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To:

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[Committee, JSCINRS \(REPS\)](#)

Subject:

Fairbridge children who have died and the NRS

Date:

Thursday, 17 February 2022 9:45:15 AM

Dear Senator O'Sullivan,

Congratulations of your appointment to the chair of the Joint Select Committee on the Implementation of the National Redress Scheme.

I am writing on behalf of the Old Fairbridgians Association (NSW) to ask that the committee look into an unforeseen issue that further disadvantages Fairbridge child migrants in relation to access to the NRS.

The NRS began operating in July 2018. However, Fairbridge child migrants did not initially qualify for NRS compensation payments because the Fairbridge organisation (and its successor organisation, the Princes Trust) in the UK did not sign up to the NRS scheme, and failed to provide funding to the scheme for the purpose of compensating Fairbridge children who were abused.

The abused Fairbridge children did not become eligible to receive NRS compensation until 2021, when the Federal Government and a number of state governments stepped up to be 'funders of last resort', after the failure of the Fairbridge UK to contribute to the scheme. I am aware of a number of former Fairbridge children who have since made successful claims to the NRS.

However, there is a problem with the former Fairbridge children who died after the start of the NRS in 2018 but before the governments agreed to provide the 'last resort' funding in 2021.

Many of the Fairbridge children did not know that they could have lodged applications that would have later been activated if and when Fairbridge signed up to the NRS. We understand about fifty other victims of abuse who lodged applications have since died and their estates are to be the beneficiaries of compensation payments.

(Also, a number of former Fairbridge children did not lodge applications for compensation in the mistaken belief that having been awarded damages in a NSW Supreme Court case in 2015 they were not entitled to more from the NRS).

The records of the Old Fairbridgians Association (NSW) shown that 27 of our members died between the beginning of 2018 when the NRS started and the end of 2021 when Fairbridge kids became eligible for NRS compensation. (I guess the number of members of the OFA in Western Australia would be similar, or slightly higher, because they have slightly more members)

We propose that redress should be made available to the estate of deceased Fairbridge children who were alive in July 2018 when the NRS began operating. I would like to point out that a similar measure was adopted by the British Government when it agreed to pay a lump sum compensation payment to all surviving British child migrants who were still alive in March 2018 when the UK Report into Child Sexual Abuse (IICSA) was published.

I understand that adopting this proposal would require amendment to the relevant legislation.

I am happy to provide any further information you require.

Regards
David Hill

