



National Centre of Excellence
for Complex Trauma

**To Joint Select Committee on Oversight of the Implementation of Redress
Related Recommendations of the Royal Commission into Institutional
Responses to Child Sexual Abuse**

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Empowering recovery from childhood trauma

Dear Committee Members

Thank you for this opportunity make comment on the Australian Government policy, program and legal response to the redress related recommendations of the Royal Commission, including the establishment and operation of the Commonwealth Redress Scheme and ongoing support of survivors, and its alignment with the Royal Commission recommendations.

Blue Knot Foundation is a Royal Commission Community Based Support Service which supports adult survivors of childhood trauma including adult survivors of institutional child sexual abuse seeking information about redress and support through the process of application to the national redress scheme. Blue Knot Foundation would like to acknowledge the work of government in developing and implementing this scheme, including in engaging the states and territories and non-government institutions.

In terms of the alignment of the scheme with the Royal Commission's recommendations. For Blue Knot, an area of major concern is the provision of counselling and psychological care services. A core principle of the Royal Commission's recommendations was to have a scheme which is fair and equitable. This is seemingly not the case for the provision of counselling and psychological care. Access to counselling depends very much on where a person lives and whether their state or territory has a recognised counselling scheme, which can offer access to an amount of counselling, dependent on the scheme.

This is in stark contrast to people who live in another state and territory, and to which people living there receive a sum of money which ranges from \$1,250 to \$5,000 over the 10 year period. For people who receive \$1,250 this effectively equates to 1 session every 1 ½ years. This is grossly inadequate for survivors of institutional child sexual abuse who in some cases might need intensive protracted therapy for periods of time. This is seriously inequitable. The guide around allocation of the quantum of funds for counselling also shows little understanding of child sexual abuse with an assumption that penetrative abuse by definition is the most severe. This is a very simplistic approach which ignores context e.g. grooming, impacts, mitigating factors etc.

The issue around the provision of redress for survivors with a criminal conviction invoking special consideration by the relevant Attorney-General and exclusion of survivors while serving a custodial sentence does not reflect the recommendations of the Royal Commission or the potential impacts on victims of institutional child sexual abuse on criminality. People who are serving or have served custodial sentences are paying their dues in terms of the crimes of which they have been convicted. Regardless of the severity of the crime, all victims, as per the need to deliver a fair and equitable scheme should be able to apply for redress providing they meet the criteria for the scheme, without doubling punishing them, often for the repercussions of their victimhood. These victims have had crimes committed against them and the harm done to them needs to be recognised as it does for all victims. Creating exclusions and special cases dependent on the discretion and judgement of different individuals, albeit Attorneys' General introduces an element of randomness and subjectivity and is punitive to those already victimised. Blue Knot strongly believes that all people who have served or are currently serving a custodial sentence should be apply to apply for redress alongside any other victims of institutional child sexual abuse. The fear that this will potentially put the scheme into disrepute shows a lack of understanding re abuse dynamics and trauma responses.

The provision that each person can only submit one application is not sufficiently informed by an understanding of trauma and memory. Many survivors experience fragmented incomplete memories related to their abuse and their ability to provide a complete narrative including chronological details is often flawed. This means that depending on triggers and circumstances victims' accounts may vary over time and people can potentially recall additional information up to and including the naming of additional institutions over a multiple year period. This can mean that people can potentially have entirely valid reasons to submit additional applications which present new information re other institutions or the abuse and its impacts. An understanding of these dynamics needs to inform process and timing for applications.

Another issue of concern is the period of time survivors have to consider an offer. The Royal Commission had recommended 12 months. However the government scheme is 6 months. This does not consider the itinerant lives of some survivors who are not linked into services or other support structures – those who are homeless or live in truly remote parts of the country. There is an assumption that people will receive an offer and automatically process it with support whereas many won't receive it through the usual channels and won't have the supports or often the capacity to consider the offer, without additional supports and consideration in place, including an extension of the timeframe.

There has been a lack of transparency over the appointment of Independent Decision Makers – who they are (not in terms of individuals) but more how they have been chosen and a reassurance for survivors that they are truly independent and can be trusted. This is a major area of concern and their very title is austere and threatening, with an implication that a person has power of the outcome, and is effectively standing in judgement over the trauma a survivor experienced.

In terms of the implementation of the scheme, Blue Knot recognises the complexity of this process and the substantial work done by different areas of government to optimise the communications around the implementation of the scheme, the government process around implementation, training of personnel and delivery of support around redress application process. It is understood that this a new process which has never been undertaken before and hence the scale, detail, flow and requirements are being continually informed by new understandings.

While support services were funded to cover the transitional period, the funding has not been commensurate with the significant increase in demand and complexity of support needed to support victims through and around the application process. Blue Knot has been providing support to callers to its Helpline and seeking to provide warm referrals to other support services for face-to-face support around applications. In this process we have identified a lack of support for survivors with their applications for a number of different reasons:

- Many RCCBSS services (funded by DSS) are not adequately prepared for implementation of support services for survivors who are wanting support with applications. Front line staff do not understand redress, services are unclear about what they are providing, we have had funded services say “we don't do redress”, another say “does the client want help with changing her address?” While we acknowledge that communicating the nuances of redress to all staff across all organisations is a challenge, this is taking some time to filter down. Blue Knot acknowledges the communication packages, website information and current offer by DSS and DHS to brief agencies. This will improve over time but currently it means that many survivors do struggle to find the support they need and the correct information

- Some services when contacted are unaware that they are providing redress services, the parameters for doing so, including what and when
- Some services are providing misinformation, including making ad hoc assessments around eligibility and redress amounts, which indicate a lack of understanding around the boundaries of their roles
- Centralised numbers have been problematic, and mean significant challenges in trying to access the right team in the right area
- Sometimes referrals from DHS have been provided to national telephone services for face to face support when the service does not provide that sort of support. This shows a lack of understanding about the service sector for government departmental staff
- Some services have a very complicated intake process for survivors seeking support with redress. This process is potentially re-traumatising

It is important for all survivors regardless of where they live, whether from Aboriginal and Torres Strait Islander background, members of a CALD community, living with a disability, from LGBTIQ community to be able to access the support they need to support them through the application process, including consideration of whether they will apply and each step of the process including review of the offer, acceptance or otherwise. The existing service is not sufficiently resourced, or integrated to ensure that this is the case. In fact the feedback, a snapshot of which is included above, tells us otherwise. These are early days and there has been a lot of excellent work done to optimise processes and responsiveness, to truly embed trauma-informed culturally sensitive service responses but this still needs a lot more investment, training and systems change to meet the person-centred scheme the Royal Commission recommended.

Applying for redress – every stage of the process is a profoundly confronting highly sensitive potentially retraumatising process. Its complexity is a challenge for all, including those delivering the scheme and those providing support, not to mention those seeking redress. Blue Knot appreciates the enormous effort made by government for a continuous improvement process through feedback and regular meetings etc. and is happy to assist in whatever way we can to optimise the outcome for survivors applying for redress.