

## Joint Select Committee on implementation of National Redress Scheme

Dear Honorable Members

It is not difficult to state the changes that are needed to *Redress*, but addressing why those changes are needed is much more difficult to address, especially when it comes to why *Redress* and its *Matrix* has resulted in trauma, anxiety and emotional impact on Survivors such as myself and why we want to try to affect those changes; it is also necessary to understand and explain to the pragmatists who have the power to and will make the decisions re these changes, why making these changes is also practical and make financial sense. However, I will try to address these issues.

### **The Epitome of How I and most Survivors Feel**

To me, the Government's attitude in setting up the *Redress Scheme* and the horrific *Matrix* is epitomised and sends the same message to we Survivors like that which the Catholic Church delivered through its Solicitor, when she said in the West Australia Court recently, re a male Institutional Child Sexual Abuse Survivor:

The Survivor should not be awarded the amount his Solicitor was asking because:

*'It was not as if he came from a wealthy middle class family who were educated, had high income positions and would ensure their child had a good education which would enable him to earn a high income'.*

In other words, not having been well educated and/or having the benefits of being reared by wealthy middle class parents and/or able to earn high income, he was not as valuable and/or worthy of high compensation as if he were a child of such as her.

This, along with the lowered "*Redress*" and "*Matrix*" - gives the message, to we *Survivors of Institutional Child Sexual Abuse* sent to Orphanages etc, that we should continue to be viewed by the Court and Society as unwanted and of little value and throwaways now, just as we were as children.

### **Redress Changes Needed**

**First:** The Government should have from the beginning and should **now** make the correct decision to **act in** "*utmost good faith and in the best interests of the Survivors*", by returning *Redress* to the original \$200,000 (two hundred thousand dollars) recommended by the Royal Commission into *Institutional Child Sexual Abuse*- which was decided after the myriad of Victims had been heard and the truth established of not only the abuse, but the ongoing lifelong trauma caused by that abuse to the victims- now Survivors; and

The "*Matrix*" should be abolished altogether and the recommended amount of \$200,000 (*two hundred thousand dollars*) should be paid to ALL Survivors of Institutional Sexual Abuse; because ALL Child Sexual Abuse is not only horrendous and illegal, but it is well established-that ALL forms of Child Sexual abuse has a lifelong affect on the Victims of that sexual abuse and none of it should be minimised;

### **What is Redress**

It should be **remembered** that "*Redress*" is "**Recognition**" of, **not Compensation for**, the horror perpetrated against innocent, helpless children; it is about "**Recognising**" not only the physical and psychological trauma and harm to the sexually and physically abused child at the time of the

event/s, but the lifelong affects and the inability to forget and/or counteract those affects. It is about a *lifetime* of suffering, often in silence, shame; and the impacts this has also had on the ability of Survivors to believe in their value as human beings and their ability to achieve;

This was further impacted by the lack of positive role models, education and loving care. The psychological messages were that we were evil, dirty, unworthy and of little value. No matter what sort of sexual abuse a child suffered, the lifelong affects were/are the same.

### **An Example of the difficulty posed by the Matrix**

An illustration of this is the report of a child who a priest began to sexually assault in a locked room; the child tried to flee from the priest who chased her; how do you quantify the terror of that child and the lifelong affects that had? Are those in the panel in the mind of that Surviving Child- (and yes, that "Child" remains in and continues to affect the mind and psychology of that child as an adult).

How do you quantify that- especially when we know the impact, (recognised by the Courts), that sexual harassment has on adults, even when it does not involve actual touching; how much more so on **sexually abused** and terrified, helpless children.

It should also be **remembered** that:

- the Survivors did **not ask** for this "**Redress**;" it was a decision made by the Royal Commission and the Government in "*Recognition*" of the established abuse; and
- it was **explicitly announced** by the PM at the "*apology*" that it was **not 'compensation'**, **because** as the PM said:
- no one could ever truly "*compensate*" the Victims/Survivors for the horror of the abuse suffered; so now
- why is "*Redress*" being treated as "*compensation*" and minimised; and
- Survivors being denied the right to access Court awarded compensation if they so desire?

When we Survivors were at last able to reveal that abuse, we were only interested in:

1. ensuring that the paedophile abusers were exposed; and
2. stopped from abusing other children; and
3. that the Institutions were exposed for not only for **enabling the abuse**; but
4. they exposed for **cover-ups** which
5. prevented the rescue of children from the abuse; and to
6. thereby preventing access to myriads of children to abuse throughout the years; and
7. that these Institutions were also exposed and made to face the consequences.

### **The Role of Institutions**

In law, if a person is present as part of the group at the pack rape of another, or at a robbery- although not actually taking part- they are deemed to be equally guilty of the crime and/or aiding and abetting it, because they did nothing to prevent it and/or to aid the victim; and this is especially true if they drove the *getaway car*, which is virtually what the Institutions did by their cover-ups and protecting the paedophiles from discovery and enabling the paedophiles to not only continue the abuse, but but have access to new/more victims.

So WHY is it that the Government has tried to minimise the financial impact on these Institutions? WHY are we, the Survivors of child rape/sexual abuse given the message and treated as if the crimes against us were minimal?

## Recognition Via the Matrix

It is the Government that has linked the amount of “*Recognition*” of the suffering and trauma to the dollar amount paid in *Redress*, not the Survivors; but

- having done that, the Government, via its “*Matrix*” has tied its signal to we Survivors, that the dollar amount paid denotes how much “*Recognition*” they give to each Survivor's abuse, trauma, suffering and lifelong impact; and this is why
- The *Redress* “*Matrix*” angers, insults and traumatises Survivors; because
- it slots we Survivors and our suffering into classes; and
- is the guide to not only how much “*Recognition*” the abuse should be given, but how much psychological harm and ongoing counselling the Survivor should be awarded.

## Why should be no Limits to Psychological Counselling

Treating Psychiatrists, Psychologists, Counsellors and the Survivor are the only ones who can know when the Survivor no longer needs psychological support; and none of these are keen to keep the Survivor locked into past trauma.

Each time we Survivors are forced to consider the withdrawal of our needed psychological support, it further traumatises us; it and makes us afraid because we know how many times throughout the days, months and years we come close to suicide and know it is the support of the Counsellors and we cling to the fact that we have soon an appointment with our psychologist etc;

If you take this support away from us before we are able to cope, many of us will not survive.

## Cost to Government and Institutions

It should also be noted, that the cost to Government and the Institutions would also be reduced, if they removed the “*Matrix*” and paid **all** Survivors choosing to apply for “*Redress*” the full \$200,000, because this would cut down on both the stress on the panel in trying to make scaled decisions and time needed to do so; and

If it is true Solicitors and Psychiatrists are also advising the panel, this cost would also be saved; and it would also make it less likely that most Survivors would apply for Compensation through the Courts, thus vastly reducing the impact and costs to all parties, including the Institutions; and the uptake of *Redress would* reduce the impact of on the Court System of large numbers taking civil action.

## The impact of the Matrix

The Government tied “*Recognition*” of Survivors trauma and suffering to a financial amount, therefore:

To now try to minimise the amount of financial “*Recognition*” via the “*Matrix*” scaling system, is:

1. to tell Survivors via a panel, that the Government, the Panel and the Institutions do not “*recognise*” the full horror of the abuse we suffered and/or its psychological impact and trauma and/or the full impact on your lives; and
2. it is to insult us and make us feel like we are again begging others to understand the evil and its affects on us.

Not only is it the sexual and physical abuse we personally suffered, but:

- it is also the trust of which it robbed us; and
- the belief in our worth; and
- it ensured we accepted that any future abuse was our fault, and
- that it was because we were somehow deficient; and
- that there was something wrong with us-something that makes us unworthy of love and deserving of abuse.

It also robbed us of real, normal family interaction with &/or understanding of our siblings, because for most of our lives we thought it was only us that were abused and we must keep our shameful secret hidden, or be harshly judged and ostracised.

Personally, it was not until I was in my fifties that I learned of my sisters abuse in the orphanage and realised why she acted at times violently and unbalanced and it was only after it was revealed during the Royal Commission that boys were also sexually abused in the orphanage that I began to understand why my younger brother became a violent, gay hating alcoholic.

## **Added Lifelong Pain**

My eldest sister, in later life committed suicide by lying on her bed, pouring petrol on herself and setting herself alight in her flat-able only to be identified by her teeth; She left a note saying '*what she was going through at that time- took her back to what she had suffered in the orphanage*'; and

My younger brother hanged himself in later years; **he could not read and write, so there was no note.**

Of the four of us siblings who were in the Catholic Neerkol Orphanage, I, who was also abused, am the only one left alive. How does the “Redress” panel quantify that? How do you quantify the extra loss and pain that I live with? How does the panel quantify any Survivors pain, trauma and suffering?

## **Redress claim form**

The 44 page document that we Survivors are required to be filled out to claim “Redress” is not only traumatising, but it and the “Matrix” is especially galling and further traumatising for we Survivors, because at the “Apology” by the PM on behalf of the Government and all Citizens of our Country, (which I as a Survivor attended in Canberra), the Prime Minister Mr Morrison assured us:

- that '*the abuse we suffered and its affects were now established and accepted as facts*'; and
- *we Survivors would not need to again repeat what we had gone through* ;and that
- in “*Recognition of what we suffered, the Redress recommended by the Royal Commission would be set up to enable a swift financial award in*” recognition” of that suffering.

The PM also said that “*the Redress was **not** Compensation, because no one could truly compensate us for what we had suffered*;

He also said while appearing to choke back tears, that “*he understood as a parent of children what we had suffered.*”

The reduction in the Redress amount and the way the Redress and especially the Matrix has been set up, has given the lie to the “apology”; and to the choking back of tears, the supposed compassion, the empathy, and the trust in the promises the PM made at the “apology” can only be seen as a farce and a false claim of understanding, empathy and care.

It says to us, that it was all politics and his only real concern has been to minimise the financial impact on the Institutions that had enabled and hidden the abuse for decades.

## Potential Earnings Argument

Although I understand the argument used by the WA Solicitor re “*loss of potential earnings*” has been long used in accident &/or negligence Compensation Torts cases, the *Institutional Child Sexual and Physical Abuse* was **not** “*accidental or negligent*” but was **deliberate, callous and premeditated harm to children who had no escape from** those entrusted with their care; and although they were not expected to provide the luxury of private education, institutions **were** entrusted with providing us with an education that would enable we Survivors to have the same opportunity/ies as most Australians. Those paedophiles who abused us and the Institutions that covered it up and allowed it to continue- stole from us those opportunities; they stole the peace and real potential and fulfillment of our lives; it was **not accidental!**

## Actions versus words

Recently, Minister Peter Dutton in a speech re laws to catch online Paedophiles, said re their abuse of children:

*“this insidious crime shatters the life of the abused child. Families and communities are left devastated.”* and he also called the sexual abuse of children “*abhorrent*”; and

Minister Dutton also said to the Internet providers who enabled these crimes:

*“CEO's would not tolerate bullying and sexual harrasment or exploitation in their workplace...but at the same time they tolerate the use of their platforms for the exploitation of children”.*

## SO IN CONCLUSION I ASK WHY IS IT THEN:

That the Government of which he is a part is, through *Redress* and its *Matrix*, trying to minimise the financial effects on the Institutions that “*shattered the lives of the abused children while in their care and protected the paedophiles*(and some still intend to); and **why** is **this** Government sending the message to we Survivors that they do **not truly** “*recognise*” ***the abuse they suffered and/or the lifelong trauma and affects?*** WHY is the Government telling us, through the Redress Panel, that they do **not** “*Recognise*” what we Survivors suffered as truly bad?

## WHY THE PHOTO

I am attaching the photo which was taken of me in Canberra in front of the “*apology*” tree, to represent my siblings who could not be there and give a face to those siblings and to remind the world that the many who committed suicide are more than a name and number; and that they took their lives because they could no longer live with the pain of the memories of abuse;

I attach it here in the hope it will help all on the Joint Selection Committee, the Government and the Redress Panel to reflect on that fact. It is also remind that here are also many left behind who continue to carry the pain of that loss.

Through this submission, I also try to represent those who are not here to represent themselves; many did **not** live to see/hear the “*apology*” and or receive “*recognition*” of their suffering; therefore, in fighting for justice and **real** “*recognition*” for we Survivors, we also fight for those who did not survive and for their suffering to also be “*Recognised*”.

The photo of we siblings who were in Neerkol Orphanage, was taken of the four of us on the occasion when an RSL couple took us out for a picnic on the dry creek bed near the orphanage; of course the nuns dressed us for the occasion. The eldest girl is my sister of whose suicide I wrote above. The boy is my brother who hanged himself. He was four when sent to the orphanage. I am next to my eldest sister. My other sister died of cancer.



I sincerely thank the Joint Selection Committee for giving me the opportunity to give this submission and I hope it will go some way in advancing the understanding of why the *Redress* Scheme needs changes and how the present scheme impacts we Survivors.

Sincerely

Carolyn U  
Survivor