

9 July 2018

Health, Communities, Disability Services and Domestic and Family Violence Committee
Parliament House
Cnr George and Alice Streets
Brisbane QLD 4000

By email only: health@parliament.qld.gov.au

Dear Committee,

National Redress Scheme for Institutional Child Sexual Abuse Bill 2018

Community Legal Centres Queensland supports the establishment of a national, independent redress scheme for survivors of institutional child sexual abuse, and endorses the *National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018 (Bill)* to achieve that important aim.

We endorse the submission of **knowmore**, the specialist community legal centre that assisted people engaging with the Royal Commission into Institutional Responses to Child Sexual Abuse (**Royal Commission**) and now supports survivors to access redress and help for other legal issues. **knowmore** endorses the redress scheme and the Bill, and suggests further reforms (to the scheme and Queensland's civil litigation regime) to better reflect the Royal Commission's recommendations, and to increase access to justice for survivors.

About Community Legal Centres Queensland

Community legal centres play a vital role in making Australia a safer and fairer place to live, by ensuring that everyone has access to justice. Community legal centres are independent, community-run organisations that provide legal help to everyday people. There are more than thirty of these organisations across Queensland providing legal advice and ongoing representation and support.

Community Legal Centres Queensland is the peak body for Queensland's community legal centres, and we work with those centres towards a fair and just Queensland. You can find out more about our work at www.communitylegalqld.org.au.

We support this Bill

Community Legal Centres Queensland supports the establishment of a national, independent redress scheme for survivors of institutional child sexual abuse, funded by relevant institutions and Commonwealth, State and Territory governments. We welcome Queensland's decision to participate in the Scheme, which will in turn allow non-government institutions in Queensland to also join the Scheme, and demonstrate their commitment to taking responsibility for the sexual abuse of children in institutions under their administration.

Given our support for a national redress scheme, we support the *National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018 (Qld)*, and recommends that it should be passed.

Survivors have already waited many years to be able to access some form of justice for their childhood sexual abuse. It is important that the Queensland Parliament acts quickly to now ensure those survivors can access the Scheme and progress their applications so that they may be able to obtain redress as soon as possible.

The Scheme has departed from the Royal Commission's recommendations

As noted in **knowmore's** submission to this inquiry (which we endorse), the current Scheme departs from the Royal Commission's recommended model. **knowmore** and others have identified key issues, including:

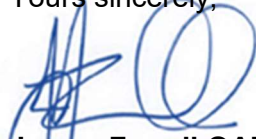
- lowering of the maximum redress payment from \$200,000 to \$150,000;
- limitations imposed upon the provision of the redress element of counselling and psychological care services;
- restrictions upon eligibility that impact upon categories of survivors, including non-citizens; survivors currently in prison and survivors who have at some time of their life been sentenced to a term of imprisonment of five years or more;
- the approach taken to providing a funder of last resort to provide redress in situations where the responsible institution no longer exists and/or has no assets or successor;
- shortening the period for accepting redress offers to six months (as opposed to the recommended 12 months); and
- requiring that redress applications be in the form of a statutory declaration.

These are important issues, and we would encourage the Queensland Government to work with the Commonwealth, other states and territories, and other stakeholders, to improve the Scheme to reflect the Royal Commission's recommendations and operate as the Commission intended, to provide survivors with access to justice.

We also endorse **knowmore's** suggested improvements to the Bill, to ensure compliance with information-sharing requests, and other civil litigation reforms.

Thank you for the opportunity to provide feedback on this Bill, which we support. If you have any queries, please contact me on (07) 3392 0092 or director@communitylegalqld.org.au.

Yours sincerely,



James Farrell OAM

Director

Community Legal Centres Queensland