

Joint Standing Committee on the Implementation of the National Redress Scheme

Public Hearing – 12 April 2023

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Inquiry into the operations of the National Redress Scheme.

Question reference number: IQ23-000044

Question asked by: Catryna Bilyk

Type of Question: Spoken. **Hansard Page/s:** 15-16

Date set by the Committee for the return of answer: 5 May 2023

Question:

CHAIR: Currently, how many organisations or institutions that you're working with have not yet signed on?

Mr Riley: I can confirm the precise number later on, but there are around 40 institutions that we are in the process of onboarding at this time.

CHAIR: Have all of those institutions been asked to give a statement?

Mr Riley: Yes. As part of the onboarding process, that's one of the early things we do—we ask them for their permission to be published on the website as an institution intending to join the scheme and we ask them for some words that can be made available to survivors, whether that's when they ring or through other means.

CHAIR: How many of those 40 currently have done that?

Ms McGuirk: We'd have to take that on notice.

Mr Riley: We'd have to take that on notice.

Answer:

On 12 April 2023, the Scheme was working with 87 institution that have been named in applications to the Scheme, to support them to join the Scheme.

Of these, 56 institutions have agreed to join the Scheme and are on-boarding. From the 56 on-boarding institutions, 36 have agreed to have their name published on the Scheme's website on the "Institutions intending to participate in the National Redress Scheme" webpage and 40 have provided words for applicants.

Words for applicants can be utilised by Scheme service delivery staff if the applicant enquires about their application, however outbound calls are not routinely made to advise the applicant of these words or that their institution is intending to join the Scheme.

Applicants are notified by the Scheme when an institution named in their application that was not participating has joined the Scheme, or if an institution they named is unable to join the Scheme.

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ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Inquiry into the operations of the National Redress Scheme.

Question reference number: IQ23-000045

Question asked by: David Shoebridge

Type of Question: Spoken. **Hansard Page:** 17

Date set by the Committee for the return of answer: 5 May 2023

Question:

Senator SHOEBRIDGE: You have a public interest capacity to issue a certificate to provide the information to a class of persons, and I can't find any instances where you've used that, unless I'm wrong. Are there any?

Ms McGuirk: You're talking about public interest certificates?

Senator SHOEBRIDGE: Correct.

Ms McGuirk: Yes, there have been public interest certificates issued in the life of the scheme.

Senator SHOEBRIDGE: Have you issued them in these circumstances, to allow you to tell survivors where their claims are up to against these institutions?

Ms McGuirk: I can't recall having done so, but I will investigate right back to the beginning of the scheme and get back to you on notice to confirm it.

Answer:

The National Redress Scheme Operator has made three public interest certificates for the purpose of disclosing protected information to specific applicants to inform these applicants:

- that a relevant institution has agreed to participate in the National Redress Scheme for Institutional Child Sexual Abuse and is likely to be declared as a participating institution; and
- about the progress of their redress application, including the likely timing of the relevant institution being declared as a participating institution.

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ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Inquiry into the operations of the National Redress Scheme.

Question reference number: IQ23-000047

Question asked by: Catryna Bilyk

Type of Question: Spoken. **Hansard Page:** 19

Date set by the Committee for the return of answer: 5 May 2023

Question:

CHAIR: How many funders of last resort declarations have been made for institutions that cannot participate?

Ms McGuirk: I'm not sure I have that data in front of me.

CHAIR: Would you have that data?

Ms McGuirk: We'll take on notice what we are able to provide.

Answer:

As at 18 April 2023, there have been 25 declarations made under the Funders of Last Resort (FOLR) provisions within the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018*. A timeline of FOLR declarations is shown below:

Year	Number of declarations made
2019	1
2020	6
2021	9
2022	8
2023	1

The declaration instruments can be found at: [National Redress Scheme for Institutional Child Sexual Abuse \(Funders of Last Resort\) Declaration 2019](#).

As at Funders of Last Resort Declaration 1 of 2023:

- 98 individual institutions have been declared under the FOLR arrangements. Of these, 73 institutions are declared under the original FOLR arrangement, 39 are declared under expanded FOLR arrangements, 64 are declared under both FOLR arrangements.

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ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Inquiry into the operations of the National Redress Scheme.

Question reference number: IQ23-000049

Question asked by: Tony Zappia

Type of Question: Spoken. **Hansard Page:** 20

Date set by the Committee for the return of answer: 5 May 2023

Question:

Mr ZAPPIA: Looking at your submission to the committee you've got a number of statistics about staff. How many of the staff are employed in a capacity where they are directly assessing the applications that come in? How many are employed to deal with the various entities that have either been, can I say, signed on or are in the process of signing on?

Ms McGuirk: I don't have the breakdown of our workforce here with me. I'm happy to take that on notice and provide that information to you.

Answer:

As at 31 March 2023, there were 294 staff (including 51 Independent Decision Makers) that directly support progressing the applications submitted.

As at 31 March 2023, there were 31 staff who work with institutions, from the time they are named in an application through to day to day management once they are a participating institution.

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ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Inquiry into the operations of the National Redress Scheme.

Question reference number: IQ23-000051

Question asked by: David Shoebridge

Type of Question: Spoken. **Hansard Page:** 23

Date set by the Committee for the return of answer: 5 May 2023

Question:

Senator SHOEBRIDGE: I've got to say that we have some of the most senior people in the scheme here telling me that it's the vibe of the legislation that prevents this critical piece of information being made public. I find it deeply underwhelming.

Ms McGuirk: We're not indicating that at all. We're saying that it is a provision under our legislation and we will provide the exact section that indicates the protection of the assessment framework policy guidelines to you on notice. I said that I'm happy to provide that as quickly as possible outside whatever normal time frames we can. I'm happy to speed that information to the committee.

Answer:

At the 12 April 2023 hearing, Ms Justine Curnow advised the Committee that the Assessment Framework Policy Guidelines are protected by sections 91 and 104 of the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018*.

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ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Inquiry into the operations of the National Redress Scheme.

Question reference number: IQ23-000052

Question asked by: Catryna Bilyk

Type of Question: Spoken. **Hansard Page:** 26

Date set by the Committee for the return of answer: 5 May 2023

Question:

Mr Riley: There are 87 organisations in the process of joining the scheme.

CHAIR: Have the 31 not responded?

Mr Riley: No, we are in the process of making that first contact. We have contacted them, we've written to them, but they just haven't actively started.

CHAIR: How long since they've been contacted? What's the longest time between someone being contacted and not responding? Again, you can take it on notice.

Mr Riley: Yes, I'll take it on notice.

Answer:

While institutions named in applications are subject to timeframes to join the Scheme, that timeline does not include the time it takes to correctly identify the institution, which may take some time. In addition, applications progressed or withdrawn may pause or alter the timeframe; there are sometimes delays in securing key documents or decisions within the institution and on occasion within the Scheme. In the event of an institution being named for failing to join the Scheme, extensive due diligence must occur. To identify the longest time taken by an institution to respond to contact from the Scheme is a manual exercise and cannot be answered without an unreasonable diversion of resources.

On 13 April 2023, the Scheme was working with 87 institutions that have been named in applications to the Scheme, to support them to join the Scheme.

Of these, 56 institutions are on-boarding to the Scheme. The remaining 31 institutions are in the outreach phase, meaning they have been formally contacted by the Scheme and asked to join as they are named in one or more applications to the Scheme, but have not yet agreed to do so. In this situation, institutions have six months to complete all of the steps to join the Scheme.

Outreach includes phone and email communications between the Scheme's officers and the institution to inform them about the Scheme and to encourage them to join. If they fail to respond to the Scheme, a series of escalated communications are implemented from Scheme Executive. If they fail to complete the joining steps within six months, they are at risk of being publicly named and having financial consequences apply.