

Part 3

3

National Redress Scheme

Annual report on operation of the Scheme

108



National Redress Scheme— Annual report on operation of the Scheme

The National Redress Scheme (the Scheme) was created in response to the recommendations of the *Royal Commission into Institutional Responses to Child Sexual Abuse*. The Scheme commenced on 1 July 2018 and will operate for 10 years. The Scheme acknowledges that many children were sexually abused in Australian institutions and seeks to hold institutions to account for this abuse and help people who have experienced abuse gain access to redress.

The Scheme operates under the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (the Act). The Act was passed by the Parliament in June 2018 following consultation with state and territory governments, institutions, survivors, support groups, and advocates. Under the Act, the Secretary of the department is the Scheme operator. The Act also requires the operator of the Scheme to prepare a report for the Minister on the operation of the Scheme as soon as practicable after the end of each financial year. The matters that the report must include are set out in section 75 of the *National Redress Scheme for Institutional Child Sexual Abuse Rules 2018* (the Rules). The Minister must present the report to the Parliament.

This report describes the key operations of the Scheme in its second year of operation (from 1 July 2019 to 30 June 2020) as required by the Act and the Rules.

How the Scheme operates

A person can apply under the Scheme if they:

- experienced institutional child sexual abuse before 1 July 2018, and
- are aged over 18 or will turn 18 before 30 June 2028, and
- are an Australian citizen or permanent resident.

Under the Scheme, an offer of redress consists of three components:

- a counselling and psychological component
- a redress payment
- a direct personal response from each participating institution responsible for the abuse.

A redress monetary payment is calculated in accordance with the Scheme's Assessment Framework (the Framework). This Framework considers the person's individual circumstances and the kind of abuse they experienced as a child. Under the Scheme, the maximum redress payment a person can receive is \$150,000, with any relevant prior payments related to the abuse deducted from this amount.

Counselling and psychological services differ depending on where the person lives at the time of applying for redress. In most states and territories, they are offered as state based counselling and psychological services. For those residing in South Australia, Western Australia, or overseas, they are offered as a direct payment to support access to services in the local area.

A direct personal response is an opportunity for survivors to have their experience of abuse and its impacts recognised by the responsible institution(s) in a manner that is meaningful to them. The survivor decides if, how, and when their direct personal response will happen. A direct personal response can involve a senior official or representative from the responsible institution(s) listening, acknowledging, and apologising for the harm they caused. The representative may also outline what steps the institution has taken to prevent future abuse.

The Scheme's second year of operation

In its second year of operation, the Scheme has continued to deliver on key recommendations of the *Royal Commission into Institutional Responses to Child Sexual Abuse*. In February 2020, as part of machinery of government changes, National Redress Scheme Operations moved from Services Australia to become part of the Redress Group, Department of Social Services. This change provided an opportunity to better align the Australian Government's efforts in delivering the Scheme by bringing all staff working on the Scheme into one organisation.

In the second year of operation (1 July 2019 to 30 June 2020)¹¹:

- a further 3,127 people applied for redress through the Scheme¹²
- 3,195 determinations were made
 - 3,059 people were assessed as eligible for redress
 - 136 applications were assessed as ineligible.
- 2,568 people accepted an offer of redress
- 10 people declined an offer of redress
- of the applications assessed as eligible for redress, 929 institutions were found to have been responsible across the individual cases of abuse
- 2,537 redress payments were made ranging from less than \$10,000 to \$150,000, with an average payment of \$81,876
- the total value of redress monetary payments was \$205,016,984
- 1,736 people requested counselling and psychological care as part of their redress outcomes
- 1,345 people requested a direct personal response from an institution
- 78.7 per cent of applications name more than one institution in their application and 33.7 per cent of applications name four or more institutions.

11 The figures provided represent a snapshot of the Scheme operations between 1 July 2019 and 30 June 2020. These include outcomes provided to people who applied for redress in first year of the Scheme's operation.

12 This represents the number of new applications received between 1 July 2019 and 30 June 2020. Some of these applications are currently being assessed by the Scheme.

As at 30 June 2020, all Commonwealth and state and territory government institutions and 224 non-government institutions, or groups of institutions, are now participating in the Scheme. This includes 177 non-government institutions that joined the Scheme in the second year of the Scheme's operation. This brings the total number of sites (such as churches, schools, and community groups) covered by the Scheme to over 51,000 across Australia, with more institutions (158) notifying their intention to work with the Scheme to join in the first six months of 2020–21. As at 30 June 2020, the Scheme had eight funder of last resort listings for four states, meaning that applications relating to those eight defunct institutions can now progress and the applicants can access redress.

A key achievement of the Scheme in its second year of operation has been that 2,434 applications received in the first year of the Scheme have now been finalised.¹³ Many of the remaining applications from this time-period cannot be finalised due to a number of reasons—for example, where relevant institutions have not joined the Scheme, or where more information is being sought from an applicant.

The outcomes from the Scheme's second year of operation show a substantial increase from the first year.

From 1 July 2018 to 30 June 2019, the Scheme finalised a total of 239 applications, giving an average of 20 per month over the period. By comparison, from 1 July 2019 to 30 June 2020, the Scheme finalised a total of 2,510 applications, giving an average of 209 per month over the period.

In terms of outcomes¹⁴ provided to applicants from November 2019 to April 2020, the Scheme provided an average of around 260 outcomes to applicants per month. In May and June 2020, this increased to around 590 outcomes per month.

In 2019–20, the Government provided an additional \$11.7 million in order to increase the number of Independent Decision Makers and to enable redress support services to prioritise outreach and community engagement activities. The funding allowed a particular focus on servicing regional areas and reducing service waitlists. The funding also resulted in the employment of dedicated Indigenous engagement workers to better connect with Indigenous clients and their communities.

As a result, and despite a challenging servicing environment arising from the impacts of the COVID-19 pandemic, cumulative figures to the end of June 2020 showed that more than half of all applicants to the Scheme are now indicating they are being supported to apply. Importantly, additional help is being provided to the groups most likely to need it, with around two thirds of people being supported falling into one or more of the following categories: former state wards, people with disability, and Indigenous Australians.

13 Finalised is the definition given to an application which has been accepted and paid (including nil payments).

14 An outcome is where applications have reached the stage just before payment and contact is made with the applicant to advise them of their outcome and provide them with an acceptance letter.

The Government took action to ensure survivors could continue to apply for, and receive redress, during the COVID-19 pandemic. The Minister for Families and Social Services made the *Coronavirus Economic Response Package (Modifications—National Redress Scheme for Institutional Child Sexual Abuse) Determination 2020* (the Determination) under sub item 1(2) of Schedule 5 to the *Coronavirus Economic Response Package Omnibus (Measures No. 2) Act 2020*. The Determination temporarily allows the Scheme to accept unsigned and unwitnessed statutory declarations for the period of 1 March 2020 to 31 December 2020, where an applicant is impacted by COVID-19 restrictions.

Key statistics

Of the applications received for the period 1 June 2019 to 30 June 2020

Of the applications received

3 out of 8 applicants
identified as Aboriginal and
Torres Strait Islanders



3 out of 5 applicants
are male



Figure 3.1: Applications received by State/ Territory for the period 1 June 2019 to 30 June 2020

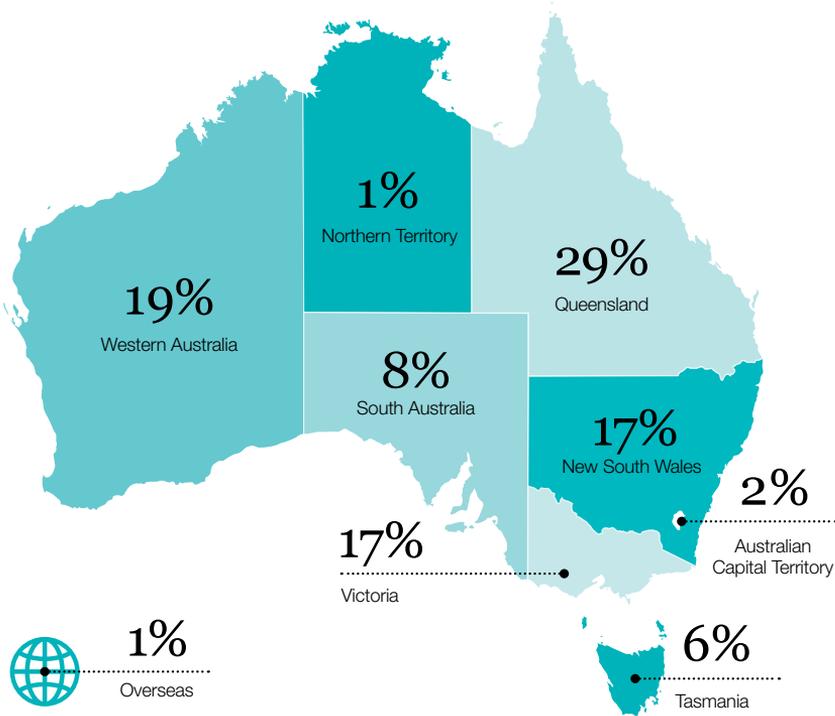


Figure 3.2: Applications received by gender and age for the period 1 June 2019 to 30 June 2020

