

The National Redress Scheme

For people in gaol or people who have been sentenced to a prison term of 5+ years

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Free advice line 1800 605 762 | Website knowmore.org.au

What is the National Redress Scheme?

One of the key recommendations of the Royal Commission was that a national redress scheme be set up. The Australian Government has now established a National Redress Scheme. All of the States and Territories and key non-government institutions such as the Catholic, Anglican and Uniting Churches, Salvation Army, YMCA and Scouts have agreed to join the scheme.

Eligible survivors of institutional child sexual abuse will be able to apply for redress where the responsible institution has joined the scheme. The National Redress Scheme offers a limited monetary payment, counselling and psychological support, and a direct personal response from the institution/s.

Details of all support services can be found at www.nationalredress.gov.au or by phoning **1800 737 377**.

Who is knowmore Legal Service?

knowmore is a legal service funded by the Commonwealth Government represented by the Attorney-General's Department to help survivors of institutional child sexual abuse by providing information and advice about the options available to them, including claims under the redress scheme, access to compensation through other schemes or common law rights and claims. Where a survivor decides to proceed with a claim under the National Redress Scheme, knowmore will assist clients and represent them through that process.

Can a person in gaol make an application while they are in custody?

In most cases people in gaol cannot make an application. However applications can be made if any of the following apply:

- They are so ill that they will not be able to make an application for redress or respond to a request for information after being released from gaol; or

- They are expected to remain in custody after 1 July 2027, which is the closing date for applications.

Gaol includes a prison, youth training centre, remand, and community correction centre.

Can a person in gaol make an application if they have been sentenced to 5 years or more in gaol?

A person who has been convicted of a crime in Australia or overseas and sentenced to 5 years or more imprisonment can still apply, however they will be asked to provide extra details. These details will be on the nature of the offence, the sentence, and rehabilitation. The application will then be reviewed by the Attorney-General in the state or territory where the child sexual abuse occurred, the Attorney-General in the state or territory where the applicant was convicted of the offence and sentenced, and/or by the Commonwealth Attorney-General if the offence and sentencing occurred overseas.

The National Redress Scheme's Operator will consider the advice received and then take into account the following;

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- Community expectations, the nature of the offence and length of imprisonment, period of time since the offence was committed and rehabilitation since then, and any other relevant information.
- In making a determination as to whether providing redress to that person under the scheme would not
 - i. bring the scheme into disrepute; or
 - ii. adversely affect public confidence in, or support for, the scheme.

If the application is accepted, the Independent Decision Maker from the National Redress Scheme will then make an assessment as to the amount of redress to be paid.

There is another option that may be available to people in prison or people who have been sentenced to a prison term of 5+ years

Another compensation option might be a civil claim for damages for injury and loss arising from the sexual abuse experienced. Some survivors are negotiating a settlement with the institution directly or commencing proceedings. People in prison can get legal advice from an experienced personal injury lawyer about a civil claim, negotiating a settlement.

knowmore has a panel of lawyers who are experienced in providing this advice to survivors of childhood sexual abuse. Generally lawyers will offer to represent people in these kinds of claims on a 'no win, no fee' basis. This means that the lawyer will not charge you legal costs unless your claim is successful. This does mean that you will be paying legal costs should you be successful.

Contacting knowmore Legal Service

If any of the above applies, please contact knowmore on our free call line, **1800 605 762**, or by post to obtain further information and advice;

SYDNEY:

PO Box 20319,
World Square, NSW 2002

MELBOURNE:

PO Box 504,
Collins St West, VIC 8007

BRISBANE:

PO Box 2151,
Brisbane, QLD 4001

If the applicant has difficulties with reading or writing, offender development or prison support services can contact us to discuss alternative arrangements.

If the applicant is expected to be released before 1 July 2027, they can contact us on **1800 605 762** after they are released.