



# Redress Scheme

## Information for stakeholders and support services (as at 9 March 2018)

This document provides background on the Redress Scheme, and the announcement that the New South Wales and Victorian Governments will opt into the scheme.

It is designed to be used by government staff and support services, to help answer questions from people who may apply for the scheme.

This information is at a point in time, and is subject to change. It is not designed to be handed out or circulated. The Department will provide updated information as things are finalised.

If you have any questions, please contact the people listed below.

## Contact points

People who have experienced child sexual abuse can find out more about the scheme at [www.dss.gov.au/redress](http://www.dss.gov.au/redress)

Support services and other stakeholders can contact the Department of Social Services at [RedressTaskforce@dss.gov.au](mailto:RedressTaskforce@dss.gov.au)

## Assistance

Support services are available to assist people who experienced institutional child sexual abuse. People can contact [these support services](#) provided as part of the Royal Commission into Institutional Responses to Child Sexual Abuse.

Those who need immediate assistance should contact:

- Lifeline, on 13 11 14
- 1800Respect, on 1800 737 732
- MensLine Australia, on 1300 789 978.

## Key Points

- The state governments of New South Wales and Victoria have announced that they will opt in to the Redress Scheme.
- They are the first states to commit to joining the scheme, which will start on 1 July 2018 (subject to the passage of legislation).
- The announcement was made by the Prime Minister and Premiers of New South Wales and Victoria on Friday 9 March 2018.
  - The Prime Minister's media release is at <https://www.pm.gov.au/media>
  - Minister Tehan's media release is at <https://ministers.dss.gov.au/dan-tehan>
- This means that when the scheme starts on 1 July 2018 (subject to the passage of legislation), it will support people who experienced child sexual abuse in New South Wales and Victorian government institutions – such as schools and state government operated out of home care – as well as people who were abused in Commonwealth institutions.
- The Redress Scheme is being established in response to the recommendations provided by the Royal Commission into Institutional Responses to Child Sexual Abuse.
- The scheme seeks to acknowledge people who experienced abuse, and help them move forward in a way that is right for them.
- It is also about ensuring the organisation where the abuse occurred will pay the cost of providing redress.
- The scheme will provide redress in three ways:
  - access to psychological counselling
  - the option of a direct personal response from the responsible institution
  - a monetary payment.
- The level of redress provided – including the amount of the monetary payment – will be different for everyone, because it is based on individual circumstances. The monetary payment will be a maximum of \$150,000.
- The Australian Government is strongly encouraging the remaining states and territories, as well as all relevant non-government institutions, to also commit to opting in to the scheme.

# Questions & answers

## What is the Redress Scheme?

- The scheme will provide redress to people who were sexually abused as children in institutional settings.
- It seeks to ensure the organisation responsible for the abuse takes responsibility for past wrongdoing and takes ownership for providing redress.
- The scheme will provide redress in three ways:
  - access to psychological counselling
  - the option of a direct personal response from the responsible institution
  - a monetary payment.
- Subject to the passage of legislation, the scheme starts on 1 July 2018 and will run for 10 years.
- From 1 July, people who were sexually abused as children in Commonwealth, New South Wales and Victorian government institutions will be able to lodge applications for redress.

## How do you define sexual abuse?

- Subject to legislation passing, the scheme defines sexual abuse in the same way as the Royal Commission – that is, as any act that exposes a child to, or involves a child in, sexual processes beyond their understanding or against community standards.

## Can I apply now?

- The Redress Scheme will begin on 1 July 2018 (subject to the passage of legislation).
- You cannot apply until the scheme starts.
- In the meantime, you can find information about the scheme at [www.dss.gov.au/redress](http://www.dss.gov.au/redress) or the National Redress Information Line on 1800 146 713.

## Who can access the scheme?

- Like any government scheme, there are rules about who can apply.
- Subject to the passage of legislation, access to the Redress Scheme depends on:
  - the type of abuse you experienced
  - where and when it happened
  - your life now.

## Details – who can apply for the Redress Scheme

<b>The type of abuse</b>	<ul style="list-style-type: none"><li>• It must include sexual abuse.</li><li>• An institution or organisation must be responsible for the abuse. The scheme doesn't cover non-institutional abuse, such as by a family member.</li></ul>
<b>Where and when it happened</b>	<ul style="list-style-type: none"><li>• The abuse must have happened when you were aged under 18.</li><li>• It must have happened before 1 July 2018, when the scheme starts.</li><li>• The institution or organisation responsible for the abuse must have joined the Redress Scheme.</li><li>• So far, only the Commonwealth, New South Wales and Victorian governments have agreed to join the scheme. This doesn't yet include churches and charities in New South Wales and Victoria.</li></ul>
<b>Your life now</b>	<ul style="list-style-type: none"><li>• You must be an Australian citizen or permanent resident to apply.</li></ul>

### Are you still excluding people for criminal convictions?

- The policy on criminal convictions is currently being considered and will be discussed by Commonwealth and state and territory ministers later this month.

### What about me? I live in New South Wales/Victoria – am I covered now?

- The state governments of New South Wales and Victoria have now committed to join the scheme.
- This means people who were abused in state government institutions in those two states will be able to access the scheme when it starts on 1 July 2018 (subject to the passage of legislation).
- People who were abused in the care of non-government institutions – like churches or charities – will not be covered by the scheme until that institution opts in.
- Churches and charities in New South Wales and Victoria will now be able to join the scheme. We are urging them to do so quickly.

## **What about me? I was abused in another state or territory**

- The New South Wales and Victorian governments are the only state governments to commit to joining the scheme so far.
- People who were abused in the care of other state and territory governments will be able to access the scheme after that government opts in.
- Under the Constitution, the Commonwealth cannot force the states to be part of the Redress Scheme.
- The Australian Government is continuing discussions with the remaining state and territory governments, as well as non-government institutions, with the intention to deliver the best outcome for people across Australia who experienced institutional child sexual abuse.

## **Have other states signalled that they will sign up?**

- The Government has had very positive discussions with the states and territories, and the signs are promising.

## **How much will the monetary payment be?**

- The support provided will be different for each person, as each person's circumstances are different.
- Payments will be assessed on a case-by-case basis, reflecting the severity and impact of the abuse experienced, with a maximum of \$150,000.
- The counselling provided will be on top of any monetary payment.
- The monetary payment will be exempt from Commonwealth debt recovery, taxation and income tests related to government payments.

## **It's all taking a long time. What has happened so far?**

- The Government has undertaken extensive consultations and negotiations with the Independent Advisory Council, state and territory governments, and non-government institutions such as churches, charities and advocacy groups to ensure the scheme provides comprehensive coverage for people across Australia.
- The Commonwealth Bill was introduced into Parliament on 26 October 2017. The National Bill will be introduced when a State introduces and passes legislation.
- People can lodge applications from 1 July 2018 until 30 June 2027.
- The scheme will run for 10 years to 30 June 2028.

## **What will the application process be?**

- Subject to the passage of legislation, from 1 July 2018, people who experienced institutional child sexual abuse in Commonwealth, New South Wales and Victorian government institutional settings will be able to apply for redress, either through a paper form or an online platform.
- A dedicated website and telephone helpline will be available to provide information.
- Specialist free legal support services and community support services will also be funded to assist people throughout the application process.