

Redress Schemes in Australia and Selected Overseas Countries

The Senate 'Forgotten Australians' Report (2004, R 6) recommended that a national reparations fund be established but the Australian Government (2005) replied that reparation was a responsibility of the States, churches and voluntary agencies which ran children's homes an urged them to do the right thing. The Report found that systemic and individual abuse and neglect occurred because of improper treatment methods; failure of managerial, organisational and inspection systems to exercise proper accountability; and failure to appoint trained and suitable staff to care for vulnerable children. The table below updates the situation as we understand it in various parts of Australia and some other countries. CLAN would like to hear from members who have been part of these redress schemes to get a better appreciation of the processes used. (Notes compiled by Frank Golding, February 2009)

Responsibility - Recent Inquiry Reports	Eligibility	Per Person	Total Funds	Notes
Queensland Government - 1999 <i>Commission of Inquiry into Abuse of Children in Queensland Institutions</i> , (Forde Report); 2004 Crime & Misconduct Commission, Queensland, <i>Protecting Children: An inquiry into abuse of children in foster care</i> .	All abused residents in institutional care or detention centres (as per the Forde Report); not those who were in foster care.	\$7000 + a second payment of up to \$33,000 in more serious cases of abuse or neglect.	\$100m for payments, plus access to legal & financial services and practical assistance in completing applications.	Applications for Redress payments closed on 30 September 2008. No further applications can be received. Over 10,200 applications submitted by closing date. Priority is being given to applicants aged over 70 years or people who have a life-threatening illness. More details on: www.communities.qld.gov.au/community/redress-scheme/
Tasmanian Government - 2004, Ombudsman <i>Review of Claims of Abuse from Adults in State Care as Children</i> , (O'Grady Review)	Abused State Wards only; not for those placed in institutions voluntarily.	Up to \$60,000 (not many people gets the top amount)	\$75m.	Tasmania was first State to set up a redress scheme, in 2003. Closed in 2005 then reopened in 2008. Now open indefinitely. All claimants eligible for a payment in compensation of up to \$60,000 per person after a process.
WA Government Apology issued 2005 but no formal inquiry	Abused or neglected while in state care prior to March 1, 2006, inc child migrants, State wards, inc Aboriginal children, anyone placed in state-approved foster homes & private or religious institutions in WA, including voluntary.	Up to \$10,000 for reasonable likelihood of abuse, or up to \$80,000 with proof of medical or psychological problems stemming from abuse.	\$114m.	Redress WA established early 2008 - open until April 30, 2009. People who have since moved interstate or overseas are also eligible to apply. CLAN can assist these applicants. Applicants with a terminal or life-threatening illness may receive up to \$10,000 as an interim payment. More details from CLAN 1800 008 774 or : www.redress.wa.gov.au/about.asp

SA Government - 2005 Interim Report 2008 Final Report of the SA inquiry into children in state care (Mullighan); www.service.sa.gov.au/ContentPages/sagovt/files/mullighaninquiry/CISC%20-%20Complete.pdf 2003 <i>Our best investment: A state plan to protect and advance the interests of children</i> , (Layton Report).	Mullighan Inquiry started November 2004; reported April 2008. Formal apology by SA Government and churches June 2008	Yet to be determined	Yet to be determined.	A Task Force is examining options for a redress scheme. Was due to report December 2008 but status not clear. Meanwhile counseling is available through Post-Care Services on 1800 188 118. 792 people told the Inquiry they were victims of child sexual abuse. 242 of those people were children in state care at the time of their alleged abuse. Of these allegations, the Inquiry referred allegations from 170 people to the police, involving 434 alleged perpetrators. Since 1908, 721 children died while in State care.
Victorian Government - No inquiry since Norgard 1976 Apology in 2006.	Individual 'case-by-case' basis – through lawyers, in court if necessary.	Unknown - confidential	Confidential	Media reports 60 settlements worth \$4.3m as at end of 2008. Secrecy prevails.
NSW Government 2002 Legislative Council, Standing Committee on Social Issues, Care and Support, <i>Final Report on Child Protection Services</i>	Apology issued 2005	Not applicable	Confidential	Along with Victoria, the least sympathetic and unco-operative state.
ACT 2004 Commissioner for Public Administration, <i>The Territory as Parent: Review of the Safety of Children in Care in the ACT and of ACT Child Protection Management</i> , (Vardon Report)		NA	NA	
Salvation Army 2006	Abused people	Confidential, but thought to be up to \$50,000	Not specified - \$ millions	Previously Salvation Army in denial & unco-operative
Catholic Church Australia e.g. Dr Barry Coldrey, <i>Reaping the Whirlwind: A Secret Report for the Executive of the Christian Brothers – Sexual Abuse from 1930 to 1994</i>			Not specified - \$ millions	Protocols in place but many complain about the processes. See Broken Rites website: http://brokenrites.alphaink.com.au/
Anglican Church			Not specified - \$ millions	
Uniting Church Australia			Not specified - \$ millions	Some reports of 'hard-ball' and delaying tactics.

Overseas Redress Schemes

<p>Irish Government - National apology by PM Aherm in 1999</p> <p>National Residential Institutions Redress Board set up in 2002 following the Laffroy Commission into Child Abuse & the Ryan Report</p> <p>Most of the institutions were managed by the Catholic Church but were subject to state regulation and inspection.</p>	<p>Survivors of abuse or neglect in Irish industrial schools, reformatories, orphanages and other institutions. Spouse and children of deceased can apply.</p>	<p>Average value of awards to date €64,230, the largest being €300,000. Half of all cases settled at between €50-100,000. (1€ = A\$1.57)</p>	<p>€128 m from Catholic Church, + money from Irish gov't.</p>	<p>The final date for receipt of applications has now passed with a total of 14,594 applications. To date of 12,482 cases completed: 9,325 offers were made after settlement talks and 12,465 awards after hearings. Six applicants rejected their awards. 692 applications were withdrawn, refused or resulted in no award. Thousands of applicants had left Ireland and now live in Australia, USA, Canada, England, etc. (26 countries in all). A free, confidential and independent financial management service is available after settlement.</p>
<p>Canadian Government & churches - 2005</p> <p>Other Provinces at various dates</p> <p>In June 2008, an independent Truth & Reconciliation Commission in regard to former Indian Residential Schools was set up. It will run for five years. The aim is to "create an accurate, public historical record and fill the blank pages of Canada's history...and contribute to a process of truth, healing and reconciliation and help to rebuild relationships between Canada's aboriginal and non-aboriginal peoples."</p> <p>US Catholic Dioceses - e.g. Boston, Philadelphia, Chicago, LA, New York</p>	<p>Main scheme is for Indigenous people abused at government-funded residential schools.</p>	<p>Eligible to receive C\$10,000 + additional \$3,000 for each year they attended beyond 1st year (C\$1 = A\$1.10)</p>	<p>C\$2bn + C\$60m for a process to promote awareness. 2,800 lawsuits settled \$110m in payouts.</p>	<p>Those aged over 65 can apply for a fast-track advance payment of \$8,000.</p> <p>c 15,000 legal claims - to be dropped if they accept the deal. Most schools were shut down by mid-1970s. Survivors now 60 years old on average. Many victims have already died.</p> <p>There are also a variety of Canadian Provincial schemes (equivalent to Australian States) e.g Ontario, Nova Scotia, and church schemes.</p>
<p>US Catholic Dioceses - e.g. Boston, Philadelphia, Chicago, LA, New York</p> <p><i>Lost in Care</i>, UK Waterhouse Report into abuse in residential homes in Wales released February 2000</p> <p>British Institutions are highly decentralised - e.g. Greater Manchester 2007</p>		<p>c £15,000 per person in Manchester (£1 = A\$2.34)</p>	<p>In excess of \$1bn - and rising.</p> <p>A total of £2,260,000 awarded to 168 people.</p>	<p>A rapidly evolving scenario with churches becoming more open and cooperative.</p> <p>Countries and Local Authorities carry responsibility, so the process is more localised and varies from place to place.</p>