



Australian Government
Department of Social Services

Ray Griggs AO CSC
Secretary

Ref: EC23-001907

Senator Catryna Bilyk
Chair
Joint Standing Committee on the Implementation of the National Redress Scheme
PO Box 6021
CANBERRA ACT 2600

Dear Senator Bilyk

Thank you for your letter of 26 July 2023 regarding Tuart Place and ACS Mutual Pty Ltd.

As you are aware, Ms Cevrina Reid, Chairperson, Forgotten Australians Coming Together (FACT) Inc, wrote to Minister Rishworth on 7 July 2023 regarding the Survivor Roundtable (the Roundtable) and Tuart Place.

The Survivor Roundtable is an important avenue for survivors and their advocates to give feedback on issues relating to the Scheme. I understand that Dr Philippa White, Director, Tuart Place, attended the Roundtable held in Darwin on 15 June 2021. However, I note Ms Reid's concern that survivors associated with Tuart Place have not yet had the opportunity to attend such an event.

It is not the Scheme's intention to prevent any survivors from attending the Roundtable. However, the number of survivors invited to attend each Roundtable is intentionally kept low to ensure they can each be supported to participate in a trauma-informed way. Several Redress Support Services have not yet had the opportunity to nominate survivors to attend.

Minister Rishworth hosted the last Roundtable in Sydney on 6 December 2022 and has committed to host more Roundtable meetings. While not yet scheduled, it is intended that the Minister will host a Roundtable during 2023. Every endeavour will be made to involve a survivor supported by Tuart Place in the Roundtable.

With respect to your question regarding ACS Mutual leaving the Scheme, ACS Mutual provided redress cover to its participating members, supported by redress specific reinsurance arrangements. It was not named in the Royal Commission into Institutional Responses to Child Sexual Abuse, or in applications to the Scheme. While more than 1000 individual organisations were covered by the ACS Mutual arrangements, they represented fewer than 2 per cent of the 71,500 sites covered by the Scheme, and few had been named in applications.

ACS Mutual's advice (which they have agreed to the Scheme sharing with the Committee), as to the reasons for no longer being able to provide Redress cover for its members in the Scheme under its representation, which it has provided on purely a cost recovery basis, was the change in application rules in March 2022 to remove the requirement for applicants to complete a statutory declaration, which resulted in a significant increase in new claims. This was not a factor when ACS Mutual first modelled their redress participation liabilities and entered the Scheme.

Further, ACS Mutual has indicated to the Scheme that, as a collective, they believe they are unable to meet the Scheme's requirement that participating institutions have the necessary financial capacity to remain in the Scheme. They state that there was no decision to be made once they lost their reinsurance and claims increased.

It is important to note that, under the legislation governing the operation of the Scheme, institutions are responsible for the cost of applications lodged during the period of their participation. Accordingly, ACS Mutual has been informed they remain responsible for the costs relating to a number of active applications.

Going forward, any new applications naming former ACS Mutual organisations that have not already commenced the on-boarding process will continue to be managed in accordance with the Scheme's current procedures, including public naming and consequences for failing to join the Scheme, should that be appropriate. The Scheme has prioritised engagement with institutions named in applications formerly covered by ACS Mutual, to ensure future applicants can receive a timely determination of their application. This has been communicated to the organisations formerly part of the ACS Mutual arrangements.

Additionally, the Scheme is actively engaging with other former ACS Mutual member organisations who have requested information or assistance to re-join the Scheme.

I trust this information is of assistance to you.

Regards

23 August 2023