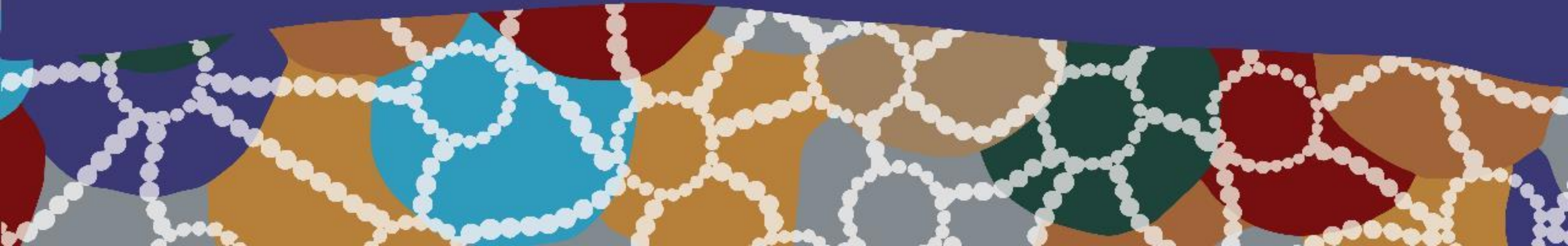
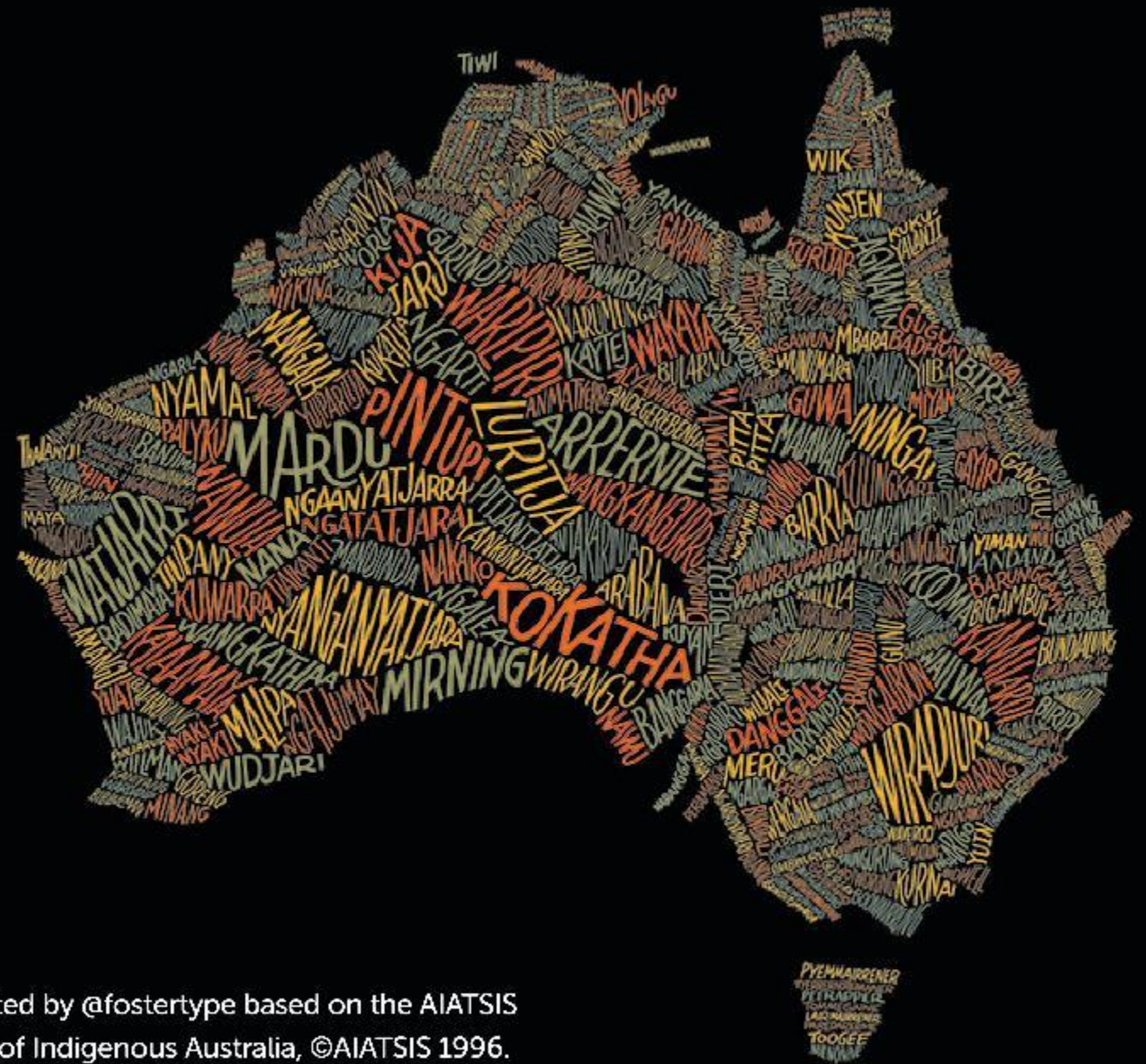


National Redress Scheme CLCQ webinar 18 July 2024

Rachel Neil A/Principal Lawyer
Ben Chapman A/Managing Lawyer



Acknowledgment of Country



Created by @fostertype based on the AIATSIS
map of Indigenous Australia, ©AIATSIS 1996.

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knowmore is funded by the Commonwealth Government, represented by the Departments of Attorney-General and Social Services and the National Indigenous Australians Agency, and the Victorian Department of Justice and Community Safety.

Image inspired by original artwork by Ngunawal man Dean Bell, depicting knowmore's connection to the towns, cities, missions and settlements within Australia.



Content warning

This presentation contains references to child sexual assault. As such, some of the content may be disturbing, upsetting or trigger strong negative feeling for survivors of violence and trauma, and people who work with those survivors.

If you feel triggered or upset by anything in this presentation, we encourage you to use your discretion as to whether you continue watching or listening to this material.

In the event that you need to seek support, the following organisations can help:

Lifeline Australia – [Lifeline](#)

1800RESPECT - [1800RESPECT](#)

Blue Knot Foundation - [Blue Knot Foundation](#)



The National Redress Scheme

- The establishment of a National Redress Scheme (the Scheme) was recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse
- The Scheme commenced on 1 July 2018 and will run for 10 years
- Applications are open until 30 June 2027

Who can apply?

- Experienced sexual abuse (and related non-sexual abuse) at an institution when under 18
- The abuse occurred before 1 July 2018
- Australian citizen or permanent resident
- No court-ordered payment received
- Institution responsible for bringing the person into contact with the abuser AND institution needs to have formally joined the scheme
- Born before 30 June 2010

Can young people apply?

- Must be turning 18 before 30 June 2028 (born before 30 June 2010)
- The abuse occurred before 1 July 2018
- 17 years and 8 months at time of application – processed as though an adult
- Less than 17 years and 8 months
 - Preliminary assessment
 - Institution information request
 - Applicant notified of outcome of preliminary assessment
- Formal offer made after 18

What is on offer?

- Monetary recognition payment up to \$150,000
 - Amount will depend on the type of abuse and severity
 - Recognition not compensation
- Counselling
- Direct personal response (apology)

Redress application process

Form
completed

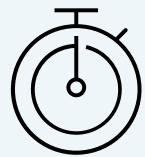
Application
submitted

Records &
review

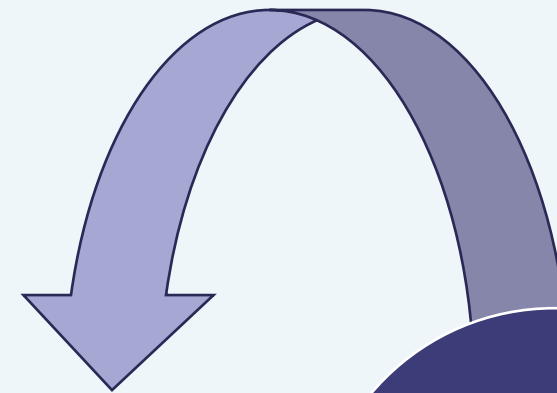
Decision

Outcome

Review



12 – 18 month process
Priority clients may be
quicker



Recent amendments

- On 26 March 2021, the final report of the second year review of the NRS was delivered.
- The review concluded that ‘a significant and urgent reset’ of the NRS was required and **made 38 recommendations for change**.
- The Australian Government provided an interim response to the second year review on 23 June 2021, and it published its final response on 4 May 2023.
- The new legislation came into effect April 2024 and makes some of the changes the Australian Government said it would make in its final response to the review.



Allowing survivors in jail to apply for redress

- Before April 2024, a person in jail cannot apply for redress unless there are exceptional circumstances.
- The second year review noted the injustice of this, as the Royal Commission into Institutional Responses to Child Sexual Abuse found that people in jail were more likely to have experienced child sexual abuse.
- People in jail can now apply

Changes to process for survivors with serious criminal convictions

- Prior to April 2024 all survivors with serious criminal convictions (head sentence 5+ years) had to undergo a special assessment process before their redress application was processed.
- Process – separate form goes to A-G of the state/territory they live in and state/territory where offence took place
- Consideration of whether being allowed to apply for redress would bring the Scheme into disrepute or adversely affect confidence in the Scheme
- The new law limits the special assessment process to survivors who have received a jail sentence of 5 years or more for one of the following types of offences:
 - Unlawful killing
 - A sexual offence
 - A terrorism offence.



Changes to the review process

When a survivor receives a redress offer, they can ask the NRS to review the offer. Prior to April 2024 no new information could be considered.

- Changes:
 - Allows survivors to provide new information with their review application
 - Allows the NRS to request new information as part of the review process
 - Provides some protection against a redress payment being reduced as a result of the review.

Re-assessment of some finalised applications

Coming into effect in October 2024.

Re-assessment process for finalised applications. This new process will be relevant when:

- More than one institution was identified by the survivor in their redress application (or identified by the NRS while processing the survivor's application)
- The survivor had their redress application finalised with at least one non-participating institution; and
- At least one of the non-participating institutions later joined the NRS or was later covered by a government under the NRS's funder of last resort arrangements.

The re-assessment process may allow survivors in these circumstances to receive a higher redress payment and a direct personal response from the institution(s) that later joined the NRS.



Issues to note

- Accepting a Scheme offer releases institution from any new or further civil or common law claim
- Any previous civil settlement will be deducted from an NRS offer
- Some applicants can access an advance payment of \$10,000 (terminally ill, aged 55+ if Aboriginal or Torres Strait Islander applicants, 70+ for others)

Recent Scheme data

- 42,791 applications made
- 18,057 outcomes, payments totalling \$1.4 billion
- 23,016 yet to be decided
- 12-18 month waiting time
- Priority clients can be processed quicker
- Data as at 7 June 2024

Other legal options

Applying for redress under the National Redress Scheme is not the only option. Alternative options are:

- a civil law or common law claim – this could give a substantially higher monetary amount
- a claim through an internal institutional redress scheme
- a claim under the Victims Assist state-based scheme

It is strongly recommended that people get legal advice before deciding which pathway to go down. We can help with that.

About knowmore



knowmore is a free and independent community legal service giving free legal advice and support to survivors.

We help people understand their compensation options and can support vulnerable clients through the process.



Our multidisciplinary approach

knowmore
free legal help for survivors



Legal advice



Support services



Law reform and
advocacy



Financial
counselling



Aboriginal and
Torres Strait Islander
engagement

Client facing and front-end support



Intake

- We have a highly trained and experienced intake team who assist people contacting us for the first time to navigate the necessary information gathering process, and support them through to an advice appointment.

Triage

- Where current/imminent risk is identified when first engaging with someone, we have a legal, cultural and social work framework for triage support, to ensure we can respond quickly.

Legal team



We help with:

- Advise on available options
- Explaining civil and redress processes
- Referrals to civil lawyers
- Help locating documents and records
- Assist vulnerable survivors with redress applications

Aboriginal engagement team

Cultural safety and support for Aboriginal and Torres Strait Islander people and communities

- Culturally attuned service provision that includes cultural awareness, competency and care
- Knowledge and understanding about the complexity and impacts of trauma on Aboriginal peoples, families and communities
- Respect for cultural protocol



Financial counselling team

We help survivors who have applied or are considering applying for Redress/ Stolen Generations with:

- Understanding the implications of a payment
- Protecting and managing the payment
- Financial hardship support (i.e. debts) and referrals to other services
- Understanding advance payments and instalment options



Support Services Team

- A trauma-informed practice approach
 - Safety
 - Trust
 - Choice
 - Collaboration
 - Empowerment



Supporting other workers

- Training
- Resources
- Support and consultation



Redress Support Services in Queensland

Redress Support Services will give free help to apply. They can:

- Provide counselling and ongoing support
- Help people complete an application
- Support people through the redress process

For a full list go to:

<https://www.nationalredress.gov.au/support/explore/qld-redress-support-services>

Available resources

The screenshot shows the 'Resources library' page on the knowmore website. The page has a teal header with the 'knowmore' logo, 'Free legal help' text, and a 'Quick Exit' button. A navigation menu includes 'About', 'Services', 'For survivors', 'For Service Providers', 'Leading change', 'News and media', and 'Contact'. The main content area features a search bar, a 'Listen' button, and a list of resources. Two resources are visible: 'Your journey with knowmore' (a fact sheet) and 'knowmore Service snapshot January 2021' (a report). A sidebar on the left contains filters for search criteria and document types.

knowmore Free legal help
Free advice line 1800 605 762 Quick Exit X

About Services For survivors For Service Providers Leading change News and media Contact Q

Resources library

Browse the knowmore resources library for reports, fact sheets, guides, infographics, submissions and videos.

Search ... Sort by: Date A-Z

- Title
- Description
- All
- Match Exact Phrase
- Match All Words
- Any word

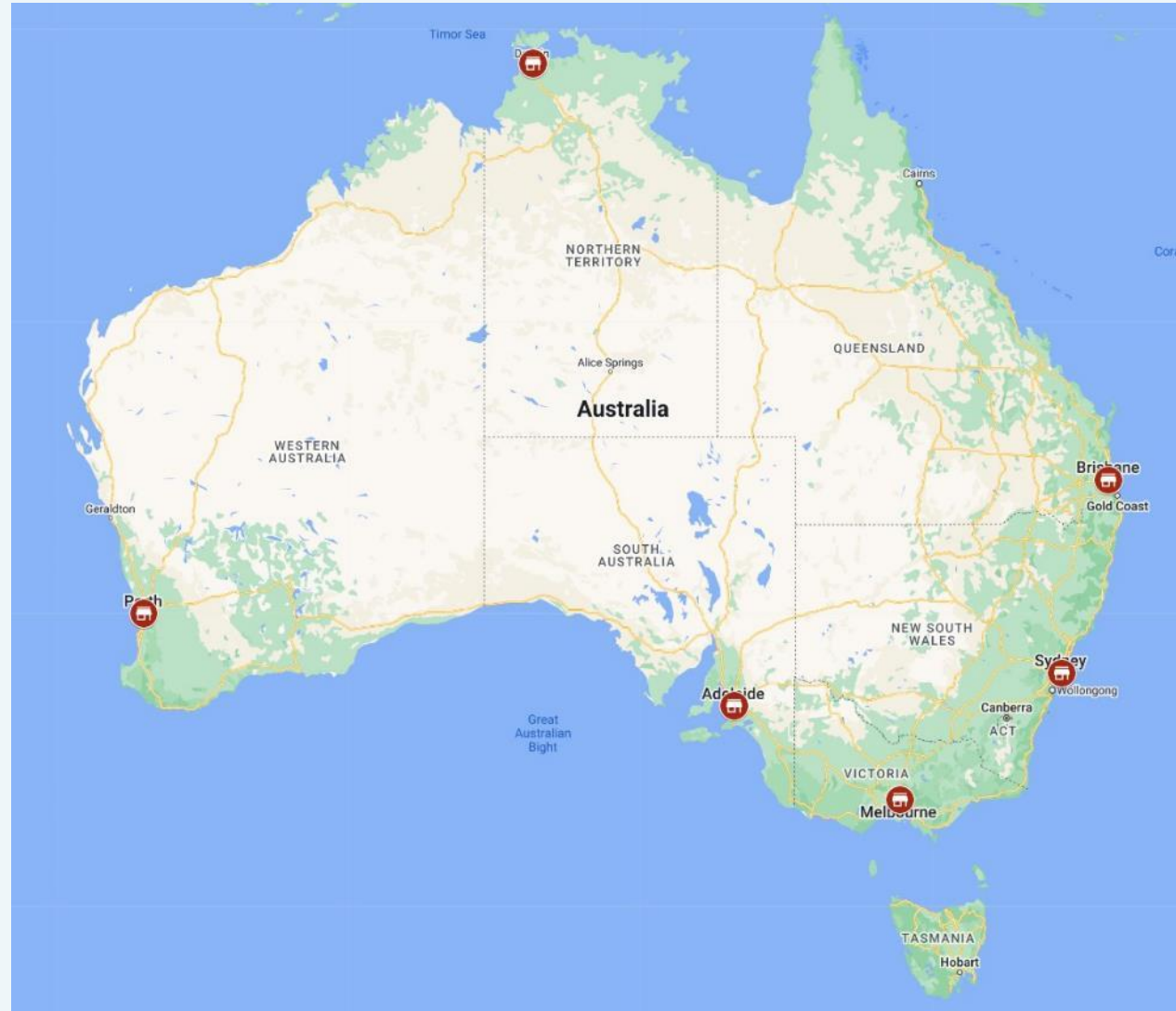
Document Type

- Fact sheet
- Guide
- Infographic
- Report

FACT ABOUT KNOWMORE
[Your journey with knowmore](#)
February 10, 2021 Author: knowmore
The fact sheet details your journey with knowmore so that you know what to expect when you work with knowmore's many teams.

ABOUT KNOWMORE
[knowmore Service snapshot January 2021](#)
February 10, 2021 Author: knowmore
knowmore client and organisational data as at 31 January 2021.

Locations



Where to find knowmore

Adelaide SA

1/99 Gawler Pl,
Adelaide SA 5000
GPO Box 1365
Adelaide SA 5001

Brisbane QLD

Level 20, 144 Edward St
Brisbane QLD 4000
PO Box 2151
Brisbane QLD 4001

Darwin

Level 2, 13 Cavenagh St
Darwin City NT 0800
GPO Box 413
Darwin NT 0801

Melbourne VIC

Level 15, 607 Bourke St
Melbourne VIC 3000
PO Box 504
Collins St West VIC 8007

Perth WA

Level 5, 5 Mill St
Perth WA 6000
PO Box 7072
Cloisters Sq Perth WA 6850

Sydney NSW

Level 15, 175 Liverpool Street
Sydney NSW 2000
PO Box 267
Darlinghurst NSW 1300



Contacting knowmore



knowmore legal service

free, confidential legal advice

1800 605 762 | knowmore.org.au



Questions?

knowmore
free legal help for survivors

