

Secretary Opening statement

Good morning, Chair and fellow Committee members.

I thank you for your invitation to give evidence today and for accommodating my other commitments this morning.

I have reviewed the Hansard of the evidence the Committee received on 2 August, particularly the evidence received from Jane. I have also had regard to relevant submissions published by the Committee.

Jane's experience as a redress applicant and in pursuing an FOI application fell well below the standards and expectations that applicants should have.

The Scheme did not live up to the standards expected particularly in relation to the processing and delivery of redress outcomes to applicants. I agree that how Jane was dealt with was wrong, and I apologise unreservedly to Jane for what she experienced and its impact on her.

It's incredibly important to acknowledge when we have got it wrong, as I did when I wrote to Jane on 11 July and as I have done again here today.

It is also important that I identify how we can learn from those mistakes to improve the experience of those that interact with the National Redress Scheme.

This is why in response to Jane's case, on 13 July, I instigated an externally conducted investigation to get to the bottom of all of the issues she raised. I want to be satisfied that the Department has done all that it can to address all the issues raised. What I can say about the investigation is limited but I am happy to brief the Committee on its conclusion.

In late 2021 I was made aware of a quote that one of the former Commissioners from the Royal Commission into Institutional Responses to Child Sexual Abuse, Commissioner Robert Fitzgerald, made in 2017. He said, in relation to applicants to the scheme:

They won't be grateful for the Scheme, nor should they be and nor should you expect them to be. Whatever amount of money you give them, they will think it'll be inadequate, and it will be. Whatever processes you put in place, they will feel there will be problems with that. Don't expect them to think the Scheme is fantastic and it's a good outcome. They won't and don't have to and you shouldn't expect them to. Nevertheless, survivors will value the scheme if it treats them with respect, acknowledges their pain and delivers a fair outcome." – Robert Fitzgerald (former Commissioner Royal Commission into Institutional Responses into Child Sexual Abuse – 2017)

I have had this quote on my desk in front of me for 2 and a half years, I refer to it most days. My key redress staff have heard me repeat this quote many times, his last sentence is an important guiding philosophy for those administering a scheme such as this.

As the Committee knows, this is very difficult and confronting work, it takes great dedication and a genuine commitment to those who have had the courage to apply to the scheme to do this work, day in and day out. I believe it is amongst the most challenging work that public servants do. I am struck by the care taken by my team, however, in a scheme of this scale,

with now over 45,000 applications, we will sadly make mistakes. My role is to ensure that these mistakes are minimised and that there is the right culture in the scheme which supports that last sentence of Commissioner Fitzgerald's quote.

To achieve this the Scheme has had to constantly evolve. With the committee's agreement I will table a chronology of the improvements that have been initiated in the last 3 years. I do this as I believe it shows a scheme that is committed to survivor focused continuous

There have been a number of changes made that relate to the scheme that are relevant to some of the issues raised in Jane's testimony. At the time of Jane's request, FOI applications were handled by line areas in a distributed model. In early 2022 I directed a change to the structure of how FOI applications were managed to move to a centralised model with greater consistency. This has vastly improved FOI outcomes for applicants to the Department.

I have worked with Independent Decision Makers or the IDMs closely over my time in the role engaging with them regularly as a group so that they understand my priorities for scheme improvements. The creation of a panel of Chief IDMs was an important initiative to assist in providing a better feedback loop with IDMs and a mechanism for IDMs to seek appropriate advice from more experienced colleagues who remain independent from the Department. There has been a significant focus on enhancing IDM administrative decision-making capabilities and procedural fairness obligations through a new training module.

We have worked at better communicating decisions and reasons to redress applicants – a key issue that Jane's evidence identifies. The work we undertook involved the development of a new statement of reasons template which now results in greater clarity for applicants about the reasons why they did or did not receive a redress determination in their favour. This work also included the creation of a helpdesk where IDMs can seek direct access to legal support for the more complex issues they may encounter when assessing an application for redress.

Since last April applicants are being automatically provided with the complete reasons for the decision to find them either eligible or ineligible for redress, and in the case of eligible applicants, how their redress amount has been arrived at. Previously, high level summaries were provided, and applicants could request the complete reasons through a separate administrative process. While this was well intentioned in my view it did not meet the requirements of transparency and accountability that I consider the Scheme must adhere to.

There is still more work to do to improve processes to support an applicant's redress experience including improving communication prior to engagement on critical issues with scheme staff. There has been increased resourcing in the scheme over the last three years with a 28% increase in service delivery staff and a 59% increase in IDMs. This resourcing and improved processes has led to a 59% increase in the number of determinations made each year with a further 34% increase projected this year. This is all designed to ensure applications are assessed as quickly as possible.

I am committed to driving continuous improvement in the Redress Scheme and ensuring that applicants are treated with the dignity and respect they deserve.