may be possible to resolve any issues that exist concerning your distribution estimate sooner, which may mean that any formal review can be completed more quickly later on.

To submit a request for any additional or corrected information to be considered for the purposes of your distribution estimate, you will need to answer the questions in **Form C** at the end of this notice, and submit them using one of the methods set out below in the section headed "How to respond". By submitting Form C, you will also be deemed to have registered your claim, so you do not have to separately complete Form A as well.

You can choose to both submit an objection and request that additional or corrected information be considered for the purpose of your distribution estimate if you wish.

### **Are you a group member?**

There are two groups represented by the Plaintiff in the Manus Island class action: False Imprisonment Group Members and Negligence Group Members.

You are a False Imprisonment Group member if:

- (a) You were confined at the Centre at any time during the period 21 November 2012 to 12 May 2016 by or on behalf of any of the Defendants; and
- (b) You did not submit a 'Notice of opting out by group member' that was attached to the previous notice approved by the Court by the deadline of 11 November 2016.

You are a Negligence Group Member if:

- (a) You were detained by or on behalf of the Commonwealth of Australia pursuant to the *Migration Act 1958* (Cth) and transferred to the Centre between 21 November 2012 and 19 December 2014; and
- (b) You suffered personal injury (physical and/or mental harm) because of any Defendant's alleged failure to take reasonable care in providing adequate food and water, accommodation, healthcare, internal security and/or external security; and
- (c) You have not submitted a 'Notice of opting out by group member' that was attached to either of the previous notices approved by the Court by the previous deadlines of 15 January 2016 or 11 November 2016.

It may be possible for the estates of deceased group members to participate in the proposed settlement and receive compensation, if the settlement is approved. If you represent a deceased group member's estate, or if you are a group member and have questions about what would happen to your rights under the proposed settlement if you were to die before receiving any compensation, you can contact Slater and Gordon using the contact details at the end of this notice, or you can otherwise obtain your own legal advice.

#### If you previously opted out

You are not a group member in respect of one or both groups if you have previously 'opted out' of the class action by submitting a 'Notice of opting out by group member' prior to either of the previous deadlines of 15 January 2016 or 11 November 2016. If you believe you have opted out of the class action by mistake or for any other reason, and you wish to re-join the group that is represented in this proceeding, it is possible to apply to the Court for leave to undo the effect of the notice you submitted. Such an application may or may not be successful, depending on the particular circumstances involved.

If you wish to make such an application to re-join the group, you should contact Slater and Gordon (using the contact details in the final section of this notice below) or obtain your own legal advice about this issue as soon as possible. As the Court will be considering whether to approve the proposed settlement on Monday, 4 September 2017, any application should be made before this time. If you do not make such an application before this date, you may be too late.

#### If you no longer wish to be a group member and want to opt out

If you have not previously submitted a 'Notice of opting out by group member' in time, then you have not opted out of the class action. Because the deadline for opting out of the class action has now passed, group members do not currently have a right to opt out of the class action, and in the absence of an order from the Court to the contrary, all group members will remain bound by the outcome of the proceeding. Being bound by the outcome of the proceeding means that you cannot bring your own proceeding against the Defendants, the Third Party, or their subcontractors in relation to the claims made in this proceeding or any future claims in relation to the subject matter of the proceeding.

Pursuant to the *Supreme Court Act 1986*, group members can apply to the Court for an extension of time to opt out of the class action. Such an application may or may not be successful, depending on the group member's individual circumstances and the circumstances of the class action at the time. If you wish to seek an extension of time for you to opt out of the class action, you can make such an application, and it will be considered by the Court in the course of the hearing on Monday, 4 September 2017 when the Court will consider whether to approve the proposed settlement.

If you want to make such an application, you should obtain your own legal advice.

However, under the proposed settlement, the Defendants and Third Party have agreed to fund an independent law firm that will be able to act for group members in any application for an extension



of time to opt out of the class action. Slater and Gordon will be unable to act for you in such an application because it acts for the Plaintiff and will be making submissions to the Court in support of the proposed settlement. The independent law firm will be identified after group members have indicated that they wish to opt out.

If you wish to make an application to extend the time for you to opt out of the class action, you will need to respond to the questions in **Form D** at the end of this notice and submit them using one of the methods set out below in the section headed "How to respond". When answering the questions in this form, you will be asked whether you would like your contact details to be passed on to the independent law firm to act for you in this application. If so, they will make contact with you to discuss your circumstances after you have submitted your application.

If you do not wish to engage the independent law firm in connection with this application, you are free to engage any other lawyers of your choosing, or are free to not engage any lawyers at all if you do not wish to do so.

Any applications to extend the time to opt out of the class action must be received by **4:00pm on Monday, 21 August 2017**. If you do not make such an application by this date, you may not be able to opt out of the case before the Court makes a decision about whether to approve the proposed settlement and you will be bound by the settlement if it is approved.

If you submit an application for an extension of time to opt out of the class action, you can also choose to indicate whether you wish to register your claim at the same time, in case the Court does not grant you additional time to opt out. If you do not register your claim, you will not be able to receive any compensation from the settlement if it is approved.

## **What you need to do**

If you are a group member, you have the following options in relation to the proposed settlement:

**Option 1**      **If you want to receive compensation from the settlement**, then you should register your claim before the deadline of **Monday, 25 September 2017**. Any registrations received after that date will not be guaranteed to receive the full value of their compensation, or any compensation at all, if the proposed settlement is approved.

You can register your claim by responding to the questions in **Form A** at the end of this notice, and submitting it by following the steps in the section below headed "How to respond".

If you have already instructed Slater and Gordon to register your claim, then Slater and Gordon will send you a message to confirm that your claim has been registered, and you do not need to do submit Form A or do anything further.

If you are under 18 years of age as at Monday 25 September 2017, you will be deemed to have registered, but if you want to receive compensation you should register your claim anyway so that Slater and Gordon has your contact details and will know that you want to participate in the proposed settlement.

**Option 2**      **If you oppose the settlement and wish to object to it**, you must submit an objection before the deadline of **4:00pm on Monday, 21 August 2017**. You can do this by following the steps in the section above titled “What if you disagree with the proposed settlement?”.

Responses received after the deadline may not be able to be considered by the Court when it decides whether to approve the proposed settlement.

You will also be asked whether you want to register your claim when you submit your objection. Registering your claim will mean that you will be entitled to receive compensation through the proposed settlement if it is approved by the Court despite your objection. You do not need to register your claim at the same time as submitting any objection, and you can register at a different time by submitting Form A as above, however all registrations must be submitted before Monday, 25 September 2017.

You can submit an objection by responding to the questions in **Form B** at the end of this notice, and submitting it by following the steps in the section below headed “How to respond”.

**Option 3**      **If you want to be able to receive compensation from the proposed settlement, but want an opportunity to provide further information (or correct any incorrect information) that might affect how much money you would be entitled to under the proposed Settlement Distribution Scheme**, then you should register your claim and request that any additional or corrected information be considered by Slater and Gordon.

You will have an opportunity to have the assessment of your claim formally reviewed subsequently by the administrator of the settlement scheme if the proposed settlement is approved by the Court, however by submitting a request for additional or corrected information to be considered now it may be possible to resolve any issues with the data used to produce your distribution estimate in advance, which may make any subsequent formal review faster to complete.

You can submit a request for any additional or corrected information to be considered for the purposes of your distribution estimate by responding to the questions in **Form C** at the end of this notice, and submitting it by following the steps in the section below headed “How to respond”. If you submit this Form, you will also be taken to have registered your claim, so you do not need to also submit a Form A.

If you wish to submit Form C in order to register your claim and request for any additional or corrected information to be considered, you should do so before the deadline of **Monday, 25 September 2017**.

**Option 4**      **If you want to apply to the Court for an extension of time to opt out of the class action**, then you should do so by responding to the questions in **Form D** at the end of this notice, and submitting it by following the steps in the section below headed

“How to respond”. Any such applications must be submitted before the deadline of **4:00pm on Monday, 21 August 2017**.

When you are responding to the questions in Form D, you can choose whether you would like to have your details passed on to an independent law firm so that they can contact you about acting for you in relation to your application.

You can choose to do any combination of the above options (or even to do all four of them if you wish), depending on your attitude towards the proposed settlement.

**Importantly, if you do not register your claim by answering the questions in Form A or Form C by the deadline of **Monday, 25 September 2017** (or by instructing Slater and Gordon to register your claim by this date) you may lose your right to receive any compensation through this settlement.**

**If you do nothing**, then if the settlement is approved by the Court, the class action will be concluded and you will not receive any compensation, but you will also not be able to pursue the claims raised in the Manus Island class action in any other court proceedings, and you will not be able to make any further claims against the Defendants or Third Party or their ‘related parties’ (as that term is defined in the deed of settlement) that were raised in the proceeding or that are related to the subject matter of this proceeding, because you will be bound by the result in this class action.

## **How to respond**

You can respond to this notice by answering the questions in one or more of the forms at the end of this notice, and submitting your responses to Slater and Gordon Lawyers:

- You should complete **Form A**: if you want to register your claim and receive compensation from the proposed settlement if it is approved by the Court.
- You should complete **Form B**: if you want to object to the proposed settlement.
- You should complete **Form C**: if you want to register your claim and also request that further or corrected information be considered for the purposes of your distribution estimate under the proposed Settlement Distribution Scheme.
- You should complete **Form D**: if you want to apply to the Court for an extension of time to opt out of the Manus Island class action.

You can complete any combination of the above forms that you wish to (although if you complete Form C, there is no need to also complete Form A).

When you complete the details in any form, you will be asked to provide the unique code that appears in the bottom right-hand corner of each page of the version of the notice that will be sent to you personally, in order to help verify your identity, so **please be careful not to throw away or lose this individualised version of the notice when it is sent to you**. If you need another copy of your notice, you can request one from Slater and Gordon.

Slater and Gordon will provide any responses you submit to the Court or the parties, as appropriate, and will also provide any responses to Form D (including your contact details) to the independent law firm if you indicate you want them to be so provided.

You can submit your responses to Slater and Gordon by any of the following methods:

**1. Completing a form online**

You can respond to this notice by completing a form on Slater and Gordon's website at <http://www.slatergordon.com.au/manus>.

When you submit a form using this website, you will also be asked to provide some details about yourself (such as your name, date of birth, boat ID, and the date you arrived at Manus Island), as well as the unique code at the bottom of each page of this notice, to help verify that the responses to the form are from a group member in the Manus Island class action.

If there are any problems with your answers to the forms, Slater and Gordon will contact you to resolve them if you provide an email address or telephone number on which you can be contacted.

Slater and Gordon will send you a message to confirm that they have received your form after you submit it.

**2. By mail**

You can respond to this notice by filling out one or more of the forms at the end of this notice and mailing your responses to Slater and Gordon Lawyers at the following address:

Manus Island class action  
Slater and Gordon Lawyers  
GPO Box 4864  
MELBOURNE VIC 3001  
AUSTRALIA

If you include your email address or telephone number when completing the form, Slater and Gordon will send you a message to confirm once your forms have been received.

**3. By email**

If you want to submit a form by email, you can send it to [manus@slatergordon.com.au](mailto:manus@slatergordon.com.au)

You can submit a form by email by either:

- (a) typing out the answers to all of the questions included in the form at the end of this notice and then emailing those answers to [manus@slatergordon.com.au](mailto:manus@slatergordon.com.au); or
- (b) filling in a form at the end of this notice by writing out your answers on it, then taking a clear photo of it and emailing that photo to [manus@slatergordon.com.au](mailto:manus@slatergordon.com.au).

Once you have emailed your forms to Slater and Gordon, you will receive an email back to confirm that they have been received. If there are any details missing (or if any photo of the form you have taken is not clear), Slater and Gordon will contact you to obtain the missing information.

#### **4. By telephone**

You can also call Slater and Gordon on 0011 61 3 9602 6807 to respond to this notice. If you leave a message on this number that contains your telephone number, a representative from Slater and Gordon will call you back to ask you which form you want to complete, and to record your answers to the questions in that form.

If you need an interpreter for when you speak to Slater and Gordon, you should state what language you prefer to use in your message, and Slater and Gordon will arrange to call you back with an interpreter who speaks that language.

#### **5. By text message/iMessage/WhatsApp**

You can also contact Slater and Gordon by sending a text message, iMessage or WhatsApp message to +61 466 536 240.

Once you send this message, Slater and Gordon will contact you using the number used, to record your answers to the questions in any form that you want to submit.

If you need an interpreter for when you speak to Slater and Gordon, you should state what language you prefer to use in your message, and Slater and Gordon will arrange to have an interpreter available who speaks that language.

#### **6. By Facebook message**

You can also send a private message to Slater and Gordon via Facebook using the account at <https://www.facebook.com/ManusIslandCA/>

Once you send this message, Slater and Gordon will contact you to obtain the best means of contacting you, and will then make contact with you to record your answers to the questions in any form that you want to submit.

If you need an interpreter for when you speak to Slater and Gordon, you should state what language you prefer to use in your message, and Slater and Gordon will arrange to have an interpreter available who speaks that language.

## How to contact Slater and Gordon

Copies of relevant documents, including the Court's previous notice, the pleadings in the class action, and the Settlement Distribution Scheme, can be obtained from Slater and Gordon Lawyers.

If you have any questions or if there are any issues that you are not certain about, you can contact Slater and Gordon to ask about them, or you are free to obtain your own legal advice if you wish.

You can contact Slater and Gordon by:

- (a) Going to Slater and Gordon's website at <http://www.slatergordon.com.au/manus>
- (b) Emailing Slater and Gordon at [manus@slatergordon.com.au](mailto:manus@slatergordon.com.au)
- (c) Calling Slater and Gordon on 0011 61 3 9602 6807
- (d) Sending a text message, iMessage or WhatsApp message to +61 466 536 240
- (e) Sending a Facebook message to Slater and Gordon using the account at <https://www.facebook.com/ManusIslandCA/>
- (f) Sending a letter to Slater and Gordon at:
  - Manus Island class action
  - Slater and Gordon Lawyers
  - GPO Box 4864
  - MELBOURNE VIC 3001
  - AUSTRALIA

You are under no obligation to contact Slater and Gordon Lawyers if you do not wish to do so, and you are free to seek your own legal advice from other lawyers if you wish.

**Any questions you have about the contents of this notice should be addressed to Slater and Gordon or other lawyers of your choosing, and they should not be directed to the Court.**

## Form A: Registering a claim

Complete this form if you want to **register your claim** so that you can receive compensation from the proposed settlement if it is approved. Please answer all questions.

Your name: \_\_\_\_\_

Your date of birth: \_\_\_\_\_

Your boat ID: \_\_\_\_\_

The 'Notice ID' code in the bottom-right corner of the notice you received: \_\_\_\_\_

Your email address: \_\_\_\_\_

Your telephone number: \_\_\_\_\_

Your current country of residence: \_\_\_\_\_

The date you arrived on Manus Island, if you know it: \_\_\_\_\_

## Form B: Objection to the proposed settlement

Complete this form if you want to submit an objection to the proposed settlement that will be considered by the Court when it is determining whether or not to approve it.

Your name: \_\_\_\_\_

Your date of birth: \_\_\_\_\_

Your boat ID: \_\_\_\_\_

The 'Notice ID' code in the bottom-right corner of the notice you received: \_\_\_\_\_

Your email address: \_\_\_\_\_

Your telephone number: \_\_\_\_\_

Your current country of residence: \_\_\_\_\_

The date you arrived on Manus Island, if you know it: \_\_\_\_\_

Do you also want to **register your claim**, so that you are entitled to receive compensation from the settlement if it is approved?

Yes

No

If you answer 'no', you will not be able to receive any compensation from the settlement unless you also submit Form A.

If your answer 'yes', you do not need to submit Form A.

If you wish to state your reasons for objecting to the settlement, please do so here:

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## Form C: Registration and request to consider further information

Complete this form if you want to request that Slater and Gordon reconsider any aspect of the distribution estimate provided to you in the report that accompanies the version of this notice that will be sent to you individually, and advise you of any changes that any new or corrected data will have on your distribution estimate under the proposed Settlement Distribution Scheme. Please answer all questions.

By submitting this form you will be **registering your claim** so that you can receive compensation from the proposed settlement if it is approved. You do not also need to submit a 'Form A' document if you submit this form.

Your name: \_\_\_\_\_

Your date of birth: \_\_\_\_\_

Your boat ID: \_\_\_\_\_

The 'Notice ID' code in the bottom-right corner of the notice you received: \_\_\_\_\_

Your email address: \_\_\_\_\_

Your telephone number: \_\_\_\_\_

Your current country of residence: \_\_\_\_\_

The date you arrived on Manus Island, if you know it: \_\_\_\_\_

Please explain what information you believe is incorrect or incomplete in the current distribution estimate for your claim, or provide any additional information you believe should be considered:

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Form C (continued)

Medical information release authority

If you would like to authorise Slater and Gordon to request a copy of your medical records from IHMS for use in reviewing the assessment of your claim, you can complete the form below and return it to Slater and Gordon.

**Please note that this section of Form C is optional, and you can still request a review of your assessment if you do not complete this medical authority.**

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Medical information release authority

To: The Commonwealth of Australia and IHMS

Dear sir or madam,

I request and authorise IHMS to provide a copy of all medical records it holds concerning me (including mental health records) to Slater and Gordon Lawyers, in Melbourne, Australia.

Your name: \_\_\_\_\_

Your date of birth: \_\_\_\_\_

Your boat ID: \_\_\_\_\_

Your signature: \_\_\_\_\_

## Form D: Application to extend time to opt out of the Manus Island class action

Complete this form if you want to apply for an extension of time for you to opt out of the class action. Please answer all questions.

Your name: \_\_\_\_\_

Your date of birth: \_\_\_\_\_

Your boat ID: \_\_\_\_\_

The 'Notice ID' code in the bottom-right corner of the notice you received: \_\_\_\_\_

Your email address: \_\_\_\_\_

Your telephone number: \_\_\_\_\_

Your current country of residence: \_\_\_\_\_

The date you arrived on Manus Island, if you know it: \_\_\_\_\_

Do you want your contact details and your application to be provided to an independent law firm so that they can contact you about representing you free of charge in this application?

Yes  No

If you answer 'no', you should obtain your own legal representation for this application. Your application may be less likely to succeed if you do not have a lawyer representing you in relation to it.

Do you also want to **register your claim**, so that you are entitled to receive compensation from the settlement if it is approved, in the event your application to extend time to opt out is unsuccessful?

Yes  No

If you answer 'no', you will not be able to receive any compensation from the settlement unless you also submit Form A. If your answer 'yes', you do not need to submit Form A.

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