

To: [Committee, JSCINRS \(REPS\)](#)
Subject: PWDA Response to the Redress Committee re: public hearing 12 September 2023
Date: Wednesday, 4 October 2023 4:32:47 PM

Please find responses to the questions on notice from PWDA below:

1. List of the institutions made responsible for people during de-institutionalisation.

Karen Kobier has now left PWDA. We are currently looking for the information requested and will provide it when available.

2. Total number of Redress clients that PWDA has assisted/is assisting to access Redress.

We have worked with and now closed 42 clients.

We are currently working with 54 clients.

We are currently working on 6 Direct Personal Responses

In addition to this we have provided information and request/referrals to 66 people.

3. Example of the difficulties faced in accessing psychological support when living in a different state to where the abuse occurred.

Many people live in border towns or have moved interstate since they experienced Childhood Sexual Abuse. This has created difficulty accessing support during the application process due to the states having different systems and not always supporting an applicant from another state/territory to access funding for counselling services. There are different procedures for applications in each state/territory and it is extremely difficult to access information on what is required for the applications.

Example 1: A person living in NSW was sexually abused as a child in Victoria. Redress psychological support in Victoria is provided by Victorian Department of Families, Fairness and Housing. When contacted they refer onto a service called Restore. Restore is made up of 17 specialist counselling organizations within 120 locations across Victoria. Restore will not provide services to people living outside of Victoria. NSW Victims Services will only provide counselling services to someone from interstate once an offer is made, meaning the client is going through the whole application process unsupported or having to pay for services they often cannot afford.

Example 2: NSW provides counselling through Victims Services and you can access up to 22 hours of free counselling and additional hours may be approved on top of this. SA offer a lump sum payment of \$5000 to cover psychological support needs and can leave people out of pocket for ongoing needs. It would be preferable to have a top up available for people who require it.

For more information regarding counselling arrangements by state, you can access the link below:
<https://www.nationalredress.gov.au/counselling-arrangements>

4. Legislation regarding government services not being held responsible in some cases.

Under the *National Redress Scheme for Institutional Child Sexual Abuse Rules 2018* (Cth), the following information in Section 12 refers to circumstances where a government institution is not responsible as pasted below. (<https://www.legislation.gov.au/Details/F2022C00466>)

12 Circumstances in which government authority is not responsible

- (1) For the purposes of subsection 15(6) of the Act, subsection (2) of this section prescribes circumstances in which an institution (the *government authority*) that is an authority of the Commonwealth, a State or a Territory is not responsible, primarily responsible or equally responsible for sexual abuse or non-sexual abuse of a person that:

- (a) occurred while another institution was responsible for the day-to-day care or custody of

- the person or was the legal guardian of the person; or
- (b) was carried out by a person who was an official of another institution at the time of the abuse; or
- (c) occurred:
 - (i) on the premises of another institution; or
 - (ii) where activities of another institution took place; or
 - (iii) in connection with the activities of another institution.
- (2) The circumstances are that the only connection between the government authority and the abuse is one or more of the following:
 - (a) the government authority regulated the other institution or an activity of the other institution;
 - (b) the government authority funded the other institution or an activity of the other institution;
 - (c) the other institution was established by or under the law of the jurisdiction that the government authority belongs to.
- (3) This section has effect subject to Division 2.

Kind regards
Linda

Linda Wiseham (She/Her)

**Manager and Specialist Advocate Redress | People with Disability Australia
Dharawal Country**

freecall 1800 422 015

[Facebook](#) | [Twitter](#) | [Web](#)

We can help you with disability advice and information.



Support us! [Become a member of PWDA for free today.](#)

We acknowledge the Traditional Owners of Country throughout Australia, and their continuing connection to land, sea and community. We pay our respects to them, to their cultures, and to their Elders both past and present. PLEASE NOTE The information contained in this e-mail is confidential. It is intended solely for the addressee. If you receive this e-mail by mistake please notify us. You must not disclose or use the information in it unless we authorise you to do so. People with Disability Australia accepts no liability for any consequential damage resulting from e-mail containing any computer viruses.