

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S PORTFOLIO

Program: 1.9

Question No. AE16/072

Senator Collins asked the following question at the hearing on 9 February 2016:

1. Recommendation 28 of the Child Abuse Royal Commission was very clear about the timeline the Government would need to stick to in implementing a National Redress Scheme. It stated: "28. The Australian Government should determine and announce by the end of 2015 that it is willing to establish a single national redress scheme."

Why did the Government not meet this timeline? It's true that the Government had received the Commission's Final Report on Redress in August, isn't it?

2. The Commission recommended in its report, delivered to the Government in August, that the Government spend the remainder of the year considering its recommendations and how it would implement them. What progress has been made on that work?

3. Is it fair to say that the Government is still only at a very preliminary stage of determining its response to the Commission's report?

4. The Government's announcement on 29 January omitted a number of key details. Can you now advise:

a. Whether the Commonwealth is committed to a single, national scheme, administered by the Commonwealth, or whether it would accept a nationally consistent scheme, administered by the states;

b. Whether the Commonwealth is committed to ensuring perpetrators of abuse and institutions pay for the crimes committed against children in their care;

c. Whether the Commonwealth is committed to a 1 July 2017 commencement date for the redress scheme, as recommended by the Royal Commission;

d. When the Commonwealth will begin discussion with the institutions, states and territories;

e. How survivors and other groups with specific expertise will be involved in the design of the scheme, and whether they will have a place at the table in negotiations with jurisdictions;

f. What the Commonwealth's financial contribution to the National Redress Scheme will be;

g. What forms of redress will be made available to survivors.

5. If the Government cannot clear these key issues up now, when will it be able to?

6. Does the Government still aim to meet the 2017 start date set by the Royal Commission?

The answer to the honourable senator's question is as follows:

1. The Royal Commission into Institutional Responses to Child Sexual Abuse's Redress and Civil Litigation Report raised a number of complex issues concerning the provision of redress to survivors. The Australian Government received the Report on 31 August 2015 and it was tabled in the Parliament on 14 September 2015.

2. On 29 January 2016, the Australian Government announced that it would lead the development of a national approach to redress for survivors of institutional child sexual abuse. Australian Government officials have met with officials from all jurisdictions.

3. See answer to 2.

4.

- a. The Australian Government's view is that a nationally consistent approach administered through state and territory based schemes is preferable.
- b. The Australian Government's view is that governments and non-government institutions should take essential responsibility for the wrongs committed under their care.
- c. The Australian Government is working with states and territories to achieve an outcome for survivors as soon as possible.
- d. The Australian Government has had discussions with states and territories and some institutions.
- e. The Australian Government will work with stakeholders as appropriate. The Royal Commission has already consulted extensively with these groups about redress.
- f. See answer to 4(b).
- g. This is the subject of negotiation with states and territories.

5. See answer to 4(c).

6. See answer to 4(c).