



The Hon Amanda Rishworth MP

Minister for Social Services

Ref: MB23-000975

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

Dear Senator

Catryna

Thank you for your letter dated 16 November 2023, requesting copies of certain documents related to the National Redress Scheme for Institutional Child Sexual Abuse (the Scheme).

I have enclosed with this letter the Redress Support Services (RSS) Review Report, which includes the RSS Maturity Framework, undertaken by the Nous Group. I respectfully request that this document remain confidential and not be made public or its contents shared more broadly. Due to the nature of the Report, I hold concerns about predatory private law firms using some of its themes to attract redress clients.

I am pleased to advise you that my department has implemented 12 of the 14 recommendation in the Report, and is working with third parties to implement the 2 remaining recommendations. Additionally, feedback from RSS to date on the Maturity Framework has been very positive and RSS are using it to work towards best practice in service provision and inform education and training for their staff.

In relation to your request for the Assessment Framework Policy Guidelines (the Guidelines), I am of the view that to provide the Guidelines would be contrary to the public interest and I am making a claim of public interest immunity over the Guidelines.

Provision of the Guidelines outside of the Scheme has the potential to risk the integrity of the Scheme and cause distress to survivors.

The Guidelines are protected by the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* in recognition of the sensitive information they contain. Should the Guidelines, or information contained in the Guidelines become public, this could cause significant distress to survivors given the necessarily graphic and triggering language used.

The Guidelines support decision making based on a lower evidentiary threshold compared with criminal and civil proceedings. If the Guidelines were provided, the checks and standards the Scheme uses to assess applications would be openly available, allowing disingenuous applicants to game the system and undermine the integrity of the Scheme. This would both result in a substantial additional demand on the Scheme, and strain the resources available to survivors in real need of that support.

The alternative would be to impose a significantly higher evidentiary threshold for applicants. This is something the Department is reluctant to do because it would create an unnecessary bureaucratic obstacle that would require survivors to revisit the details of their trauma, risk aggravating their distress, and delay their access to financial and practical support.

When an application for Redress is unsuccessful, the applicant receives a statement of reasons explaining why their application was not approved, so that there is still complete transparency around how and why those decisions are made.

Prior to releasing the Final Australian Government Response to the Second Year Review of the National Redress Scheme, all governments considered releasing the Guidelines in response to recommendation 3.13 of the Review. Ultimately, the Australian and state and territory governments agreed that the Guidelines support decision making based on a lower evidentiary threshold compared with criminal and civil proceedings and should not be provided publicly.

I hope the information contained in, and enclosed with this letter, assists the work of the Joint Standing Committee.

Yours sincerely

Amanda Rishworth MP

30/1/2023

Enc.