

Joint Standing Committee on Implementation of the National Redress Scheme

Public Hearing – 21 August 2024

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Inquiry into the operation of the National Redress Scheme

Question reference number: IQ24-000156

Question asked by: Catryna Bilyk

Type of Question: Spoken. **Hansard Page/s:** 7-10

Date set by the Committee for the return of answer: 4 September 2024

Question:

CHAIR: Before I hand off, I want to explore another area. In submission 9.17, the department responded to a question from the committee and indicated that the relevant content from the medical ethicist's report was provided to the Minister for Social Services during debate on redress legislation amendments. Was the full report provided to the minister?

Mr Harrigan: Not at that period of time. Earlier on it may have been. But the minister and the minister's office were certainly briefed on how we used the medical ethicist's report, and that is that the content of that report was used to update the policy that IDMs use in their assessment of abuse in a medical setting—to update the current policy, which was developed in 2022.

CHAIR: Who was the medical ethicist?

Mr Harrigan: It was a professor at Griffith University, I believe.

Senator SHOEBRIDGE: This all happened in 2022?

Mr Harrigan: Yes.

CHAIR: So it is independent of government?

Mr Harrigan: Yes.

CHAIR: Were any other independent medical ethicist committees or medical boards consulted in relation to virginity testing—that is, the Medical Board of Australia?

Mr Riley: The medical ethicist was Professor Eleanor Milligan of Griffith University. In relation to the consultation, perhaps I can come back to you.

CHAIR: Okay. I just have one more question on that: does the medical ethicist's report reflect the joint statement from the World Health Organization, the United Nations Human Rights Office—or the high commissioner—and UN Women that virginity testing is a violation of human rights, is unscientific and harmful, and constitutes a form of sexual violence?

Mr Harrigan: We'll check the report.

CHAIR: Can you read through that and get back to us.

Mr Harrigan: Yes.

[...]

Senator SHOEBRIDGE: Where the minister purported to have made changes, all of which we now find predated any of the evidence this committee has heard.

CHAIR: And she didn't receive the full report. Is that usual?

Mr Riley: We could check whether she received the full report.

CHAIR: If you could, take that on notice.

Mr Riley: The policy guidance is set by the department.

Senator SHOEBRIDGE: We've had a private briefing. I won't go into detail, obviously, about what we received in the private briefing, but I ask these questions, and my level of anxiety is also in the context of having had a private briefing. I think the chair asked to be provided with a copy of the medical ethicist's report and also the briefing papers from whatever briefing she was given—I don't know if the chair asked for that, but I would ask for that.

CHAIR: That's a good point.

Senator SHOEBRIDGE: Will you provide that?

Mr Griggs: We've undertaken to do another session with you with the medical ethicist's report.

CHAIR: Can we have the report in writing?

Senator SHOEBRIDGE: And the briefing papers.

CHAIR: And the briefing papers?

Mr Griggs: I'll take that on notice.

CHAIR: Okay. I still haven't got an answer, though, to the question about the World Health Organization, United Nations Office of the High Commissioner for Human Rights and UN Women—

Mr Riley: Those documents are not referenced in the bibliography at the end.

Senator SHOEBRIDGE: Has the medical ethicist adduced any academic history of dealing with issues of virginity testing and consent? I was just reviewing her published works. I didn't see any.

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

Answer:

Minister review of Medical Ethicist Report

Was the full report provided to the minister? And [the Minister] didn't receive the full report. Is that usual?

The medical ethicist report (the report) was not provided to the Minister. The Abuse in Medical Settings Advice is subordinate to the legislated definition of sexual abuse and is therefore internal operational guidance for Independent Decision Makers (IDMs).

The Department of Social Services (the department) provided an update to the Minister on all Second Anniversary Review recommendations in September 2022, ahead of the 7 October 2022 Ministers' Redress Scheme Governance Board meeting. The segment of that briefing relating to recommendation 3.3 is below. The Minister approved the paper containing this update on 20 September 2022.

3.3 T1	The Australian Government review the application of policy guidance regarding child sexual abuse in a medical setting, amend inconsistencies and provide greater clarity for independent decision makers in the exercise of their judgement.	Supported.	<ul style="list-style-type: none"> • Implementation of this recommendation is complete. Actions taken include: <ul style="list-style-type: none"> - DSS engaging a medical ethicist whose expertise has assisted with reviewing and informing guidance on this issue. - DSS consulting the revised policy guidance with states and territories and the chief IDM panel. - DSS making the updated policy advice available to IDMs in July 2022.
-----------	--	------------	---

In April 2023, the department briefed the Minister and attached the Government's Final Response to the Second Anniversary Review, which contained the following:

Recommendation 3.3

The Australian Government review the application of policy guidance regarding child sexual abuse in a medical setting, amend inconsistencies and provide greater clarity for independent decision makers in the exercise of their judgement.

The Australian Government supports this recommendation.

External expertise assisted in reviewing relevant guidance in relation to child sexual abuse in medical settings. Internal Scheme guidance material has been updated to provide further clarity and context for Independent Decision Makers to assist them in determining whether a clinical procedure could be considered sexual abuse within the scope of the Scheme.

Medical Ethicist Report

Who was the medical ethicist?

Professor Eleanor Milligan.

Were any other independent medical ethicist committees or medical boards consulted in relation to virginity testing—that is, the Medical Board of Australia?

At the time of preparing the report, the medical ethicist sat on the Medical Board of Australia as a Member from Queensland and as Chair of the Notifications Committee.

No other medical ethicist committees or medical boards were consulted.

Does the report refer to the World Health Organization, United Nations Office of the High Commissioner for Human Rights and UN Women?

The report does not reflect the joint statement from the United Nations Human Rights Office, Office of the High Commissioner, UN Women and the World Health Organization.

The purpose of the revised policy advice is to provide guidance to IDMs on abuse in all medical settings, and not specific procedures. This broader purpose was to give IDMs greater scope to consider case-by-case circumstances.

Can the Committee be provided with a copy of the medical ethicist's report?

The department will provide the Committee with the medical ethicist's report for inspection on a confidential basis.

Has the medical ethicist adduced any academic history of dealing with issues of virginity testing and consent?

The medical ethicist was engaged to review policy guidance regarding child sexual abuse in a medical setting, amend inconsistencies and provide greater clarity for independent decision makers in the exercise of their judgement. The scope of this work was broader than just virginity testing.

Upon reviewing the medical ethicist's response to the Approach to Market, the department considered the medical ethicist was appropriately qualified to provide guidance and advice on abuse in medical settings. Her appointments have included being a member of the Medical Board of Queensland, Director – Australian Medical Council, member of the Brisbane Metro South Hospital and Health Board, and Professor – Healthcare Ethics and Professional Practice, Griffith University School of Medicine.

Joint Standing Committee on Implementation of the National Redress Scheme

Public Hearing – 21 August 2024

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Inquiry into the operation of the National Redress Scheme

Question reference number: IQ24-000157

Question asked by: Dean Smith

Type of Question: Spoken. **Hansard Page/s:** 8-11

Date set by the Committee for the return of answer: 4 September 2024

Question:

Independent Decision Makers:

Senator DEAN SMITH: I won't be too long. How many IDMs have worked in the scheme to date—not how many IDMs currently work in the scheme, but how many have worked in the scheme to date?

Mr Griggs: I think we'd have to take that on notice.

Senator DEAN SMITH: Thank you very much. Have any IDMs been counselled, removed or dismissed?

Mr Griggs: Yes.

Senator DEAN SMITH: If you could let us know the number of those, that would be helpful...

[...]

Mr Zappia. How is the panel of five chief independent decision-makers, or IDMs, selected, and is the person who made the decision with respect to Jane one of those people?

Mr Griggs: I don't believe so.

Mr Harrigan: The panel of five IDMs are selected by the department issuing an expression of interest to the full complement of IDMs seeking their interest in one of the positions as the chief.

Answer:

- a) As at 21 August 2024 there have been a total of 84 IDMs working in the Scheme.
- b) As at 21 August 2024:
 - no IDMs have been reprimanded or terminated
 - one IDM has been counselled in relation to expectations of professional behaviour to align to the APS Values and Code of Conduct. It was not in relation to their decision-making ability. The IDM subsequently resigned from their role.
- c) A Chief IDM was responsible for making the review determination, which affirmed the original determination of a different IDM.

Joint Standing Committee on Implementation of the National Redress Scheme

Public Hearing – 21 August 2024

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Inquiry into the operation of the National Redress Scheme

Question reference number: IQ24-000158

Question asked by: Catryna Bilyk

Type of Question: Spoken. **Hansard Page/s:** 12

Date set by the Committee for the return of answer: 4 September 2024

Question:

Redress Scheme Data:

CHAIR: You'll probably have to take this on notice, but can you give us an update on numbers approved, numbers not approved—the general questions we usually ask around these things. If we could just get an update around those, that would be good.

Mr Griggs: We are still seeing a month-on-month increase in applications.

CHAIR: The bells are ringing and it looks like some of us need to go. I don't have to rush. Where are the increases? Can you give us a breakdown on where they're coming from by state?

Mr Griggs: Yes, we can.

Mr Riley: Yes.

CHAIR: I'm interested in the fact that there's still an increase—

Mr Riley: The largest number of claims are still coming from Queensland.

Answer:

Please refer to IQ24-000185.

Joint Standing Committee on Implementation of the National Redress Scheme

Public Hearing – 21 August 2024

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Inquiry into the operation of the National Redress Scheme

Question reference number: IQ24-000160

Question asked by: Catryna Bilyk

Type of Question: Spoken. **Hansard Page/s:** 4

Date set by the Committee for the return of answer: 4 September 2024

Question:

Senator SHOEBRIDGE: Does it include the fact that, after being led in the absolute opposite direction by other members of your team, she got a cold call while she was walking with her daughter in a horse paddock unprepared and unaware and without support.

Mr Griggs: It is part of the practice.

CHAIR: With regard to that, is cold calling still used to inform applicants that they're claim has been unsuccessful? Is that standard practice?

Mr Griggs: No.

CHAIR: When did that change?

Mr Griggs: The team can provide the details, but my understanding of what happens now is that there would be prior notification through a text message. I read your comments in the 2 August hearing, and I think there's more work to do on this. I think the conduct of calls generally is well structured and appropriate. What I'm concerned about is the setup for the call. I've asked the team to explore what more we can do in that sense because I'm not convinced that an SMS to set something up like this is appropriate.

Senator SHOEBRIDGE: You're pushing against an open door when you make that statement, Mr Griggs.

Mr Griggs: Yes.

Answer:

In relation to Outcome Determination Calls, a review of call procedures was undertaken in late 2021 as part of the Scheme's response to the Secondary Anniversary Review recommendations. Updated guidance material was provided to Scheme Officers in February 2022.

The current practice is as follows. In accordance with an individual's preferences, the Scheme will contact a nominee as the first point of contact or send a text message to an applicant prior to calling. Where neither of these are possible, the Scheme will advise the applicant of the purpose of the call and confirm they are in a safe space and have appropriate support available to speak with the Scheme. Alternatively, a call will be scheduled at a time convenient to the applicant. The Scheme will always provide choice to the applicant around how they communicate with the Scheme. As stated by the Secretary at the hearing, the Scheme will review the current practice to ensure that the call setup is appropriate and meets expectations for a trauma informed approach.

Joint Standing Committee on Implementation of the National Redress Scheme

Public Hearing – 21 August 2024

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Redress Ministers Board Communiques

Question reference number: IQ24-000161

Question asked by: Catryna Bilyk

Type of Question: Written. **Hansard Page/s:** N/A

Date set by the Committee for the return of answer: 4 September 2024

Question:

Documents for Reference:

- Redress Ministers Board Communique – December 2021
- Redress Ministers Board Communique – 25 July 2024

Questions 1 - 7 relate to the two Communiques referenced above.

In December 2021, Ministers agreed not to act as a Funder of Last Resort for small sporting clubs where a senior sporting body with the means to join the Scheme exists.

In July 2024, Ministers agreed to reconsider the decision regarding smaller sporting clubs and undertake further work to reconsider this decision later this year.

1. Can you please outline, for the Committee, what these two decisions refer to?
2. How many applications these community sporting organisations refer to?
3. How long have these applications been on hold?
4. What is the impact of the continuing delay?
5. What work has occurred since December 2021 on this issue?
6. Has the Minister engaged with any of these sporting bodies, and if so, what has the response been?
7. Could you provide the details of who the Minister and Department engaged with on this, as well as an outline of their responses.

Answer:

1. In December 2021, the Ministers' Redress Governance Board (the Board) agreed in-principle the expanded Funder of Last Resort (FOLR) provisions would not apply under Section 164 of the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (the Act) to defunct sporting organisations or those unable to meet the legislative requirements of the Scheme if a senior related sporting body with the means to join exists. The Board agreed exceptions to this approach would be considered on a case-by-case basis.

At the July 2024 Board meeting, Ministers discussed the work undertaken by the Minister for Social Services, the Hon Amanda Rishworth MP, and the Redress Scheme (the Scheme) to encourage major and national sporting bodies to represent community-based clubs that are defunct and unable to meet the legislative requirements of the Scheme.

The Department of Social Services (the department) provided an update on the engagement activities with the major and national sporting bodies and advised it had used all available options to encourage these sporting bodies to participate in the Scheme as representatives for their community-based sports clubs. This engagement has not yet resulted in larger sporting bodies agreeing to represent defunct or financially unable to join institutions.

Members of the Board discussed the potential financial impact on the Commonwealth and states and territories of FOLR. Minister Rishworth advised that the number of applications received to date citing abuse that had occurred in sporting institutions remains low.

The Board requested that further analysis of the potential financial impact be undertaken by the Scheme, with input from states and territories, with a position to be agreed at the next Board meeting, expected to be in December 2024.

2. As at 9 August 2024, the Scheme has received 93 applications naming sporting institutions that are not able to progress, as the community sporting institution is either defunct or unable to financially join the Scheme.

3. Of the 93 applications, 27 applications were received and placed on hold in 2018 with the remainder received since then.

4. If the institution named by the applicant is not participating in the Scheme, an independent decision maker is unable to determine an applicant's claim for redress. Applicants may choose to place their application on hold as a result.

Some applicants have chosen to finalise their application without the sporting institution participating where they have a claim against another participating institution.

5. Through dedicated Senior Sports Relationship Managers, the Scheme regularly engages with major, state and national sporting bodies. Strong relationships have been developed with Chief Executive Officers and Integrity Officers in these organisations. These relationships have resulted in most sporting hierarchy bodies providing advice and support to clubs that are defunct or unable to financially join the Scheme rather than taking on a representative role.

The Scheme also:

- conducts targeted presentations to National Sporting Organisations in partnership with the department's state counterparts to encourage their participation
- regularly meets with Sports Integrity Australia and participates in Sports Integrity Network meetings and forums
- holds bi-monthly meetings with the Australian Sports Commission to share information and strategies to bring sporting institutions and senior sporting bodies into the Scheme
- met with the Office for Sport.

The Scheme Operator, Secretary Ray Griggs AO CSC, has met with Chief Executive Officer of the Australian Sports Commission, Mr Kieren Perkins, and the department's Branch Manager, External Engagement, has addressed the Australian Sports Commission Board.

6. In August 2023, Minister Rishworth wrote to the Minister for Aged Care and Sport, the Hon Anika Wells MP, to seek support.

In December 2023, Minister Rishworth wrote to 9 major national sporting bodies – Australian Football League, Basketball Australia, Cricket Australia, Football Australia, Golf Australia, Netball Australia, the Australian Rugby League Commission, Rugby AU, and Tennis Australia - asking them to represent defunct clubs, or those financially unable to participate in the Scheme within their sport. Most have replied, stating their support for the Scheme but advising they do not wish to represent clubs in their sport that are not able to join.

7. In August 2023, Minister Rishworth wrote to the Minister for Aged Care and Sport, the Hon Anika Wells MP, to seek support. A joint media release was issued noting a number of new sporting institutions had recently joined the Scheme and encouraging others to participate.

In addition to above, refer to the response to questions 5 and 6.

Joint Standing Committee on Implementation of the National Redress Scheme

Public Hearing – 21 August 2024

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Update to response IQ23-000047

Question reference number: IQ24-000164

Question asked by: Catryna Bilyk

Type of Question: Written. **Hansard Page/s:** N/A

Date set by the Committee for the return of answer: 4 September 2024

Question:

2. Update to response IQ23-000047: redress outcomes pursuant to funder of last resort declarations (number/\$paid/average processing time).

Answer:

Update to IQ23-000047:

As at 9 August 2024, there have been 33 declarations made under the Funders of Last Resort (FOLR) provisions with 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	7
2024	2

As at FOLR Declaration 2 of 2024 and FOLR Partly Participating Declaration 4 of 2024, 133 individual institutions have been declared under the FOLR arrangements.

- Of these, 91 institutions are declared under the original FOLR arrangements, 112 are declared under expanded FOLR arrangements, including 4 partly participating institutions, and 70 are declared under both FOLR arrangements.

Since the Scheme commenced, 639 redress outcomes have been provided to applicants under the FOLR arrangements.

Redress outcomes pursuant to FOLR declarations payments:

	FY18–19* (\$m)	FY19–20* (\$m)	FY20–21 (\$m)	FY21–22 (\$m)	FY22–23 (\$m)	FY23–24 (\$m)	FY24–25 (\$m) (to date)
Redress payments where FOLR provisions applied	1.3		6.1	12.2	18.2	18.4	0.1

Redress average processing times for FOLR per financial year:

Average processing time (months)	FY18–19 FY19–20*	FY20–21	FY21–22	FY22–23	FY23–24	FY24–25 (to date)
Funder of Last Resort (FOLR)	16.6	14.2	19.5	17.6	17.8	29.9

* The Scheme's reporting functionality was not completely developed in the first year of operation. Therefore, the data for the first 2 financial years has been combined.

Joint Standing Committee on Implementation of the National Redress Scheme

Public Hearing – 21 August 2024

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Update to response IQ23-000127

Question reference number: IQ24-000165

Question asked by: Catryna Bilyk

Type of Question: Written. **Hansard Page/s:**

Date set by the Committee for the return of answer: 4 September 2024

Question:

3. Update to response IQ23-000127: Since the Scheme commenced, in each financial year, what has been the level of expenditure on:

- a. redress payments;
- b. redress payments where funder of last resort provisions have applied;
- c. counselling and psychological care payments;
- d. costs associated with Scheme administration;
- e. costs associated with funding Redress Support Services; and
- f. other costs (please specify)?

In addition:

- g. Total (\$) in redress payments paid since the Scheme commenced.

Answer:

As at 9 August 2024, the level of expenditure by the Department of Social Services since the Scheme commenced is:

	FY18–19 (\$m)	FY19–20 (\$m)	FY20–21 (\$m)	FY21–22 (\$m)	FY22–23 (\$m)	FY23–24 (\$m)	FY24–25 (\$m) (to date)
Redress payments *	225.3		285.4	246.0	318.5	333.0	31.7
Redress payments where FOLR provisions applied *	1.3		6.1	12.2	18.2	18.4	0.1
CPC payments	2.6		4.3	3.5	3.6	2.7	0.4
Cost of Scheme administration **	9.5	38.8	47.2	65.9	70.7	73.2	11.9
Redress Support Services	10.9	22.0	24.0	23.2	24.9	27.7	12.5

* The Scheme’s reporting functionality was not completely developed in the first year of operation. Therefore, the data for the first 2 financial years has been combined.

** Scheme administration costs reflect the direct costs incurred in managing the Scheme. A range of other costs are absorbed by the department (e.g. legal support, property, human resource management, communications) and are not recorded at the program level.

	FY18–19 (\$m)	FY19–20 (\$m)	FY20–21 (\$m)	FY21–22 (\$m)	FY22–23 (\$m)	FY23–24 (\$m)	FY24–25 (\$m) (to date)
Other costs – targeted communications	-	-	-	0.4	1.3	0.7	-

g. As at 9 August 2024, the total redress payments since the Scheme commenced is \$1.55 billion.

Joint Standing Committee on Implementation of the National Redress Scheme

Public Hearing – 21 August 2024

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Update to response IQ23-000128

Question reference number: IQ24-000166

Question asked by: Catryna Bilyk

Type of Question: Written. **Hansard Page/s:** N/A

Date set by the Committee for the return of answer: 4 September 2024

Question:

4. Update to response IQ23-000128: Since the Scheme commenced, in each financial year:
- What amounts have been paid to the Commonwealth from participating institutions?
 - What amounts do institutions currently owe to the Commonwealth?

Answer:

- a. Since the Scheme commenced, the following amounts have been paid to the Commonwealth from participating institutions:

2018–19 (\$m) *	2019–20 (\$m)	2020–21 (\$m)	2021–22 (\$m)	2022–23 (\$m)	2023–24 (\$m)	2024–25 (\$m) **
2.1	121.4	343.8	251.3	323.2	353.0	2.9

* The figure report for the 2018–19 financial year has been updated from the previously reported \$1.67 million. In confirming our methodology for identifying payments received from institutions, we identified one payment received in April 2019 that had been omitted. This has now been corrected.

** 2024–25 amounts reflect amounts received as at 28 August 2024.

- b. As at 28 August 2024, the amount currently owed to the Commonwealth is \$97.8 million. This includes \$80.5 million relating to invoices issued in August 2024 for which payment is not yet due.

Joint Standing Committee on Implementation of the National Redress Scheme

Public Hearing – 21 August 2024

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Update to response IQ23-000129

Question reference number: IQ24-000167

Question asked by: Catryna Bilyk

Type of Question: Written. **Hansard Page/s:** N/A

Date set by the Committee for the return of answer: 4 September 2024

Question:

5. Update to response IQ23-000129: Since the Scheme commenced, on average, during each financial year period:

- How many full-time equivalent staff were assigned to administering the National Redress Scheme?
- What proportion of those staff fulfilled the role of independent decision makers?
- What proportion of staff were contractors?
- What was the rate of staff turnover?

Answer:

Financial year*	a. FTE**	b. IDMs***	c. Contractors****	d. Staff turnover*****
2020–2021	321.49	45	44.67%	N/A
2021–2022	368.83	45	24.75%	38.29%
2022–2023	431.33	51	33.81%	31.36%
2023–2024	455.40	52	18.80%	29.00%

* *Machinery of Government changes in February 2020 resulted in Service Delivery functions transferring from Services Australia to the Department of Social Services (DSS). DSS is unable to provide data for the 2018–2019 and 2019–2020 financial years.*

** *FTE figures include all Australian Public Servants (APS) and contractors. This figure excludes IDMs as they are not staff.*

*** *IDM figures are presented as actual numbers and as an average for the financial year, as IDMs are not appointed full time.*

**** *Contractor figures exclude IDMs.*

***** *Figures include APS and contractors. There was limited exit tracking prior to 2021-2022 so some staff turnover figures cannot be provided. Data has been manually assembled so figures are approximate.*

Joint Standing Committee on Implementation of the National Redress Scheme

Public Hearing – 21 August 2024

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Update to response IQ23-000130

Question reference number: IQ24-000168

Question asked by: Catryna Bilyk

Type of Question: Written. **Hansard Page/s:** N/A

Date set by the Committee for the return of answer: 4 September 2024

Question:

6. Update to response IQ23-000130: Since the Scheme commenced, in each financial year period, how many applications have been determined to be:

- a. Eligible;
- b. ineligible;
- c. Eligible (funder of last resort)
- d. Eligible (deceased)
- e. Eligible (serious criminal conviction)
- f. The most common to least common reasons for ineligibility

Answer:

Since the Scheme commenced:

Number of applications	FY18–19 FY19–20*	FY20–21	FY21–22	FY22–23	FY23–24	FY24–25 (to date)
Eligible	3,377	3,131	3,121	3,496	3,946	475
Ineligible	99	86	83	175	1,270	119
Eligible (FOLR)	15	74	161	211	180	10
Eligible (Deceased)	57	54	35	43	41	5
Eligible (SCC)	50	73	84	155	132	15

* The Scheme's reporting functionality was not completely developed in the first year of operation. Therefore, the data for the first 2 financial years have been combined. Data from each year can change if applicants depending on what steps the applicant chooses to take.

Reason for ineligibility	Number of applications**
No participating institution(s) is/are responsible	1,122
Other***	458
The applicant was not sexually abused	272
Abuse did not occur when they were a child (under 18 years)	92
Abuse did not occur in a participating institution	66
All instances of abuse were 'exposure' abuse and were perpetrated by a child	8
Abuse did not occur before 1 July 2018	<5****

**Applications may have multiple reasons for ineligibility and may be counted multiple times in the above table.

***The other reason is generally selected when the IDM is unable to establish the reasonable likelihood of the abuse occurring as described or the abuse being in the scope of the Scheme.

****Figures that are less than 5 have been replaced to minimise risk to the privacy of applicants.

Data might vary slightly from what was previously provided as it is being extracted from a live system where updates/changes can occur.

Data as at 9 August 2024.

Joint Standing Committee on Implementation of the National Redress Scheme

Public Hearing – 21 August 2024

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Update to response IQ23-000131

Question reference number: IQ24-000169

Question asked by: Catryna Bilyk

Type of Question: Written. **Hansard Page/s:** N/A

Date set by the Committee for the return of answer: 4 September 2024

Question:

7. Update to response IQ23-000131: Since the Scheme commenced, in each financial year:
- a. How many (number/percentage) of redress payments were reduced due to a prior payment?
 - b. What was the average amount of these reductions?
 - c. Could these figures specify numbers, percentages and amounts according to First Nations and people with disability?
 - d. On how many occasions has the monetary component of a survivor’s redress outcome been calculated at or near zero?

Answer:

Since the Scheme commenced:

	FY18–19 FY19–20*	FY20–21	FY21–22	FY22–23	FY23–24	FY24–25 (to date)
Whole of Scheme:						
Number of payments reduced by prior payment	1113	1259	741	619	415	19
Percentage of payments reduced by prior payment	40%	39%	27%	18%	11%	5%
Average reduction in payments**	\$36,574	\$35,333	\$33,450	\$31,460	\$33,557	\$52,057
Number of payments reduced to nil by prior payments	19	18	14	16	17	<5**
First Nations:						
Number of payments reduced by prior payment	324	624	411	366	245	9
Percentage of payments reduced by prior payment	54%	55%	38%	25%	18%	10%
Average reduction in payments**	\$30,916	\$30,664	\$26,358	\$25,519	\$27,510	\$53,472

	FY18–19 FY19–20*	FY20–21	FY21–22	FY22–23	FY23–24	FY24–25 (to date)
Number of payments reduced to nil by prior payments	<5	<5	<5	<5	6	0
Disability:						
Number of payments reduced by prior payment	610	699	415	361	203	10
Percentage of payments reduced by prior payment	47%	43%	32%	23%	16%	11%
Average reduction in payments**	\$37,984	\$36,309	\$34,238	\$33,060	\$34,214	\$55,195
Number of payments reduced to nil by prior payments	10	15	8	11	5	<5

Further data as requested in IQ24-000195:

	FY18–19 FY19–20*	FY20–21	FY21–22	FY22–23	FY23–24	FY24–25 (to date)
Child migrant:						
Number of payments reduced by prior payment	26	22	23	18	7	0
Percentage of payments reduced by prior payment	62%	65%	64%	53%	47%	0%
Average reduction in payments**	\$27,989	\$45,780	\$52,610	\$43,830	\$47,118	\$0
Number of payments reduced to nil by prior payments	0	0	0	<5***	<5	0
Applying from gaol						
Number of payments reduced by prior payment	0	<5	<5	6	<5	<5
Percentage of payments reduced by prior payment	0%	20%	40%	26%	5%	17%
Average reduction in payments**	\$0	\$3,194	\$30,638	\$29,191	\$13,450	\$15,990
Number of payments reduced to nil by prior payments	0	0	0	0	0	0
Care leaver:						
Number of payments reduced by prior payment	850	1028	599	492	321	12

	FY18–19 FY19–20*	FY20–21	FY21–22	FY22–23	FY23–24	FY24–25 (to date)
Percentage of payments reduced by prior payment	52%	50%	37%	26%	20%	11%
Average reduction in payments**	\$35,894	\$34,641	\$32,210	\$30,459	\$31,166	\$58,123
Number of payments reduced to nil by prior payments	8	6	<5	8	10	0

* The Scheme’s reporting functionality was not completely developed in the first year of operation. Therefore, the data for the first 2 financial years have been combined.

** This is calculated by taking an average of the actual reduction in eligible payments due to prior payments already made to the applicant. This is a variation from the methodology which was used in the previous submission (IQ23-000131) where the average was calculated by averaging the total prior payments that may have reduced the final payment amount, but not the actual reduction in eligible payments.

***Figures that are less than 5 have been replaced to minimise risk to the privacy of applicants.

Applicants may appear multiple times under each of the cohorts. For example, a First Nations applicant may have a disability and may be a care leaver. Therefore, they will be counted in the data for each of these cohorts in the table above.

Data might vary slightly from what was previously provided as it is being extracted from a live system where updates/changes can occur.

Data as at 9 August 2024.

Joint Standing Committee on Implementation of the National Redress Scheme

Public Hearing – 21 August 2024

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Update to response IQ23-000132

Question reference number: IQ24-000170

Question asked by: Catryna Bilyk

Type of Question: Written. **Hansard Page/s:** N/A

Date set by the Committee for the return of answer: 4 September 2024

Question:

8. Update to response IQ23-000132: Since the Scheme commenced, in each financial year, in relation to counselling and psychological care payments:

- a. What has been the average amount paid?
- b. How many survivors have received the maximum amount possible (\$5,000)?
- c. What are the averages and amounts for First Nations survivors?
- d. What are the averages and amounts for survivors living with disability?

Answer:

Since the Scheme commenced, the value of counselling and psychological care (CPC) payments and referrals are detailed below:

	FY18–19 FY19–20*	FY20–21	FY21–22	FY22–23	FY23–24	FY24–25 (to date)
Whole of Scheme:						
Average CPC amount	\$4,439	\$4,494	\$4,473	\$4,493	\$4,530	\$4,632
Number of applicants receiving maximum CPC amount	1,403	1,936	1,766	2,227	2,277	230
First Nations:						
Average CPC amount	\$4,608	\$4,652	\$4,560	\$4,590	\$4,620	\$4,576
Number of applicants receiving maximum CPC amount	340	766	762	979	833	50
Disability:						
Average CPC amount	\$4,553	\$4,611	\$4,606	\$4,615	\$4,587	\$4,679
Number of applicants receiving maximum CPC amount	696	1,018	911	1,076	827	62

Further data as requested in IQ24-000195:

	FY18–19 FY19–20*	FY20–21	FY21–22	FY22–23	FY23–24	FY24–25 (to date)
Child migrant:						
Average CPC amount	\$3,889	\$4,375	\$4,427	\$4,271	\$4,063	\$3,750
Number of applicants receiving maximum CPC amount	10	14	19	17	5	<5**
Applying from gaol:						
Average CPC amount	\$0	\$4,375	\$4,722	\$5,000	\$4,853	\$5,000
Number of applicants receiving maximum CPC amount	0	<5	8	21	32	<5
Care leaver:						
Average CPC amount	\$4,656	\$4,668	\$4,628	\$4,641	\$4,627	\$4,719
Number of applicants receiving maximum CPC amount	892	1315	1150	1289	1025	72

*The Scheme’s reporting functionality was not completely developed in the first year of operation. Therefore, the data for the first 2 financial years have been combined.

**Figures that are less than 5 have been replaced to minimise risk to the privacy of applicants.

Applicants may appear multiple times under each of the cohorts. For example, a First Nations applicant may have a disability and may be a care leaver. Therefore, they will be counted in the data for each of these cohorts in the table above.

Data might vary slightly from what was previously provided as it is being extracted from a live system where updates/changes can occur. Additionally smaller or larger payments can reduce or increase the average over the years due to retrospective payments.

Data as at 9 August 2024.

Joint Standing Committee on Implementation of the National Redress Scheme

Public Hearing – 21 August 2024

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Update to response IQ23-000133

Question reference number: IQ24-000171

Question asked by: Catryna Bilyk

Type of Question: Written. **Hansard Page/s:** N/A

Date set by the Committee for the return of answer: 4 September 2024

Question:

9. Update to response IQ23-000133: Since the Scheme commenced, in each financial year, how many redress applicants (number/percentage) have received:

- a. Counselling and psychological care payments?
- b. A direct personal response?
- c. What numbers and percentages were First Nations survivors?
- d. What numbers and percentages were survivors living with disability?

In addition:

- e. How many DPRs have been (i) undertaken (ii) received?

Answer:

Since the Scheme commenced, the numbers and percentages of redress applicants who have accepted counselling and psychological care (CPC) payments and referrals, and/or a direct personal response (DPR) are detailed below:

(a) – (d):

	FY18–19 FY19–20*	FY20–21	FY21–22	FY22–23	FY23–24	FY24–25 (to date)
Whole of Scheme:						
Number of CPC accepted	1,816	2,437	2,217	2,775	2,791	268
Percentage of CPC accepted	66%	75%	81%	81%	76%	75%
Number of DPR accepted**	1,446	1,969	1,793	2,171	2,145	188
Percentage of DPR accepted**	52%	60%	66%	63%	58%	53%
First Nations:						
Number of CPC accepted	403	900	918	1,164	978	59
Percentage of CPC accepted	68%	80%	84%	80%	73%	68%
Number of DPR accepted**	327	690	695	943	793	49
Percentage of DPR accepted**	55%	61%	64%	65%	59%	56%

	FY18–19 FY19–20*	FY20–21	FY21–22	FY22–23	FY23–24	FY24–25 (to date)
Disability:						
Number of CPC accepted	853	1,213	1,073	1,265	986	70
Percentage of CPC accepted	66%	75%	83%	82%	79%	78%
Number of DPR accepted**	705	1,020	890	1,019	817	58
Percentage of DPR accepted**	54%	63%	69%	66%	65%	64%

Further data as requested in IQ24-000195:

	FY18–19 FY19–20*	FY20–21	FY21–22	FY22–23	FY23–24	FY24–25 (to date)
Child Migrant:						
Number of CPC accepted	21	20	25	24	8	<5***
Percentage of CPC accepted	50%	59%	69%	71%	53%	100%
Number of DPR accepted**	14	11	13	11	6	<5
Percentage of DPR accepted**	33%	32%	36%	32%	40%	50%
Applying for Gaol:						
Number of CPC accepted	0	<5	9	21	34	<5
Percentage of CPC accepted	0%	80%	90%	91%	83%	67%
Number of DPR accepted**	0	<5	8	18	29	<5
Percentage of DPR accepted**	0%	80%	80%	78%	71%	33%
Care Leaver:						
Number of CPC accepted	1,038	1,528	1,341	1,495	1,200	80
Percentage of CPC accepted	64%	75%	83%	80%	76%	71%
Number of DPR accepted**	850	1,210	1,081	1,214	1,004	69
Percentage of DPR accepted**	52%	59%	67%	65%	63%	61%

(e) As at 9 August 2024, 1,152 DPRs have been completed and received by 820 applicants, noting some applicants have received multiple DPRs from multiple institutions.

*The Scheme's reporting functionality was not completely developed in the first year of operation. Therefore, the data for the first 2 financial years have been combined.

**These are numbers and percentages of applicants who have indicated they would like to participate in DPR. This does not indicate the number of applicants who have undertaken or received DPR. Applicants may have more than one DPR.

***Figures that are less than 5 have been replaced to minimise risk to the privacy of applicants.

Applicants may appear multiple times under each of the cohorts. For example, a First Nations applicant may have a disability and may be a care leaver. Therefore, they will be counted in the data for each of these cohorts in the table above.

Data might vary slightly from what was previously provided as it is being extracted from a live system where updates/changes can occur.

Data as at 9 August 2024.

Joint Standing Committee on Implementation of the National Redress Scheme

Public Hearing – 21 August 2024

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Update to response IQ23-000135

Question reference number: IQ24-000173

Question asked by: Catryna Bilyk

Type of Question: Written. **Hansard Page/s:** N/A

Date set by the Committee for the return of answer: 4 September 2024

Question:

11. Update to response IQ23-000135: Could the Department provide comparative timeline showing the numbers applications received since the Scheme's commencement and the number of institutions opting into the Scheme?

Answer:

As at 9 August 2024, the number of applications received and the number of institutions declared into the Scheme since its commencement are:

	FY 18–19 FY 19–20*	FY 20–21	FY 21–22	FY 22–23	FY 23–24	FY 24–25 (to date)	Total
Number of applications received	7,284	3,749	5,979	10,708	16,324	2,236	46,280
Number of institutions declared into the Scheme	258	287	135	162	58	0	900**

* The Scheme's reporting functionality was not completely developed in the first year of operation. Therefore, the data for the first 2 financial years has been combined.

**To date the current number of institutions participating in the Scheme is lower than the total number of institutions declared into the Scheme as some institutions have been revoked or have merged into participating groups. Historical applications data may vary slightly from what was previously provided as it excludes any duplicate applications.

Joint Standing Committee on Implementation of the National Redress Scheme

Public Hearing – 21 August 2024

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Update to response IQ23-000138

Question reference number: IQ24-000175

Question asked by: Catryna Bilyk

Type of Question: Written. **Hansard Page/s:** N/A

Date set by the Committee for the return of answer: 4 September 2024

Question:

13. Update to response IQ23-000138: Since the Scheme commenced, in each financial year, what has been the average processing time for:

- a. All applications?
- b. Applications accorded priority status?
- c. Applications where the applicant identifies as a First Nations person?
- d. Applications where the applicant identifies as a person living with disability?
- e. Applications where government has agreed to be funder of last resort?

In addition:

- f. The average number of redress applications received each month?
- g. The average number of redress outcomes determined (determinations) each month?
- h. The average number of redress payments made each month?

Answer:

a. – e. Since the Scheme commenced, the average processing time for an application (that is from when an application is lodged, to when an applicant is notified of an outcome), is detailed below (noting that the financial year is determined based on the date the outcome is advised). These timeframes include periods where the Scheme is waiting on responses from applicants and institutions:

Average processing time (months)	FY18–19 FY19–20*	FY20–21	FY21–22	FY22–23	FY23–24	FY24–25 (to date)
All applications	12.3	11.1	12.1	11.8	14.9	17.6
Priority status	11.5	10.4	11.4	10.2	13.5	16.5
First Nations**	11.5	10.4	11.1	11.3	15.0	18.7
Disability**	11.8	11.1	11.9	11.9	15.3	18.1
Funder of Last Resort (FOLR)***	16.6	14.2	19.5	17.6	17.8	29.9

f. – h. Since the Scheme commenced:

	FY18–19 FY19–20*	FY20–21	FY21–22	FY22–23	FY23–24	FY24–25 (to date)
Average applications per month	607	312	498	892	1360	1777
Average outcomes per month	287	269	262	304	407	463
Average payments per month	229	271	226	285	305	283

* The Scheme's reporting functionality was not completely developed in the first year of operation. Therefore, the data for the first 2 financial years have been combined.

** The Scheme has received applications from First Nations people who are living with a disability. Therefore, these applications will appear under both criteria (double counted).

*** There are a number of complexities with FOLR arrangements that may cause delayed processing timeframes.

Data might vary slightly from what was previously provided as it is being extracted from a live system where updates/changes can occur. When using average times, the retrospective changes of data can cause the average to vary.

Data as at 9 August 2024.

Joint Standing Committee on Implementation of the National Redress Scheme

Public Hearing – 21 August 2024

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Update to response IQ23-000139

Question reference number: IQ24-000176

Question asked by: Catryna Bilyk

Type of Question: Written. **Hansard Page/s:** N/A

Date set by the Committee for the return of answer: 4 September 2024

Question:

14. Update to response IQ23-000139: Since the Scheme commenced, in each financial year:

- a. How many applications have been accorded priority status?
- b. What have been the grounds for granting priority status?
- c. How many applicants who are First Nations or a person living with disability have been granted priority status?

Answer:

a. Since the Scheme commenced, the number of applications that have been given priority status are detailed below:

Number of applications given priority status**	FY18–19 FY19–20*	FY20–21	FY21–22	FY22–23	FY23–24	FY24–25 (to date)
Whole of Scheme	1,818	900	994	1,159	1,121	110

b. The Scheme grants priority status based on a consideration of factors including terminal illness or advanced age including First Nations aged 55 or over.

c. Since the Scheme commenced the number of applications granted priority status is below:

Number of applications given priority status**	FY18–19 FY19–20*	FY20–21	FY21–22	FY22–23	FY23–24	FY24–25 (to date)
First Nations	1,020	653	801	978	866	83
Disability	930	481	576	623	573	55
Child Migrant	100	18	16	8	22	3
Application from Gaol	5	0	6	12	20	8
Care Leaver	1298	670	647	698	566	22

* The Scheme’s reporting functionality was not completely developed in the first year of operation. Therefore, the data for the first 2 financial years have been combined.

** Applicants may appear multiple times under each of the cohorts. For example, a First Nations applicant may have a disability and may be a care leaver. Therefore, they will be counted in the data for each of these cohorts in the table above.

Data might vary slightly from what was previously provided as priority status can change based on the individual circumstances of an applicant.

Data as at 9 August 2024.

Joint Standing Committee on Implementation of the National Redress Scheme

Public Hearing – 21 August 2024

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Update to response IQ23-000141

Question reference number: IQ24-000177

Question asked by: Catryna Bilyk

Type of Question: Written. **Hansard Page/s:** N/A

Date set by the Committee for the return of answer: 4 September 2024

Question:

15. Update to response IQ23-000141: Since the Scheme commenced:

- a. In each financial year, how many redress offers have been:
 - i. accepted; and
 - ii. declined?
- b. How many offers remain open?
- c. How many offers have expired or lapsed?

Answer:

a. Since the Scheme commenced:

Number of applications	FY18–19 FY19–20*	FY20–21	FY21–22	FY22–23	FY23–24	FY24–25 (to date)
Accepted redress offer	2,872	3,215	2,841	3,360	3,651	275
Declined redress offer	10	19	25	199	71	11

*The Scheme's reporting functionality was not completely developed in the first year of operation. Therefore, the data for the first 2 financial years have been combined.

b. There are 723 eligible offers that currently remain open.

c. There are 300 offers that are considered declined due to expiry where the applicant did not respond back to the Scheme. The *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* specifies that a person is taken to have declined an offer of redress if the person does not accept the offer before the end of the acceptance period (section 45, subsection 2). These 300 declined offers are included in the declined figures in the table above.

Data might vary slightly from what was previously provided as it is being extracted from a live system where updates/changes can occur.

Data as at 9 August 2024.

Joint Standing Committee on Implementation of the National Redress Scheme

Public Hearing – 21 August 2024

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Update to response IQ23-000144

Question reference number: IQ24-000178

Question asked by: Catryna Bilyk

Type of Question: Written. **Hansard Page/s:** N/A

Date set by the Committee for the return of answer: 4 September 2024

Question:

16. Update to response IQ23-000144: Since the Scheme commenced, what is the average redress payment made to:

- a. Survivors supported by a redress support service?
- b. Survivors supported by knowmore?
- c. Survivors supported by another lawyer?
- d. Survivors who had no identifiable support?
- e. First Nations survivors?
- f. Survivors living with disability?

In addition:

g. The number/percentage of survivors who utilised/did not utilise assistance to complete their application.

Answer:

Since the Scheme commenced (a. – f.):

Survivors	Average payment
Supported by a redress support service	\$91,114
Supported by knowmore legal services	\$97,018
Supported by other legal support	\$87,302
Not supported	\$86,013
First Nations	\$93,752
Disability	\$93,325
Child migrants	\$75,628
Applying from gaol	\$98,838
Care leaver	\$94,399

Applicants may appear multiple times under each of the cohorts. For example, a First Nations applicant may have a disability and may be a care leaver. Therefore, they will be counted in the data for each of these cohorts in the table above.

g. Since the Scheme commenced:

- 15,210 applicants (33%) have indicated that they have utilised assistance to complete their application.
- 31,070 applicants (67%) have not indicated that they have utilised assistance to complete their application.

Data as at 9 August 2024.

Joint Standing Committee on Implementation of the National Redress Scheme

Public Hearing – 21 August 2024

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Update to response IQ23-000148

Question reference number: IQ24-000180

Question asked by: Catryna Bilyk

Type of Question: Written. **Hansard Page/s:** N/A

Date set by the Committee for the return of answer: 4 September 2024

Question:

18. Update to response IQ23-000148: What percentage of redress applications are currently (or likely to be) overseen by a nominee appointed by the Operator?

Answer:

As at 9 August 2024, 16% of applications on hand have an active nominee arrangement.