



Tuart Place
Growing Strong Together

24 High Street
Fremantle WA 6160
08 6140 2380
Freecall 1800 619 795
admin@tuartplace.org
www.tuartplace.org

25 February 2018

**Supplementary Submission to the Senate Committee Inquiry into the
Commonwealth Redress Scheme for Institutional Child Sexual Abuse Bill 2017**

To the Senate Community Affairs Legislation Committee
by email community.affairs.sen@aph.gov.au

Dear Senators,

Thank you for the opportunity to speak at the public hearing of the Committee's Inquiry into the Commonwealth Redress Scheme bill in Canberra on Friday 16 February 2018.

In light of new information gained at the public hearing and from other submissions, Tuart Place is providing a supplementary submission with the following updated recommendations:

- That the name of the bill is amended to the *Commonwealth Redress Scheme for Institutional Child Abuse Bill*.
- The recommendations for redress in the Human Rights and Equal Opportunity Commission's *Bringing them Home* report, and the Australian Senate's *Lost Innocents* and *Forgotten Australians* reports are formally acknowledged in the Commonwealth Redress Scheme Bill and are utilised as the rationale for amending the draft bill to include all forms of abuse and neglect experienced by children *living in the care of a state welfare system*.
- The Australian Government, as a matter of urgency, formally announces which particular institutions are included in the Commonwealth scheme starting in July 2018, and names those institutions. This public announcement should, in plain language, emphasise the fact that no other institutions are included in the scheme; and should be extensively promoted across a range of media.
- The draft bill is amended to include the necessary revisions identified by numerous witnesses and in multiple submissions, including: 12 months instead of three to accept a financial offer; open-ended, free counselling support for applicants; the inclusion of survivors living overseas; funded legal advice during the preparation of redress applications.
- People convicted of a sex offence or sentenced to a prison term of five years or more are not prevented from receiving a financial payment under the Commonwealth scheme.

- The assessment matrix incorporates a mechanism for identifying potential links between the applicant's childhood abuse and any subsequent aberrant behaviours, *including criminal offending behaviours*, and that the identification of probable links or causative factors serves to increase the level of payment offered to that applicant.
- A summary version of the assessment matrix is included in the Bill.
- State government and non-government past providers are offered an option to join in a national process based on a promptly-revised draft bill, with a timely deadline, such as six months, to opt in or opt out.
- From those entities opting out, the Government requests a public statement with a clear rationale for doing so, and alternative frameworks for providing redress to survivors of institutional child abuse. Request a commitment to a nationally-consistent model of redress, with an equivalent quantum and equivalent support systems.

Survivors want national consistency, but they want redress even more.

The Committee has a difficult task ahead and we appreciate your hard work.

Yours faithfully,

Dr Philippa White
Director,
Tuart Place

Mr Ron Love
Chairperson,
Forgotten Australians Coming Together
(FACT) Inc.