

Below please find my response to the questions on notice:

1. As stated on numerous occasions, although the National Redress Scheme was meant to be a trauma-informed process, it has in fact re-traumatised many applicants.

- a. Which parts of the Scheme are the biggest sources of trauma for applicants (i.e. – the application process itself, the delays in processing applications, the anonymity of the IDM, etc.)?

In terms of the biggest sources of trauma for applicants, revisiting the trauma of institutional child sexual abuse is traumatic in itself. This is because many survivors have consciously or unconsciously not dwelt on the details of their experiences. The application process is protracted and asks for a lot of highly personal details including Question 44 which drills into the core of people's trauma and asks for a lot of details. However it does not guide an applicant around what is and isn't required related to what constitutes CSA. It is open-ended without clear guidelines and definitions. The lack of transparency around the assessment matrix and what the criteria are for making decisions is also traumatising. This flies in the principles of transparency and empowerment. The delays in processing are one issue but so is a lack of visibility of what is going on behind the scenes when they are delays. Often the application goes into a big back hole with inconsistent information being provided on questioning and then it goes to the IDM. This again brings a lack of transparency as applicants do not know how the IDM is, how decisions are made and can often have a real sense of not being seen or understood which is core to issues around being believed.

- b. In a survivor focussed scheme such as this, should question 44 be altered, replaced by other questions, or removed altogether? Please elaborate on your answer.

A decision needs to be made about the purpose of question 44. How is the input within Q.44 being used and if the question is seeking a lot of information which isn't actually part of the processing for informing decisions, it needs to be removed. At the very least it needs to provide guidance for the information needed with some definitional guidance around what is under consideration and the parameters around decision-making. This way applicants can understand better what the NRS is looking for without providing a lot of unnecessary information which simply traumatised applicants. If a similar question is required it needs to be much more contained and boundaries in how it is couched.

2. One of the things you mentioned in your evidence was that rather than focus on the details of what happened to someone, the Scheme should focus on “how is someone’s life different to how it may have been had they not been abused”.
 - a. When assessing the impacts from sexual abuse, is it possible to separate the sexual abuse from all other elements of misfortune in the applicant’s life, all of which would ultimately contribute to how a life is different?

I am aware that this Scheme is focussed on sexual abuse but the reality is that sexual abuse is rarely the only violation people experience. People are not simple neat packages but bring a level of complexity from experiences which are often cumulative and compounding. The experience of sexual abuse is accompanied by betrayal, secrecy and an abuse of power with emotional manipulation part and parcel of the experience. The collective experience of sexual abuse has multiple potential impacts. This is the nature of sexual abuse. You cannot separate sexual abuse as a linear experience and the flow-on effects are all sexual abuse-related as the accompanying violations are part of what happens within the dynamics of sexual abuse.

- b. Your submission refers to wait times for critical feedback from Knowmore becoming longer. How much longer are wait times now compared to when Blue Knot started referring clients to Knowmore for Redress purposes?

It can take an estimated 6 – 8 weeks to gain an “advice appointment” with a lawyer – this is appointment where a Knowmore lawyer will go through a person’s application and give advice and on the strength of this application. The previous wait times for an advice appointment was between 1 – 2 weeks the change to the wait times coincided with the loss of funding for Knowmore and reduction of staff. Feedback from the counselling team has been that the experience and depth of knowledge provided in the advice appointment has changed and that advice given most recently is at odds (sometimes not correct) with advice given previously. This has led to counsellors having to seek a second opinion from other lawyers at Knowmore.

3. In terms of transparency around the request for information (RFI) process, there is concern from the applicant that the institution has access to the response to question 44 as well as the impact statement.

- a. Would not the response to Q44 and impact statement have been available to the institution regardless of whether an RFI was requested or not?

The Scheme have informed that this information is only available during the RFI and that they would not have access to this information otherwise.

- b. Are the applicant details visible to the institution or would this information usually be de-identified?

During the information gathering stage, Sections 1 (client identifying information) & 2 (Q44) of the application form are shared with the institutions. Clients have a choice on whether they want to share section 3 of the application form which is the impact statement. What we have found is that if a client wants to progress with the DPR the whole application is shared with the institution. Greater clarity might best be sought from the Scheme.

Please do not hesitate to contact me should you need any additional information

Kind regards

Cathy

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