

Questions on notice from the Joint Select Committee on the implementation of
the National Redress Scheme

Written Questions – 23 March 2021
ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Questions on notice from the Joint Select Committee on the implementation of the National Redress Scheme

Question reference number: IQ21-000028

Senator: Sharon Claydon

Type of Question: Written. Hansard Page/s:

Date set by the Committee for the return of answer: 06 April 2021

Question:

Could the Department clarify what protections are in place to ensure that National Redress Scheme applicants who have a psychological disability are fully aware of the implications of accepting an offer? If advice is provided, does it include explicit reference to the implications arising from signing a deed of release?

Answer:

An applicant's contact with the Scheme includes advice on supports available to them, including Redress Support Services and free and confidential legal services provided through knowmore. knowmore has in-depth knowledge of the Scheme, experience in delivering trauma informed services to Scheme participants, and strong existing links to Redress Support Services. knowmore can assist applicants with:

- advice on the options available, including access to compensation through other schemes and common law rights and claims;
- advice to ensure people understand the Scheme requirements and application process; and
- advice after an offer of redress.

Redress Support Services can provide emotional support, advice on how the Scheme works and help applicants understand their redress outcome. There are two specific redress support services for people with a disability, People with Disability Australia and the ACT Disability, Aged and Carer Advocacy Service.

The Redress application form advises applicants that if they accept an offer of redress they will need to sign a document that will release the institution(s) from further claims.

The application form also contains information on the free legal advice that is available from knowmore.

The documentation an applicant receives with their redress offer outlines what accepting an offer means, including that the applicant will not be able to bring any civil legal proceedings in relation to the abuse experienced if they accept the offer.

All applicants can choose to use an assistance or legal nominee to assist them in applying for redress and dealing with the Scheme. Nominees are appointed to act in the best interests of applicants.

Joint Select Committee on the implementation of the National Redress Scheme

Written Questions – 23 March 2021
ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Joint Select Committee on the implementation of the National Redress Scheme.

Question reference number: IQ21-000029

Senator: Sharon Claydon

Type of Question: Written. Hansard Page/s:

Date set by the Committee for the return of answer: 06 April 2021

Question:

What steps does the National Redress Scheme take if an applicant accepts an offer, and only later understands that the deed of release prevents any further compensation claim being made?

Answer:

Refer to IQ21-000028 and IQ21-000030.

Joint Select Committee on the implementation of the National Redress Scheme

Written Questions – 23 March 2021
ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Joint Select Committee on the implementation of the National Redress Scheme.

Question reference number: IQ21-000030

Senator: Sharon Claydon

Type of Question: Written. Hansard Page/s:

Date set by the Committee for the return of answer: 06 April 2021

Question:

Are there any circumstances where an applicant can recant an earlier acceptance of an offer?

Answer:

Accepting a redress offer is legally binding and it cannot be withdrawn (in line with sections 42 and 43 of the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018*).

Joint Select Committee on the implementation of the National Redress Scheme

Written Questions – 23 March 2021
ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Joint Select Committee on the implementation of the National Redress Scheme.

Question reference number: IQ21-000031

Senator: Sharon Claydon

Type of Question: Written. Hansard Page/s:

Date set by the Committee for the return of answer: 06 April 2021

Question:

How many survivors on the Disability Support Pension with psychological conditions have signed deeds of release for the National Redress Scheme?

Answer:

The Scheme does not collect information about applicants' social security payments.