



Senator Catryna Bilyk
Chair
Joint Standing Committee on the
Implementation of the National Redress Scheme
By email: redress@aph.gov.au

25 January 2023

Dear Senator Bilyk

We are pleased to make the attached submission from UCA Redress Limited on behalf of the Uniting Church in Australia.

The Uniting Church remains deeply committed to the National Redress Scheme. We were declared a participant in the Scheme almost four years ago, with all Uniting Church institutions participating through UCA Redress Ltd. The dedicated centralised resourcing of redress in the UCA has given us a unique perspective and insight into the operation of the Scheme. Overall, during that time we have seen increases in the consistency of decision making and application of the legislation. Within the teams we work with regularly in the Scheme, there seems to have been stabilisation of staffing which has meant there has been good responsiveness to issues we raise about the operation of the Scheme. We are very thankful for the way these teams go about their work.

In general, we remain concerned about the length of time taken to reach outcomes, coupled with what we understand is ongoing lack of communication with survivors during the process. We note that the recent Service Charter set down a timeframe of 12 months from application to outcome/offer, longer for more complex matters. Given that institutions have four weeks to respond to a request for information for priority matters, or eight weeks otherwise, there seems to be an extremely long processing time within the Scheme itself. Further, this timeframe has not been improving over the years of operation.

We also remain concerned at the low number of applicants making contact to commence a direct personal response (DPR). Of the 295 applicants who have accepted a DPR as part of their offer, less than 40 have made contact to proceed with the DPR. The commencement of the DPR team in the Scheme in recent months may assist, but this is not evident to date.

Following are our comments on some of the issues raised in the Committee's terms of reference and discussion paper.

We wish the Committee well in its deliberations and invite further contact and discussions.

Kind regards

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National Director



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1. Applications for redress from:
a. persons with disability

We do not receive information about whether applicants identify as having a disability. However, we note that we have had only a small number of applications relating to our disability services. As we have identified in previous submissions, this is in some part due to the fact that many children with disabilities were placed in the out of home care system in operation in the mid-late 1900s and are not identified. It is therefore difficult for us to offer any observations in relation to supports and barriers for people with disability.

b. Aboriginal and Torres Strait Islander people

We do not receive information about whether applicants identify as Aboriginal or Torres Strait Islander. However, sometimes we can infer this from other information in the application. This is the case for approximately 35% of UCA applications, with the percentage being much higher in Western Australia. From our observations, we note that there are often sibling groups who experienced sexual abuse, that accounts of abuse include racial cruelty, and many accounts of babies being born as a result of sexual abuse, with the babies taken from their mothers. We have processes in place to support DPRs for Aboriginal and Torres Strait Islander applicants.

4. Availability of legal advice for survivors and their advocates and, in addition:

c. Strategies to minimise instances of alleged claim farming or excessive fees.

We are observing an increasing interplay between the Scheme and civil claims. Of course, we acknowledge applicants' rights to explore all legal options but we are concerned that survivors of abuse may be experiencing further trauma and delay in the process.

6. Whether 'Part 4-3 – Protecting information under the scheme' in the *National Redress Scheme for Child Sexual Abuse Act 2018* (Cth) enables the Scheme to operate to its greatest potential.

We draw the Committee's attention to the recent case of *Jagoe v The Trustees of the Marist Brothers* [2022] VSC 563. We are keen to ensure that the privacy of applicants is observed and that institutions can participate in the Scheme in the spirit of openness.

