

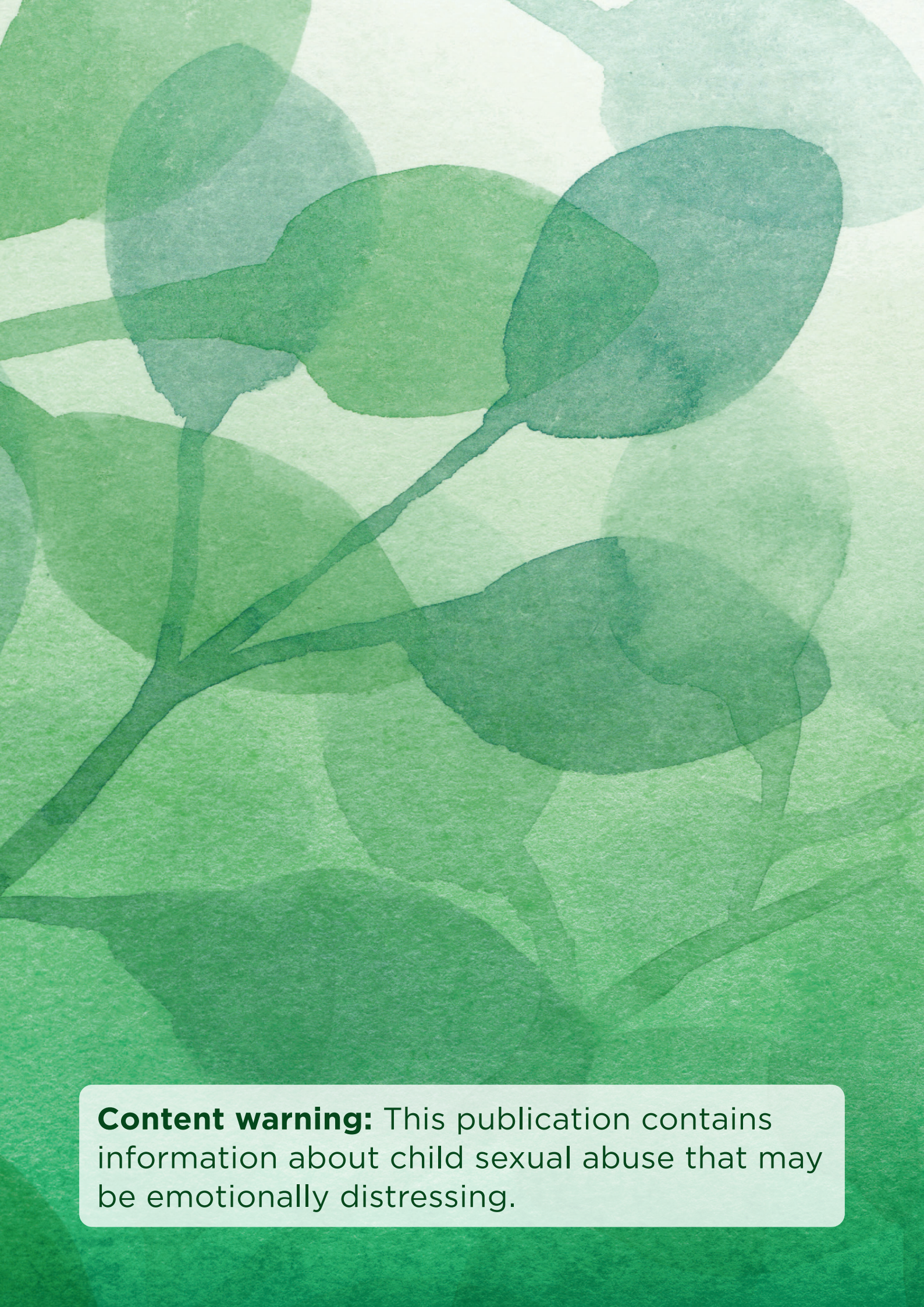


Australian Government

National Redress Scheme

For people who have experienced
institutional child sexual abuse

Discussion Guide

A watercolor illustration of green leaves and stems, rendered in various shades of green, creating a layered, artistic background.

Content warning: This publication contains information about child sexual abuse that may be emotionally distressing.

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About this publication

This Discussion Guide is a resource to support you, as frontline services and health professionals, to talk about the National Redress Scheme with people who have experienced child sexual abuse while in an institution.

We know that professionals from across the spectrum of community health, legal and social services are often the first people that a survivor may talk to about their experience, and you are in a strong position to refer eligible people to the National Redress Scheme.

How to use the Discussion Guide

The information in this publication can support you to:

- manage and respond appropriately to a client disclosure of institutional child sexual abuse
- understand common social and cultural and emotional barriers clients may face when seeking redress
- understand how the National Redress Scheme can help people who have experienced child sexual abuse
- guide your client or patient on eligibility for the National Redress Scheme
- understand how to refer to, and work with, Redress Support Services as part of offering trauma-informed, culturally sensitive care.

How this publication was developed

The Australian Department of Social Services developed this Discussion Guide in consultation with the national network of Redress Support Service providers. It incorporates current best practice for responding to disclosures of child sexual abuse.

Other resources

The Discussion Guide should be used with its partner publication, *Understanding the National Redress Scheme*. This is a flipbook that can be used as a presentation tool to help explain the National Redress Scheme to survivors.

Several downloadable resources are available to support increased awareness and better understanding of what the National Redress Scheme can offer, including short-form publications, posters, animations and videos.

Visit nationalredress.gov.au

About the National Redress Scheme

Redress means acknowledging the harm done to people who experienced child sexual abuse in institutions and holding the institutions responsible to account.

The Australian Government set up the National Redress Scheme in 2018 in response to recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse.

The National Redress Scheme supports people who experienced institutional child sexual abuse to access redress and can connect them with free, confidential emotional and practical support, and independent legal and financial counselling.

People can apply for redress through the National Redress Scheme by filling in an application form, on paper or online through the myGov website.

An offer of redress can include:



a payment



counselling that is confidential and culturally safe



a direct personal response, such as an apology, from an institution.

What does 'institutional' mean?

- Institutional child sexual abuse is abuse that happened when a child was on the premises of an institution, or where activities of an institution took place (such as a camp), or by an official of an institution.
- Institutions include schools, churches or place of worship, missions, orphanages, foster care, hospitals, detention centres or sporting clubs.
- Over 600 institutions are signed up to the National Redress Scheme.

“We now know that countless thousands of children have been sexually abused in many institutions in Australia. We must accept that institutional child sexual abuse has been occurring for generations.”

Royal Commission into Institutional Responses to Child Sexual Abuse, Final Report, 2017

The person applying for redress decides what part of the offer they want to receive.

The National Redress Scheme is an alternative to pursuing institutions through the courts, which can be stressful, expensive and require a higher level of proof.

Eligibility for the National Redress Scheme

Who can apply to the National Redress Scheme?

People are eligible to apply for redress if:

- they experienced sexual abuse when they were under 18 years of age, and
- they were born before 30 June 2010, and
- the abuse happened before 1 July 2018 while they were in an institution, and
- they are an Australian citizen or permanent resident when they apply.

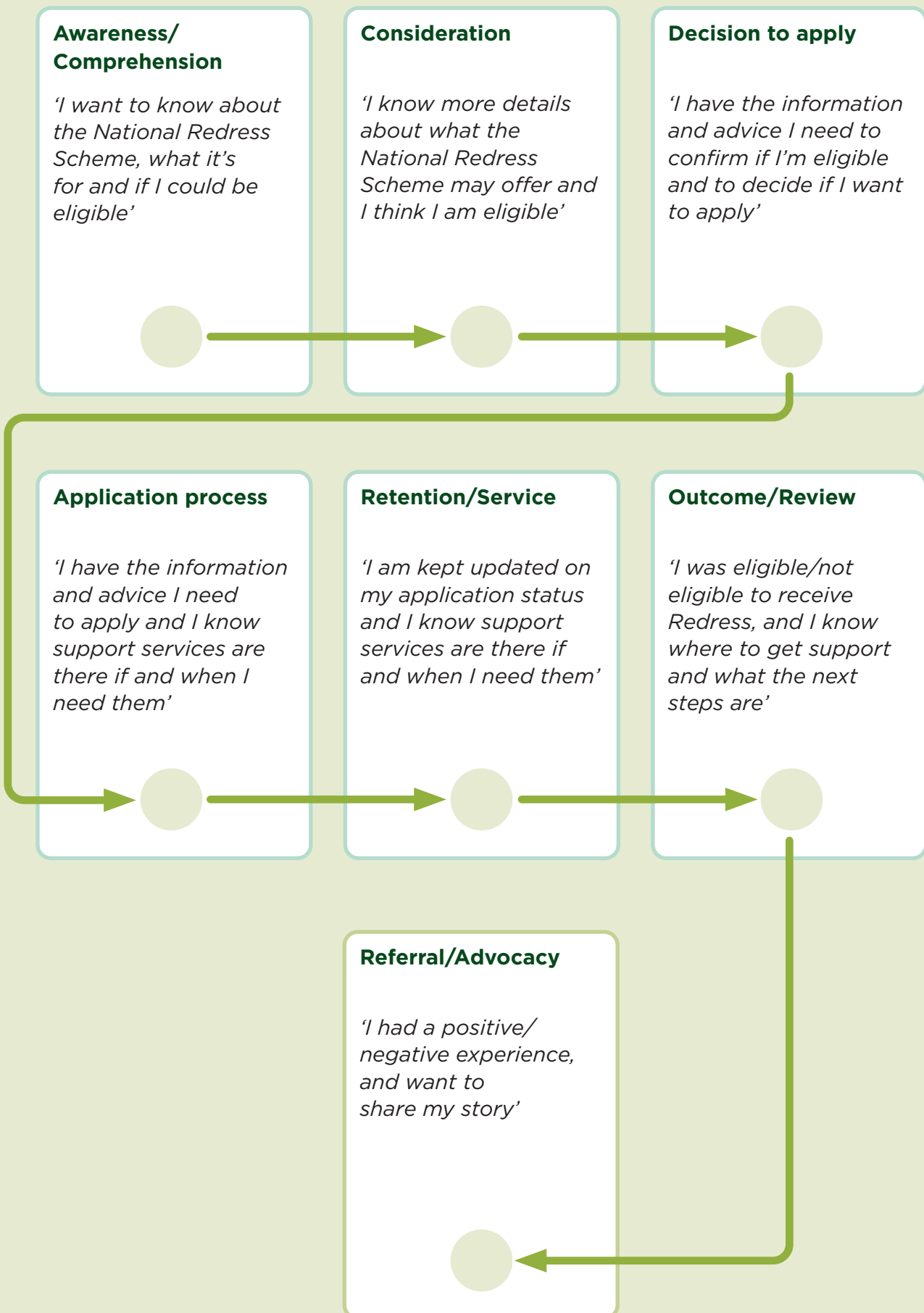
What type of support is available?

Redress Support Services are free, confidential and independent. They can provide emotional support and help with information about eligibility and assist applicants fill out a National Redress Scheme application form.

There are specialist Redress Support Services available for people with disability, from culturally diverse backgrounds, young people, Aboriginal and Torres Strait Islander peoples, care leavers and former child migrants.

Applying to the National Redress Scheme

The chart below shows the different stages of how survivors may interact with the National Redress Scheme.



Understanding types of sexual assault

Under the National Redress Scheme, child sexual abuse is when someone involves a person under the age of 18 in sexual activities they do not understand, are against community standards, or are against the law.

Child sexual abuse may include (but is not limited to):

- sexual touching of any part of the body, either clothed or unclothed, including with an object
- grooming – preparing or encouraging a child to engage in sexual activity, including showing a child sexual acts or any inappropriate material
- sex of any kind with a child
- persuading or forcing a child to engage in sexual activity
- sexual acts done by an adult of any gender, to a child of any gender.

“Sometimes a support worker in a community organisation might not refer their client to the National Redress Scheme because they didn’t realise what their client told them is considered sexual assault.”

Redress Support Service



Understanding the impacts of institutional child sexual abuse

Childhood trauma can change the course of a child's life forever and profoundly impact their long-term health. Survivors of child sexual abuse are at higher risk of experiencing a range of chronic mental and physical health problems later in life.

This means that survivors are over-represented in the health and welfare system and in the criminal justice system – in areas such as mental health and substance abuse, and for issues including homelessness, family violence and unemployment.

Certain populations are more likely to have experienced child sexual abuse while in an institution. These include:

- people with disability
- Aboriginal and Torres Strait Islander peoples
- people in families where a parent/parents have alcohol or drug dependency, or that have a background of intergenerational abuse.

For more information on complex trauma please visit the Blue Knot Foundation website: blueknot.org.au.

Forgotten Australians

Forgotten Australians refers to survivors of the institutional care system, which was the standard form of out-of-home care in Australia for most of the 20th Century.

Children were placed in institutional care for a variety of reasons, including:

- being removed from their families by the State because their parents were considered unfit
- having parents who were unable to care for them, were in prison, missing, dead, or were separated or divorced
- being removed because of their race, or because they were child migrants.

The Forgotten Australians Senate Committee report revealed a history of neglect and exploitation by institutional staff and management and a systematic failure by governments and providers to give children care and protection. The report also acknowledged that large numbers of children in orphanages experienced sexual abuse and assault, most often by carers, but sometimes from visitors and from other children.



People with disability

Adults with disability are more likely to have past experiences of violence and abuse than those without disability. In Australia, it is estimated that almost half of adults who have experienced sexual abuse before the age of 15 have a disability.¹

Children with disability can be more vulnerable to sexual abuse due to:

- spending time in disability-specific contexts such as respite care, school transport and personal care services that feature unsupervised one-on-one interactions between adults and children
- requiring adult assistance with daily personal hygiene and bodily functions, which creates potential opportunities for abuse
- toxic attitudes in which children with disability are viewed as less competent or less likely to 'tell'.

People from culturally diverse backgrounds

The Royal Commission into Institutional Responses to Child Sexual Abuse noted in its final report that children from culturally and linguistically diverse backgrounds were more likely to be placed in closed institutions, such as out-of-home care or youth detention facilities, and more likely to experience institutional sexual abuse.

Children from culturally and linguistically diverse backgrounds can be more vulnerable to sexual abuse for a variety of reasons:

- In the past, new migrants arriving in Australia were often housed in hostels, and migrant communities had close relationships with religious institutions.
- Migrants were often separated from family members at different stages of the migration journey or when they arrived.
- Higher risk of social isolation resulting from loss of connection to culture through physical separation or alienation from family, community and country, lower English language proficiency, racism, discrimination and bullying.²

Further, adults from culturally and linguistically diverse backgrounds face additional barriers to reporting abuse, including fear of retribution, fear of police, fear of deportation and fear of being ostracised from their community.

Aboriginal and Torres Strait Islander peoples

National data shows that Aboriginal and Torres Strait Islander children are over-represented in various aspects of child safety compared with their non-Indigenous counterparts. Indigenous children are also more likely to experience child abuse, neglect and sexual assault.³

Over 30 per cent of applicants to the National Redress Scheme identify as coming from an Aboriginal or Torres Strait Islander background.

¹ Australian Institute of Health and Welfare, www.aihw.gov.au/reports/disability/people-with-disability-in-australia/contents/justice-and-safety/violence-against-people-with-disability

² Royal Commission into Institutional Responses to Child Sexual Abuse, volume 5, p184

³ Australian Institute of Health and Welfare, www.aihw.gov.au/reports/indigenous-australians/indigenous-child-safety/summary

Barriers to accessing redress

Many people who experienced institutional child sexual abuse have never told anyone what happened to them, or if they have, may not have been believed. They may have been made to feel ashamed, or that they should stay quiet about it, or they may have felt let down by not receiving effective support.

If someone does choose to disclose their experience, this may not happen for years or decades after. It often emerges in conversations with a professional they trust.

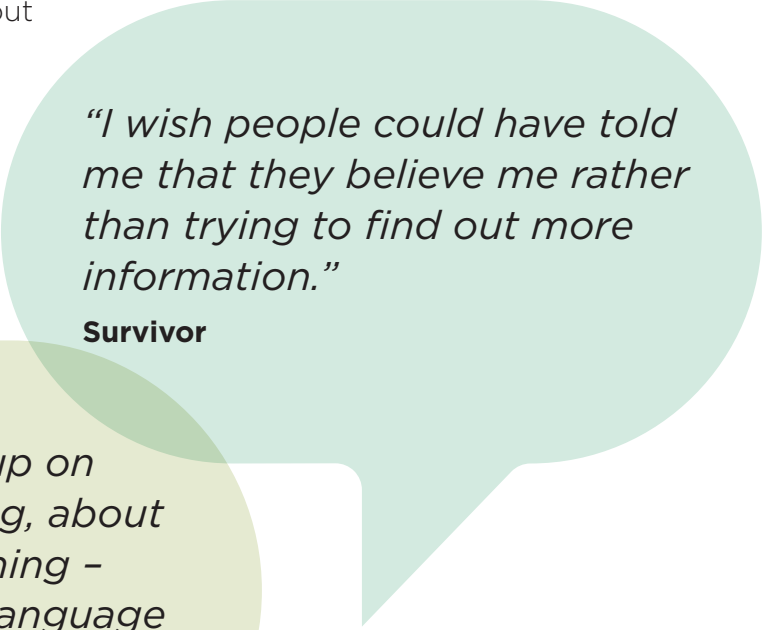
It takes great courage for survivors to talk about what they experienced, to overcome what may have been decades of disbelief, shame or fear.

Applying to the National Redress Scheme may be extremely daunting at first. It may be the first time a person is disclosing their childhood sexual abuse; they may feel antipathy or a lack of trust in the government; they may feel anxiety about not being believed or something else.

Having the information to explore if the National Redress Scheme is the right choice and knowing that confidential support is available throughout the application process can be reassuring for survivors considering their options.

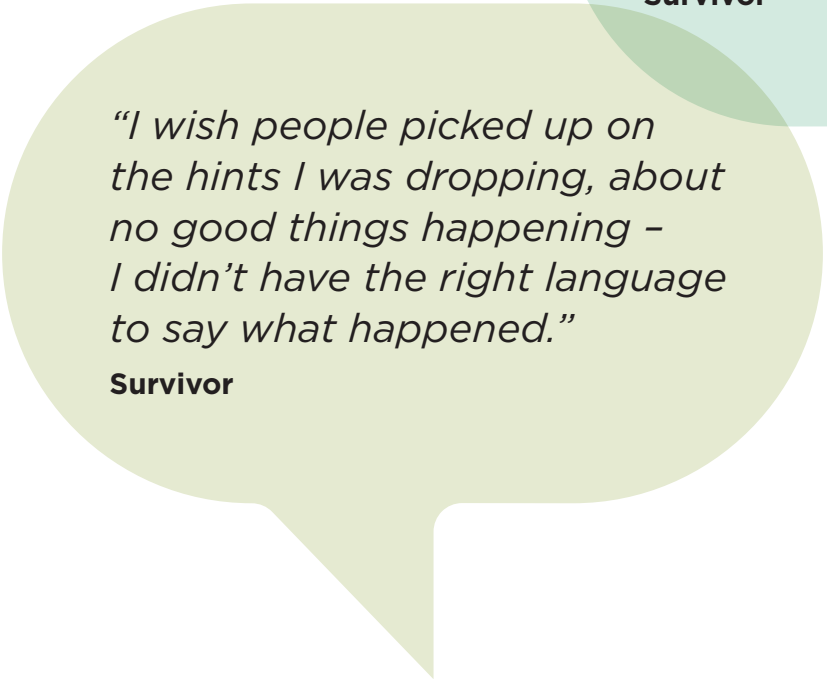
Many people find it helpful to talk to someone about applying to the National Redress Scheme. Access to practical and emotional support can make a big difference, including getting help to fill in an application, or when considering an offer of redress.

Referring survivors to Redress Support Services for a free, confidential conversation is a good first step.



"I wish people could have told me that they believe me rather than trying to find out more information."

Survivor



"I wish people picked up on the hints I was dropping, about no good things happening – I didn't have the right language to say what happened."

Survivor

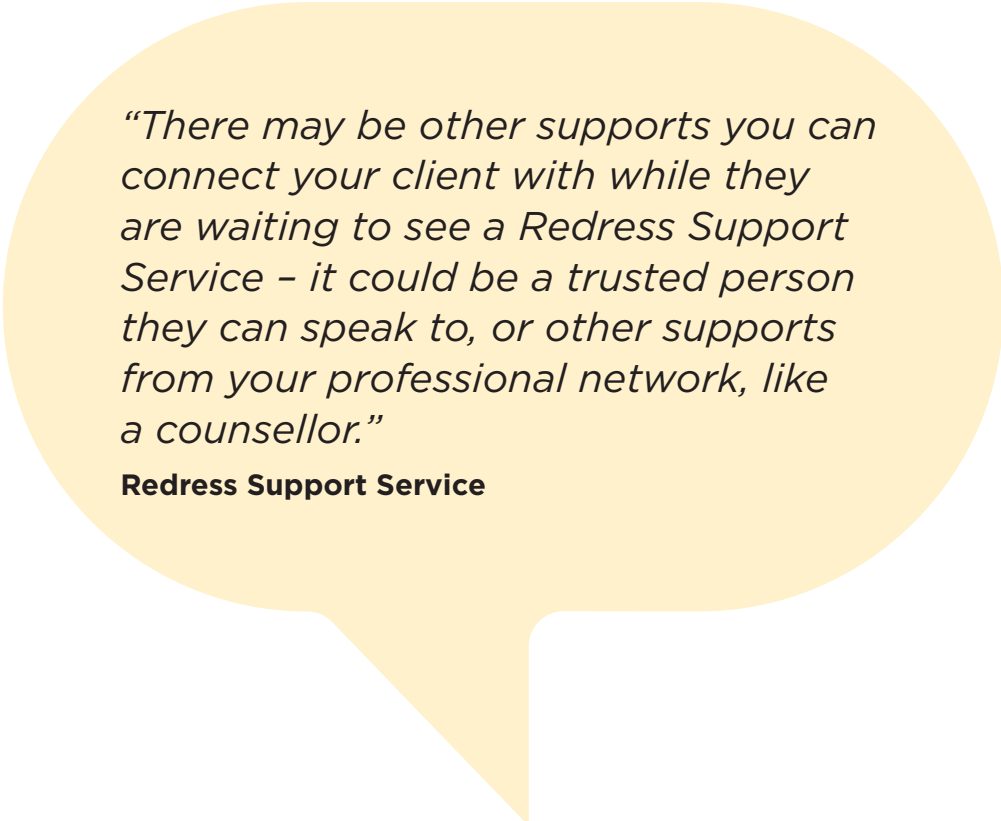
Minimising retraumatisation with Redress Support Services

Applying for redress through the National Redress Scheme may bring up distressing memories and can be traumatising for some people. Redress Support Services are integral to supporting people who want to apply for redress – and those that may not.

- Redress Support Services are available to help before, during and after a person applies for redress.
- A person who wants to apply for redress, but does not want to directly interact with National Redress Scheme staff, can nominate a Redress Support Service to speak and act on their behalf.
- Redress Support Services are free, confidential, trauma-informed and culturally safe.
- They use a collaborative survivor-centred approach that aims to reduce the experience of relived trauma for the survivor.

- Redress Support Services can complement the work done by other community service providers, offering help tailored to the National Redress Scheme.
- Redress Support Services include specialist services available for people with disability, people from culturally diverse backgrounds, young people, Aboriginal and Torres Strait Islander peoples, care leavers and former child migrants.

A trauma-informed approach to supporting patients and clients can help minimise the risk of retraumatisation.



“There may be other supports you can connect your client with while they are waiting to see a Redress Support Service – it could be a trusted person they can speak to, or other supports from your professional network, like a counsellor.”

Redress Support Service

Supporting a patient or a client who may be eligible to apply for redress

There are different ways you can support a patient or a client who could benefit from applying to the National Redress Scheme:

- telling them about the Scheme and what it can offer
- answering basic questions about how the Scheme works
- advising them to contact Redress Support Services as a first step.

Appropriate referrals to practitioners with specialist skills in supporting adult survivors can enable pathways to recovery.



Common questions about the National Redress Scheme

Below are some of the most common questions people ask when thinking about applying for redress through the National Redress Scheme:

Question	Suggested response
How do you apply to the National Redress Scheme?	<p>You can apply to the National Redress Scheme by filling in an application form on paper or online through MyGov.</p> <p>You can ask someone you trust to help you with your application.</p>
How much money do you get?	<p>Redress payments range from less than \$10,000 to a maximum of \$150,000.</p> <p>The amount of money in a redress offer is different for everyone.</p> <p>It can depend on the circumstances of your experience, as well as any payments you have already received related to your abuse.</p>
If I apply for redress and get money, will it affect my other government payments?	<p>Redress payments are not taxed.</p> <p>Redress payments are not assessed as income by Centrelink, but are considered a financial asset.</p> <p>Any interest earned on a redress payment may be assessed. But it depends on each person's circumstances.</p> <p>You can talk to Centrelink about how a redress payment could affect your government entitlements.</p> <p>You can also contact knowmore or Redress Support Services to talk about this before you apply:</p> <p>knowmore offer free, independent legal advice and financial counselling.</p> <p>Website: knowmore.org.au</p> <p>Call 1800 605 762 within Australia</p> <p>Call +61 2 8267 7400 from overseas</p>
Do you have to be an Australian resident to apply for redress through the National Redress Scheme?	<p>Yes, you must be an Australian citizen or permanent resident at the time you apply, but it doesn't matter if you were not an Australian citizen or permanent resident when the abuse happened.</p>
	<p>nationalredress.gov.au/applying/who-can-apply</p>
How long will it take to get an offer of redress?	<p>The average time is 12 months, but it can take longer.</p> <p>Including as much information as you can in your application can reduce the processing time.</p>

The role of institutions

Institutions found responsible for the sexual abuse of children are held accountable by the National Redress Scheme.

The Australian Government strongly encourages all institutions who have a history of interacting with children to join the National Redress Scheme as soon as possible.

If a person applying for redress names an institution that has not already joined the National Redress Scheme, the institution is given six months to sign up.

If the institution does not join within six months, they may be publicly named, could face financial penalties, and may lose their charitable status until they join.

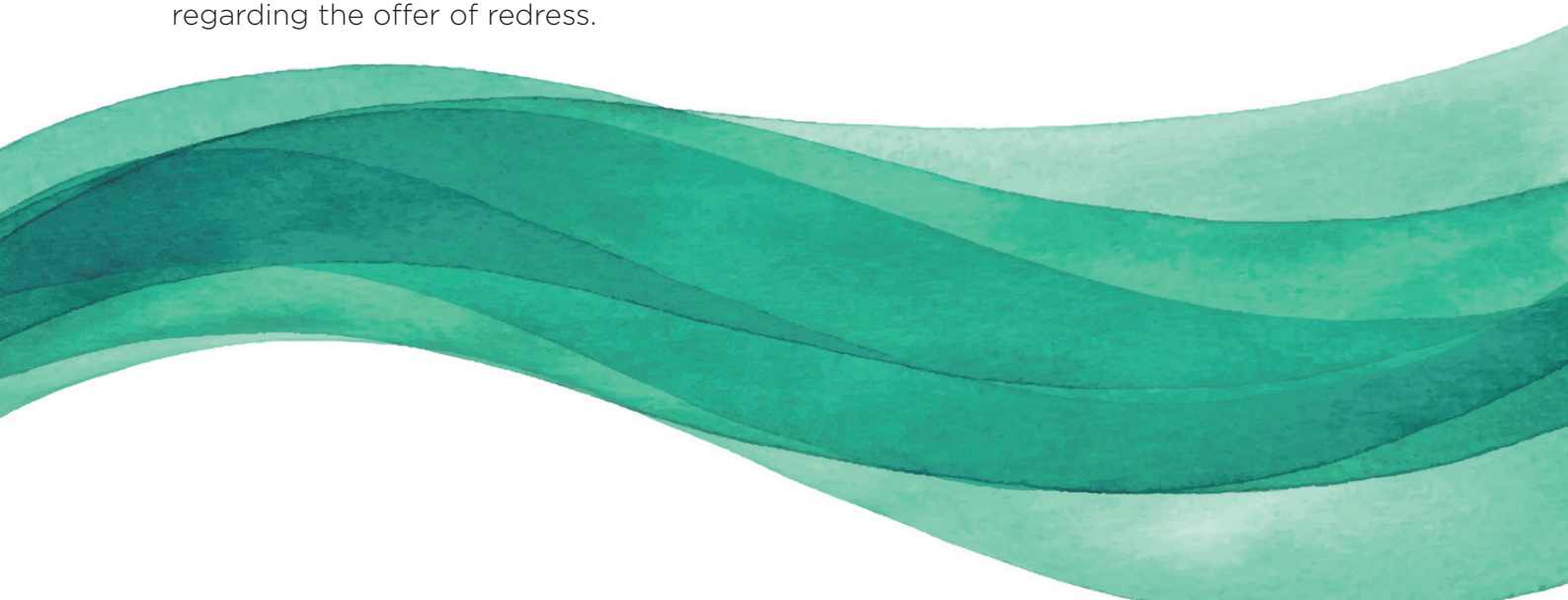
- If the applicant provides permission, the National Redress Scheme may also share information about the impact the sexual abuse has had, with the institution responsible for the abuse.
- Information provided by applicants **is not** subject to freedom of information claims made to the Australian Government.
- There may be a requirement to report risks of ongoing abuse to the police and child protection authorities based on the information provided to you by survivors. You can encourage survivors to contact the National Redress Scheme to discuss what these reporting obligations mean for them.

Protecting information and the applicant's right to privacy

The National Redress Scheme legislation sets out how information provided by applicants is protected, with strict rules about how the information can be used.

- Information provided by applicants will be seen by some staff in the National Redress Scheme and the Independent Decision Maker.
- Limited information is shared with the relevant institution(s), including applicant name and date of birth, description of the abuse, the Independent Decision Maker's decision, and the applicant's wishes regarding the offer of redress.

The National Redress Scheme is a way for survivors of institutional child sexual abuse to have their story heard, believed, and acknowledged. It can be a key part of a person's life journey.



Responding to a disclosure of childhood sexual abuse

When a survivor makes a disclosure to a professional, it is usually because they feel safe to talk about what happened to them.

It's common for professionals to feel like they are not qualified to respond, or they may themselves be a survivor. It can be difficult to listen and respond to a disclosure. The

suggested actions and responses below will help professionals across a range of sectors to manage disclosures appropriately.

Action	Description	Suggested response
Listen first	Before asking questions, listen, remain calm and be patient.	Listen first without comment.
Take time	<p>A person's story happens at their own pace. It's important to listen and not try to hurry them up or paraphrase for them.</p> <p>If you feel you cannot listen to a client's disclosure, reassure them that what they are telling you is very important and should be heard by the right person. Offer to help them find the right person.</p>	<p>Take cues from the survivor's communication style – if they want to maintain eye contact, do the same.</p> <p>If they prefer not to make eye contact, avoid continually looking at them.</p>
Show you believe them	<p>Being believed is especially important to survivors. If you ask a lot of questions, they may feel that you don't believe what they are saying.</p> <p>Never play down or brush over what someone has said, even if they are playing it down themselves.</p>	<p>Let the survivor tell you as much or as little as they are comfortable with.</p> <p>"I believe you."</p> <p>"You did the right thing telling me what you experienced."</p> <p>"I respect you for trusting me to share your experience."</p>



Action	Description	Suggested response
Reassure and validate	If appropriate, tell them what was done to them was not their fault and was a crime.	You might like to ask whether they have shared this with others and what has been their response. This will help you know how to respond. “What happened was a serious crime.” “It was not your fault.”
Ask how you can support them	Rather than advising someone what they should do, ask how you can support them. Advise them of mandatory reporting requirements.	“Based on what you’ve just told me, I am obliged to report this abuse to make sure other children aren’t being harmed.”
Refer	Support for the person after sharing their story is important.	Check with them if they already have supports (personal and professional) and whether they’d like your help in finding professional support. You can also contact Redress Support Services or the National Redress Scheme for guidance.
Debrief	Responding to a disclosure of abuse can be overwhelming. If it has occurred as part of your work role, consider speaking to your supervisor, as they may be able to help you access support services paid for by your organisation.	You will be in a better position to support this person if you get support for yourself.

Notes





National Redress Scheme

For people who have experienced
institutional child sexual abuse

**To find out more, visit nationalredress.gov.au
Or call 1800 737 377 Monday to Friday
8am-5pm Australian Eastern Time**

