

Knowmore
Legal Service

Submission to the
Joint Standing
Committee on
Implementation of
the National
Redress Scheme

20 February 2026

Acknowledgement of Country

Knowmore acknowledges the Traditional Owners of the lands and waters across Australia upon which we live and work.

We pay our deep respects to Elders past and present for their ongoing leadership and advocacy.

Content note

This submission discusses experiences of trauma, including child abuse.

If you need to talk to someone, support is available.

13 YARN – 13 92 76

Blue Knot Helpline – 1300 657 380

1800 RESPECT – 1800 737 732

Lifeline – 13 11 14

Suicide Call Back Service – 1300 659 467

If you need legal help with an application to the National Redress Scheme, you can call Knowmore on 1800 605 762.

Summary of Knowmore's submission

- The National Redress Scheme (NRS) remains an important option for victims and survivors of institutional child sexual abuse. For many victims and survivors, the redress that they have received from the NRS has been a life-changing part of their journey towards justice and healing.
- The NRS is not on track to deliver redress to all eligible victims and survivors before the legislated end of the NRS on 1 July 2028. There is growing pressure on the NRS, which is worsening many existing problems and also contributing to new problems. We have been particularly concerned to see the NRS compromising on the principles of survivor-focused, trauma-informed and culturally appropriate redress in an attempt to meet the deadlines imposed by the law.
- Victims and survivors continue to experience unfairness, inconsistency and lack of transparency in the NRS's decision-making. We experience particularly great difficulties in getting the NRS to recognise grooming as child sexual abuse.
- Legal and related support are essential for the effective implementation of the NRS. Knowmore experiences strong and growing demand for our service. Despite this, we face a reduction in our NRS-related legal support services funding of about 62% in less than 5 months' time.
- Child sexual abuse remains a widespread problem in Australian society. The Australian Government must ensure that victims and survivors have ongoing access to meaningful redress and justice-making options beyond the end of the NRS. This must include ongoing funding for Knowmore and Redress Support Services to provide legal and related support.

Table of Contents

Acknowledgement of Country	2
Content note	2
Summary of Knowmore’s submission	3
<i>Healing on govvy dime – a poem by Chris Coombes</i>	7
Introduction	11
The National Redress Scheme is running out of time	11
List of recommendations	13
Part 1: general comments relevant to the inquiry as a whole	31
The importance of the National Redress Scheme for victims and survivors	31
Previous reviews of the National Redress Scheme	36
Current status of reforms to the National Redress Scheme	40
Improving redress for victims and survivors who experience intersectional marginalisation	44
Part 2: the National Redress Scheme’s operational timeline	56
Legal aspects of the National Redress Scheme’s timeline	56
Concern about the capacity of the National Redress Scheme to deliver redress to all eligible victims and survivors	58
Planning for the legislated deadline for redress applications and the legislated end of the National Redress Scheme	65
Extending the National Redress Scheme	68
Matters for consideration beyond the formal end of the National Redress Scheme	70

Part 3: ongoing and emerging problems with the National Redress Scheme _____ 74

Persistent unfairness, inconsistency and lack of transparency in redress decisions _____	75
Compromising the principles of redress to meet deadlines _____	111
Non-participating institutions and inadequate funder of last resort arrangements _____	117
Limited awareness of the National Redress Scheme _____	128
Claim farming and related practices in relation to the National Redress Scheme _____	130
The importance of appropriate support services for victims and survivors navigating the National Redress Scheme _____	138

Part 4: the impacts of changes to the National Redress Scheme in 2024 _____ 152

Allowing victims and survivors in prison to apply for redress _____	153
Changes to the application process for victims and survivors with serious criminal convictions _____	169
Changes to the internal review process for redress decisions _____	171
Changes to when protected information can be disclosed _____	175
Changes to allow some finalised applications to be reassessed _____	177

Part 5: the future of redress for victims and survivors of child sexual abuse beyond the National Redress Scheme _____ 184

The importance of ongoing access to meaningful redress and justice-making options _____	185
Establishing a national framework for redress and/or reparation schemes _____	189
Contributing to national truth-telling about institutional child sexual abuse _____	194

Appendix 1: about Knowmore _____ 197

Our service _____	197
-------------------	-----

Our clients _____ 198

Appendix 2: information about the protected information provisions _____ 199

Outline of the protected information provisions _____ 199

Recommendations relevant to the protected information provisions from our submission to the previous Joint Standing Committee in February 2023 _____ 200

Appendix 3: specific areas where greater transparency would be valuable _____ 204

Table of documents or information _____ 204

Healing on govvy dime – a poem

by Chris Coombes

The following poem is by Chris Coombes, Lived Experience Lead at Knowmore. The poem contains strong language and a description of child abuse.

Church ends with the final blessing.
Shirt, bow tie, Sunday dressing.
Three pointers, I was botching.
For how long were you watching?
Shooting hoops, innocently unawares
the man, stage left, will enter nightmares.

'Come with me,' you say in a hurry
9-year-old me's tempted to scurry
Or spit my cordial, church-level diluted,
And say, 'sorry, your request hasn't computed'
You repeat, 'come with me'.
Did you know that I'd agree?

Manipulation, adult powers.
Enter toilets, past church flowers.
Call out to God, His hearing's poor.
Why pull closed a self-closing door?
Seconds on (tick tock, tick tock), felt like hours.
Big boys don't cry, I'd early learnt.
But big tears flowed, as candles burnt.

[Continued below]

[Continued from above]

Years stacked as the shame stayed.
At 10, public toilets I'd evade.
At 12, my friends threw shade.
22, work hard for psych fees paid.
24 depression's in the mix.
Couldn't keep you safe, mother cried at 26.
28, recoil at my lover's touch.
32, numb out, the pain's is too much.

My body keeps the score, your secrets, our truth
It only cost me a chunk of my youth.
It only cost you indefinite detention, a conviction.
The institutions acquitted, I'm losing conviction.

You're the 1% on whom charges laid.
Were you abused in your first decade?
So how will a cage get you back on track?
Would you do time if I were black?
Female victims abused more often.
Women and girls, justice forgotten.

'Lock em up' became their dictum.
Did no-one think to ask the victim?
Unquestioned logic of retribution.
Rape culture's unchecked, the toxic pollution.
When men are taught bodies are for the taking.
Presidents, locker-room chats – now I'm shaking.

My healing individualised, privatised,
pathologized, demons exorcised.
Fading faith weaponised.
You child had permission to cry.
You child, have permission to cry.

[Continued below]

[Continued from above]

Societal healing declared politicians.
A redress scheme, Royal Commissions.
National apology, truth to institutions.
By fluke I learn of this secret Scheme.
The protected info laws are a tad extreme.
Knowmore propelled me when I was aloof,
back when it felt like a lower standard of proof.

My psych fees now paid, work double no more.
Some cash to splash on some human rights law.
This Scheme ain't mine.
And I did just fine.
There are victims on another timeline.
Yet we pour concrete into their justice pipeline.

Funding's drying up old friend, but I'm feeling quite nice,
So while we're talking let me offer you some free advice:
don't be abused... or do so before 2018.
Your institution participates? Yaas Queen!
Know more about Knowmore, before it's no more.
Get counselling, stat, you're gonna need to heal,
to write your un-sayable... that's taken 24 years to feel.
Yarn quick, cultural safety's on the brink.
Quick prison folk, tee up your telelink.
DV flee-er, tent sleeper,
rush to a computer.
Be perceived, be believed,
edumacated. Don't misread
that accusatory section 24.
Grab a law degree, give 'em what for.
Hurry the fuck up, then wait two years (tick tock, tick tock).

[Continued below]

[Continued from above]

DSS, babe, blitz your backlog,
Fairly, consistently demands your watchdog
Applications soaring and you're 'partly effective'.
Where's your commensurate funding corrective?
Institutions say sorry, meaningful but fast.
Transform swiftly, and not half-arsed.
All ye shame-faced,
stay alive, make haste.
Fast, cast off your claim farming parasite.
Then solo, speed-run your one review right.

What happened to healing on our time?
Recall the therapeutic paradigm?
Focus again on harm prevention,
art, sense-making, & restoration.

Return to our breath, our bodies sacred.
Tend to our wounds, heal our hatred.
Then grieve the brokenness and despair,
and realise the 'we' for whom life's unfair.

Introduction

The National Redress Scheme is running out of time

The present inquiry comes at a particularly significant time for the National Redress Scheme (NRS). The current term of the Australian Parliament is likely to include the legislated deadline for applications on 30 June 2027, before the legislated end of the NRS on 1 July 2028.¹ In the words of the previous Joint Standing Committee on Implementation of the National Redress Scheme (the previous Joint Standing Committee), the NRS ‘is running out of time’.²

As a nation-wide service assisting victims and survivors of child abuse, Knowmore has a deep appreciation of the importance of the NRS, as well as a keen understanding of the growing pressure on the NRS. The NRS has provided redress to more than 20,395 survivors.³ For many victims and survivors, the redress they have received from the NRS has been life-changing. We recognise that significant reforms have been made to the NRS since it started on 1 July 2018.

Despite this, there remain significant problems with the NRS that are preventing it from consistently delivering redress in accordance with the expectations of victims and survivors, and the NRS’s statutory objectives. The growing pressure on the NRS is worsening many of these existing problems, which have been explored in detail by previous reviews. This growing pressure is also contributing to new problems with the NRS, as the NRS compromises on the legislated principles for redress in an attempt to meet the deadlines imposed by the NRS’s governing law.

¹ *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth) (NRS Act), sections 20(1)(e) and 193(1).

² Joint Standing Committee on Implementation of the National Redress Scheme (Previous Joint Standing Committee), *Redress: journey to justice*, November 2024, p 4, <https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/National_Redress_Scheme_Standing/~/_/link.aspx?id=BEC7928668BF4A4EBB8A4330E4041FCA&z=z>.

³ National Redress Scheme, *Update*, December 2025, <www.nationalredress.gov.au/news/december-2025>.

We acknowledge that the NRS has funding constraints that may impact on its capacity. Nonetheless, we consider that there is significant room to improve the NRS before the legislated deadline for applications and the legislated end of the NRS. There is also an urgent need to plan for these events, and for ongoing access to meaningful redress and justice-making options beyond 1 July 2028.

These matters cannot wait for the eighth year review of the NRS, which is not due to begin until 1 July 2026.⁴ We would be grateful for the assistance of the Joint Standing Committee on Implementation of the National Redress Scheme (the Joint Standing Committee) in raising these matters with the Australian Government.

We recognise that people who have experienced child sexual abuse have diverse perspectives about the most appropriate terms to use. In this submission, we have used the terms ‘victims and survivors’ and ‘survivors’, informed by our experience assisting victims and survivors, and guidance from the National Centre for Action on Child Sexual Abuse.⁵

We are grateful for the insights of victims and survivors, whose lived experience has informed this submission. We are also grateful for the insights of Tuart Place and People with Disability Australia.⁶ The perspective expressed in this submission is our own.

Our submission proceeds in 5 parts:

- First, we make general comments, relevant to the inquiry as a whole.

⁴ NRS Act, section 192(3); Hon. Tanya Plibersek MP, *Ministers’ Redress Scheme Governance Board Communique*, 8 December 2025, <<https://ministers.dss.gov.au/media-releases/18661>>.

⁵ National Centre for Action on Child Sexual Abuse, *The Child Sexual Abuse Language Guide*, 2025, p 19, <https://nationalcentre.org.au/wp-content/uploads/2025/08/1.-NC-Language-Guide_FINAL.pdf>.

⁶ We note that People with Disability Australia and Tuart Place have made their own submissions to the inquiry. See Submissions 18 and 30, *Submissions received by the Committee*, accessed 16 February 2026, <https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/National_Redress_Scheme_Standing/OperationoftheNRS/Submissions>.

- Second, we make comments about the NRS’s operational timeline and the potential for this to be extended, including matters for consideration beyond the formal end of the NRS.
- Third, we make comments about ongoing and emerging problems with the NRS that are preventing the NRS from consistently delivering redress in accordance with the expectations of victims and survivors, and the NRS’s statutory objectives.
- Fourth, we make comments about the impacts of the changes to the NRS in 2024, focusing on the change to allow victims and survivors in prison to apply for the NRS.
- Fifth, we make comments about the future of redress for victims and survivors of child sexual abuse, including comments about the importance of ongoing access to meaningful redress and justice-making options.

List of recommendations

Recommendations relevant to the inquiry as a whole

Recommendation 1

The Australian Government should lead work with the state and territory governments to implement recommendations made by previous reviews of the National Redress Scheme.

Recommendation 2

The Australian Government should urgently provide a response to the report of the previous Joint Standing Committee on Implementation of the National Redress Scheme.

Recommendation 3

The Department of Social Services should develop a single, publicly available framework for monitoring and reporting on all recommendations from reviews of the National Redress Scheme. The framework should include, for each recommendation that has been supported or supported in principle by the Australian Government:

- whether the Department of Social Services considers the recommendation to be fully implemented
- specific steps taken to implement the recommendation
- whether there are further steps planned to implement the recommendation.

Recommendation 4

The Australian Government should prioritise improvements to the National Redress Scheme for victims and survivors who experience intersectional marginalisation. In doing this, the Australian Government should have regard to the importance of:

- publicly available data as an element of truth-telling about the experiences of victims and survivors who experience intersectional marginalisation
- engagement strategies tailored to specific communities and informed by lived experience, recognising the diversity of people who experience intersectional marginalisation and the additional barriers to redress they face.

Recommendation 5

The Australian Government should report publicly on the implementation of improvements to the National Redress Scheme for victims and survivors who experience intersectional marginalisation, including information about specific steps taken and any further steps planned.

Recommendations relevant to the operational timeline for the National Redress Scheme

Recommendation 6

The Australian Government should immediately prioritise planning for the legislated deadline for redress applications and the legislated end of the National Redress Scheme. This planning should:

- take place via a transparent process
- be in partnership with victims, survivors and support services, including Knowmore and the Redress Support Services
- be communicated in a way that is timely, consistent, trauma-informed, survivor-focused, culturally safe, and provided in forms that are accessible to victims and survivors who experience intersectional marginalisation.

Recommendation 7

The Australian Government should 'seek agreement from state and territory governments to extend the National Redress Scheme beyond 2028' (as per recommendation 1 of the previous Joint Standing Committee on Implementation of the National Redress Scheme). In particular:

- the deadline for applications to the National Redress Scheme should be significantly extended,
- the deadline for institutions to join the National Redress Scheme should be extended until the end of the National Redress Scheme, and
- the end of the National Redress Scheme should be extended to reflect the actual processing times for redress applications, noting that an average processing time of 17.6 months indicates that many applications take even longer.

Recommendation 8

The Australian Government must ensure that there is appropriate infrastructure in place to support victims and survivors in a survivor-focused, trauma-informed and culturally safe way beyond the formal end of the National Redress Scheme. This must include appropriate infrastructure for victims and survivors to access any accrued rights that continue to exist beyond the formal end of the National Redress Scheme. It must also include appropriate legal and related support for victims and survivors to understand and access their redress and justice-making options (see recommendation 34).

Recommendations relevant to ongoing and emerging problems with the National Redress Scheme

Recommendation 9

The Australian Government and the National Redress Scheme should implement the detailed recommendations relevant to the protected information provisions from our primary submission to the previous Joint Standing Committee on Implementation of the National Redress Scheme in February 2023 (see Appendix 2 of the present submission).

Recommendation 10

The National Redress Scheme should produce public education materials that more clearly explain and demonstrate how the Assessment Framework is applied to redress applications by NRS decision-makers (consistent with Recommendation 5 of the second interim report of the former Joint Select Committee on Implementation of the National Redress Scheme).

Recommendation 11

The Australian Government should remove the protected status of the Assessment Framework Policy Guidelines and make this document publicly available as a matter of priority (as per recommendation 3.13 of the second year review of the National Redress Scheme).

Recommendation 12

The Australian Government should ensure the full implementation of the recommendation of the Australian National Audit Office that the Department of Social Services review and implement the Independent Decision-making Quality Framework, with transparency about the findings of any review and any steps taken to implement the recommendation.

Recommendation 13

The Australian Government should make publicly available current and previous versions of the Independent Decision-making Quality Framework to improve accountability and transparency in the implementation.

Recommendation 14

The Department of Social Services should ensure the full and urgent implementation of recommendation 3.9 of the second year review of the National Redress Scheme, including by 'creating the position of a Chief Independent Decision Maker to provide a systemic focus on Scheme integrity, quality assurance and consistency in decision-making'. The Chief Independent Decision Maker should have a role in working with Knowmore and Redress Support Services to address systemic issues with decision-making by the NRS, such as those detailed in this submission. The Department of Social Services should ensure it is publicly available information who the Chief Independent Decision Maker is.

Recommendation 15

The Department of Social Services should urgently undertake an evaluation of the Chief IDM Panel to determine whether it is effectively contributing to improvements in the consistency, fairness and quality of redress decisions. As part of the evaluation, the Department of Social Services should identify priority reforms to enhance the ability of the Chief IDM Panel to carry out critical quality assurance functions. For accountability and transparency, the findings of this evaluation should be made publicly available.

Recommendation 16

The Australian Government should make publicly available the policy guidance material that the National Redress Scheme gives to Independent Decision Makers about child sexual abuse in medical settings and the abusive, non-medical practices of virginity testing.

Recommendation 17

The Australian Government should make publicly available specific information about the scope of the change, announced in October 2025, to the NRS's approach to assessing abuse in medical settings – for example:

- whether and how the change will ensure that Independent Decision Makers consistently make decisions that reflect the Royal Commission's findings about the nature and context of child sexual abuse in medical settings
- whether and how the change will ensure that Independent Decision Makers consistently recognise when virginity testing (as opposed to a medical procedure) has occurred.

Recommendation 18

The Department of Social Services should report publicly on the implementation status of each of the priority improvements that it committed to making in response to concerns about the National Redress Scheme's approach to assessing virginity testing. In doing this, the Department of Social Services should address:

- whether the Department of Social Services considers the recommendation to be fully implemented
- specific steps taken to implement the recommendation
- whether there are further steps planned to implement the recommendation.

Recommendation 19

Knowmore recommends that the National Redress Scheme consistently recognise grooming and voyeurism as child sexual abuse, including by ensuring that any guidance provided to Independent Decision Makers reflects this position.

Recommendation 20

The National Redress Scheme should implement the following reforms to ensure a more survivor-focused, trauma-informed and culturally safe approach to information request letters sent to survivors:

- Before sending an information request letter, the Independent Decision Maker should undertake an assessment of all the information available to them. The Independent Decision Maker should only send a letter in relation to information that is likely to have a material impact on a decision they are required to make.
- The National Redress Scheme should provide victims and survivors with the option to be informed via a phone call before the Independent Decision Maker sends the survivor an information request letter.
- When sending an information request letter, the Independent Decision Maker should:
 - use the most trauma-informed and culturally safe language possible
 - filter out information that is not likely to have a material impact on a decision they are required to make
 - provide victims and survivors with guidance about the specific information being requested.
- The National Redress Scheme should ensure that victims and survivors have adequate time to respond to an information request, including the time needed to access appropriate support.

Recommendation 21

The National Redress Scheme should ensure that its approach to fraud prevention is trauma-informed and procedurally fair. In particular:

- The National Redress Scheme's approach to fraud prevention should reflect an understanding of the nature and context of institutional child sexual abuse, including an understanding that:
 - false allegations of child sexual abuse are rare
 - similar experiences are to be expected in context of institutional child sexual abuse.
- When asking survivors to respond to concerns about fraud, the National Redress Scheme should provide enough information to equip survivors with a meaningful understanding of the basis of its concern and provide survivors with a meaningful opportunity to respond to the concern, while respecting the privacy of all applicants.

Recommendation 22

The National Redress Scheme should make publicly available more information about its fraud prevention processes, including how the National Redress Scheme assesses the effectiveness of these processes.

Recommendation 23

The Australian Government should ensure that all policies, processes and practices of the National Redress Scheme reflect the legislated principles for redress under section 10 of the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth). This should include ensuring that any changes to address delays in the processing of redress applications do not come at the expense of survivor-focused, trauma-informed and culturally appropriate practice.

Recommendation 24

The National Redress Scheme should reverse the change to the online application form, requiring victims and survivors to provide a minimum of 750 characters when describing the abuse they experienced.

Recommendation 25

The National Redress Scheme should allow all victims and survivors to choose whether they are notified of their redress outcome in writing only or first notified of their outcome through a telephone call, including victims and survivors who lodged their redress application before the Outcome Delivery Call Reduction Trial was made permanent. In addition, we recommend that the NRS:

- inform all victims and survivors about their different options for outcome delivery
- allow victims and survivors to change their choice at any time before the outcome delivery
- send a text to inform the survivor when an outcome letter is being sent
- adopt a default approach of delivering ineligible outcomes by telephone call
- record data about the number and proportion of applicants who return their documents in response to the different methods of outcome delivery.

Recommendation 26

The National Redress Scheme should make the findings of the Outcome Delivery Call Reduction Trial publicly available.

Recommendation 27

The Australian Government should undertake a review of the process for onboarding institutions to the National Redress Scheme, which should include a focus on addressing delays in the onboarding of institutions. The findings of this review should be made publicly available.

Recommendation 28

The Australian Government and state and territory governments should prioritise declaring themselves as funders of last resort for:

- named institutions that are now defunct and where no link to a parent or government institution can be found
- named institutions that are willing to join the National Redress Scheme but do not have the financial means to do so (as per recommendation 5.2 of the second year review of the National Redress Scheme).

Recommendation 29

The Australian Government should expand funder of last resort provisions to ensure that all survivors can access the National Redress Scheme (as per Recommendation 19 of the second interim report of the former Joint Select Committee on Implementation of the National Redress Scheme).

Recommendation 30

The Australian Government should publicly disclose and report on:

- how many redress applications have named:
 - an institution that has refused to join the Scheme
 - an institution that has refused to join the Scheme for longer than 12 months.
- the names of those institutions (as per recommendation 12 of the previous Joint Standing Committee on Implementation of the National Redress Scheme).

Recommendation 31

There should be continuing penalties for institutions responsible for child sexual abuse that do not join the NRS before the relevant deadline (currently 31 January 2028). The Australian Government should publicise its approach to these penalties before the relevant deadline (consistent with recommendation 13 of the previous Joint Standing Committee on Implementation of the National Redress Scheme). The relevant penalties should include an ongoing listing of the institution's name on a public register, and ongoing ineligibility for charitable status and government contracts.

Recommendation 32

The Department of Social Services should urgently implement recommendations 4 and 11 of the previous Joint Standing Committee on Implementation of the National Redress Scheme, including 'urgently undertak[ing] a public information campaign to increase awareness of the National Redress Scheme and redress support services'.

Recommendation 33

The Australian Government should lead a comprehensive, national response to claim farming and related practices targeting victims and survivors of child abuse in any context, including in relation to any redress scheme, reparation scheme and personal injury claims.

The response led by the Australian Government should include urgent implementation of the detailed recommendations to address claim farming from the former Joint Select Committee and the previous Joint Standing Committee on Implementation of the National Redress Scheme. In particular, the Australian Government should lead the development of a model law to address claim farming and timelines for the implementation of reforms in all Australian jurisdictions.

Recommendation 34

The Australian Government should provide secure and adequate funding for survivor support services, including Knowmore and the Redress Support Services, so that we can continue to provide victims and survivors with the support they need. In particular, Knowmore's funding agreements related to the National Redress Scheme must match the demand for our services, and ensure that victims and survivors have access to free and independent legal and related support until the conclusion of their redress matters.

Recommendation 35

As part of planning for the legislated end of the National Redress Scheme, the Australian Government must ensure that victims and survivors have ongoing access to meaningful redress and justice-making options (see recommendation 42). This must include ongoing access to the legal and related support needed to effectively navigate redress and justice-making options.

Recommendations relevant to the impacts of changes to the National Redress Scheme in 2024

Recommendation 36

The Australian Government should continue to lead work with state and territory governments to remove ongoing barriers to accessing redress and support for victims and survivors in prison.

Recommendation 37

The Australian Government should allow all survivors with serious criminal convictions to apply for redress, without additional requirements such as the special assessment process or the additional information form (as per recommendation 3.2 of the second year review of the National Redress Scheme).

Recommendation 38

The Australian Government should amend the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth) to ensure that:

- a survivor's redress payment cannot be reduced as a result of an internal review
- there is no adverse impact for victims and survivors if they choose not to provide new information in response to a request from the National Redress Scheme as part of the internal review process.

Recommendation 39

The National Redress Scheme should make publicly available more information about how it is implementing the changes to allow some finalised applications to be reassessed, including relevant data.

Recommendation 40

The Australian Government should implement further reform to the National Redress Scheme to ensure that survivors are not unfairly disadvantaged by the single application restriction. In particular, the Australian Government should make further amendments to the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth) to ensure that the reassessment process applies to all survivors who are affected by a change in circumstances after their redress application is finalised.

Recommendation 41

The National Redress Scheme should adopt a formal practice of revoking a redress decision when requested by a survivor who received an ineligible outcome in circumstances where at least one relevant non-participating institution later joins the National Redress Scheme or is later covered by a government under the National Redress Scheme's funder of last resort arrangements.

The Australian Government should provide a clear commitment to this approach via an amendment to the National Redress Guide and/or the *National Redress Scheme for Institutional Child Sexual Abuse Rules 2018* (Cth), pending legislative reform to broaden the application of the reassessment process.

Recommendations relevant to the future of redress for victims and survivors of child sexual abuse

Recommendation 42

As part of this planning for the end of the National Redress Scheme (see recommendation 6), the Australian Government must ensure that victims and survivors have ongoing access to meaningful redress and justice-making options. This must include ongoing funding for Knowmore and Redress Support Services to provide the legal and related support needed to effectively navigate redress and justice-making options.

Recommendation 43

The Australian Government should lead work with state and territory governments on a national framework for redress and/or reparation schemes. This should include developing knowledge around best practices, scheme design and administration (consistent with recommendation 29 of the previous Joint Standing Committee on Implementation of the National Redress Scheme).

Developing a national framework for redress and/or reparation schemes should form part of planning for the legislated end of the National Redress Scheme (see recommendation 6). As with planning for the end of the National Redress Scheme broadly, developing a national framework for redress and/or reparation schemes should take place via a transparent process and should be in partnership with victims, survivors and support services, including Knowmore and the Redress Support Services.

Recommendation 44

As part of planning for the end of the National Redress Scheme, the Australian Government should consider what additional information it can appropriately publish to better inform our national understanding of institutional child sexual abuse in Australia – for example, data about the institutions to which redress applications relate and the periods of alleged abuse (consistent with recommendation 69 of the Royal Commission’s *Redress and civil litigation report*). In doing this, the safety, choice and confidentiality of victims and survivors must be paramount. For example, there must be meaningful consultation with victims and survivors about which data is published and how. Further, data relating to institutions with a small number of applications must be appropriately aggregated if it is to be published.

Part 1: general comments relevant to the inquiry as a whole

We make general comments below, relevant to the inquiry as a whole, about the following matters:

- the importance of the NRS for victims and survivors of institutional child sexual abuse
- previous reviews of the NRS
- the current status of reforms to the NRS
- improving redress for victims and survivors who experience intersectional marginalisation.

The importance of the National Redress Scheme for victims and survivors

For many victims and survivors, the redress they have received from the NRS has been life-changing. Our clients frequently tell us that their redress outcomes have helped to address the impacts of the child sexual abuse perpetrated against them. For example, some of our clients have used their redress payments to establish a stable housing situation, in turn providing them with the security to pursue education or employment opportunities. Many of our clients have also benefitted from the counselling and psychological care component of redress, experiencing improved mental health and relationships, with positive flow-on effects across their lives. These outcomes clearly have important benefits – for victims and survivors, their families, governments, and people and communities in Australia broadly.⁷

⁷ This is consistent with the Royal Commission's observations about the ripple effects of child sexual abuse. See Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission), *Final report: volume 3, impacts*, 15 December 2017, pp 202–234, <www.childabuseroyalcommission.gov.au/sites/default/files/final_report_-_volume_3_impacts.pdf>.

Despite this, there remain significant problems with the NRS that are preventing it from consistently delivering redress in accordance with the expectations of victims and survivors, and the NRS's statutory objectives. The governing legislation for the NRS is the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (NRS Act). Section 3 of the NRS Act outlines detailed objects of the Act and identifies the main objects as follows:

- 'to recognise and alleviate the impact of past institutional child sexual abuse and related abuse'
- 'to provide justice for the survivors of that abuse'.⁸

Section 10 of the NRS Act elaborates on the main objects with general principles for the NRS. In summary, these general principles are:

- survivor-focused, trauma-informed and culturally appropriate redress
- regard for the needs of survivors who are experiencing particular vulnerability
- avoiding further harm or re-traumatisation
- protecting the integrity of the NRS.

We note that the NRS's main objects and general principles are broadly consistent with the guiding principles for providing redress identified by the Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission).⁹ They are also similar to the principles in the NRS's Service Charter, which sets out the NRS's commitments for supporting survivors at each stage of their redress journey:

- Survivor-centred: 'We respect your rights and self-agency to make your own decisions'
- Supportive and safe: 'We support your individual needs and treat your story with care and confidentiality'

⁸ NRS Act, section 3(1).

⁹ Royal Commission, *Redress and civil litigation report*, September 2015, pp 95 and 135, recommendations 1 and 4, <www.childabuseroyalcommission.gov.au/redress-and-civil-litigation>.

- Inclusive and accessible: ‘We explain what things mean in simple and clear language. We make sure you can engage with us and in the process’
- Transparent and accountable: ‘We are open and honest about what you can expect from us and whether we are meeting our commitments’¹⁰

In Knowmore’s view, these are sound principles for evaluating the operation of the NRS and making recommendations for its improvement, including in relation to the matters raised by the terms of reference for the inquiry (terms of reference).

We note, in particular, that the terms of reference ask ‘whether the operation and administration of the Scheme by the Department of Social Services (the Department) is meeting the expectations of survivors and the Scheme’s statutory objectives’.¹¹ Due to significant, ongoing problems with the transparency of the NRS (see pages 76 to 83), it is often difficult for us to determine the precise cause of problems with the NRS. For example, it is not always clear to us when a problem has been caused by a legislative requirement, a policy of the Department or the NRS, or an exercise of discretion by an NRS decision-maker or staff member. We make further comments about the transparency of the NRS on pages 76 to 83.

What we see clearly, and seek to highlight in this submission, is the impact of problems with the NRS on our clients – victims and survivors who experience further harm and re-traumatisation in seeking redress for the institutional child sexual abuse perpetrated against them. While these problems affect survivors of institutional child sexual abuse in general, they also disproportionately affect survivors who experience multiple forms of

¹⁰ National Redress Scheme, *Service Charter for your National Redress Scheme*, 28 June 2024, p 7, <www.nationalredress.gov.au/sites/default/files/documents/2024-06/Service%20Charter%20for%20your%20National%20Redress%20Scheme%20-%20Service%20Charter%20Report%2026052023.pdf>.

¹¹ Joint Standing Committee on Implementation of the National Redress Scheme (Joint Standing Committee), *Terms of Reference*, accessed 10 January 2026, <https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/National_Redress_Scheme_Standing/OperationoftheNRS/Terms_of_Reference>.

marginalisation (also called intersectional marginalisation – see pages 44 to 55).

Many of the problems highlighted by our submission to the inquiry are not new – they were foreshadowed by the Royal Commission and have been repeatedly raised by victims, survivors and support services throughout previous reviews of the NRS (see pages 36 to 40). They continue to have significant, adverse impacts on victims and survivors of institutional child sexual abuse. We are concerned that these impacts will worsen as we approach the legislated end of the NRS (see pages 74 to 151).

The following experiences of one of Knowmore’s clients illustrates the importance of the NRS for victims and survivors, the impacts of unfair redress decisions (see pages 75 to 111), the importance of the internal review process (see pages 171 to 175) and the positive impacts of the legal and related support provided by Knowmore (see pages 138 to 151).

A client who received a positive NRS outcome after Knowmore supported them to seek an internal review of their redress decision

Our client experienced penetrative abuse in a family day care setting when they were 2-and-a-half years old. Our client now lives with permanent disability as a result of the abuse they experienced, requiring significant ongoing care. Despite their immense personal resilience and strength, the abuse continues to have a profound impact on their daily life.

Knowmore has provided ongoing support to the client over many years, walking alongside them on their journey for justice and redress.

[Continued below]

[Continued from above] A client who received a positive NRS outcome after Knowmore supported them to seek an internal review of their redress decision

When the institution responsible for the abuse joined the NRS, Knowmore assisted the client to apply for redress. However, the NRS decision-maker did not accept our client's account of what happened to them, due to their young age at the time of abuse. The decision-maker doubted our client's capacity to have clear memories of the abuse and relied on limited records from the time to dismiss our client's personal account. As a result, our client was only found eligible for redress in relation to contact abuse, not penetrative abuse.

When our client received their NRS outcome, the decision caused them to feel suicidal. They were left feeling that their experiences had been minimised, which caused significant periods of poor mental health and anxiety. Our client also told us that it was the first time they had disclosed their story to an institution where they weren't believed, having previously been believed by police and medical professionals.

After providing our client with advice about their legal rights and options, Knowmore assisted them to apply for an internal review of the redress decision, making a written submission in support of the review.

Our client In 2025, our client received a positive internal review outcome, in which the penetrative abuse they experienced as a child was recognised. Upon receiving this outcome, our client expressed overwhelming relief at finally being believed, saying:

I cannot thank you and Knowmore enough, you have been such a lifeline since 2016 when the Royal Commission happened. Every single person I spoke to has been so beautiful and trauma informed. If it wasn't for your help I would never have done the review.

Previous reviews of the National Redress Scheme

There have been 5 major reviews of the NRS in the past 7 years.¹² This is illustrated by the table below.

Table: Major reviews of the National Redress Scheme in the past 7 years

Review	Report(s)
Inquiry of the former Joint Select Committee on oversight of the implementation of redress related recommendations of the Royal Commission	<ul style="list-style-type: none"> Report published in April 2019¹³
Inquiry of the former Joint Select Committee on Implementation of the NRS (the former Joint Select Committee)	<ul style="list-style-type: none"> First interim report published in May 2020¹⁴ and second interim report published in November 2021¹⁵

¹² The Australian National Audit Office (ANAO) also refers to ‘an independent review of the funding and operations of the National Redress Scheme’, which was initiated by the Minister for Social Services (the Minister), authored by Liza Carroll and issued in February 2024. This report is not publicly available, although the ANAO states that it ‘made 11 recommendations to improve the performance of the Scheme and ensure its suitability and sustainability through to the Scheme’s end in 2028’, and that the Minister accepted all of these recommendations. See ANAO, *Department of Social Services’ Management of the National Redress Scheme*, November 2025, p 55, paragraph 3.35, <<https://www.anao.gov.au/work/performance-audit/departments-of-social-services-management-of-the-national-redress-scheme>>.

¹³ Joint Select Committee on oversight of the implementation of redress related recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse, *Getting the National Redress Scheme right: An overdue step towards justice*, April 2019, <www.aph.gov.au/Parliamentary_Business/Committees/Joint/Royal_Commission_into_Institutional_Responses_to_Child_Sexual_Abuse/RoyalCommissionChildAbuse/Report>.

¹⁴ Joint Select Committee on Implementation of the National Redress Scheme (Joint Select Committee), *First interim report of the Joint Select Committee on Implementation of the National Redress Scheme*, May 2020, <www.aph.gov.au/Parliamentary_Business/Committees/Joint/Former_Committees/National_Redress_Scheme/NationalRedressScheme/Interim_Report>.

¹⁵ Joint Select Committee, *Second interim report of the Joint Select Committee on Implementation of the National Redress Scheme*, November 2021,

Review	Report(s)
Second year review of the NRS conducted by independent reviewer Ms Robyn Kruk AO (the second year review)	<ul style="list-style-type: none"> • Report published in June 2021¹⁶
Inquiry of the Joint Standing Committee on Implementation of the NRS (the previous Joint Standing Committee)	<ul style="list-style-type: none"> • Report published in November 2024¹⁷
Australian National Audit Office’s audit into the Department of Social Services’ management of the NRS	<ul style="list-style-type: none"> • Report published in November 2025¹⁸

There are many recommendations outstanding from these reviews that, if implemented, would result in significant improvements to the NRS. While Knowmore broadly supports the recommendations made by previous reviews and does not wish to diminish the importance of any of these, we do not repeat all of the recommendations made by previous reviews in this submission. We consider that the Australian Government should lead work with the state and territory governments to implement the recommendations made by previous reviews of the NRS.

<www.aph.gov.au/Parliamentary_Business/Committees/Joint/Former_Committees/National_Redress_Scheme/NationalRedressScheme/Second_Interim_Report>.

¹⁶ R Kruk AO, *Final report: Second year review of the National Redress Scheme*, 26 March 2021, <www.nationalredress.gov.au/sites/default/files/documents/2024-08/final-report-second-year-review-national-redress-scheme.pdf>.

¹⁷ Joint Standing Committee on Implementation of the National Redress Scheme, *Redress: journey to justice*, November 2024, <www.parlinfo.aph.gov.au/parlInfo/download/committees/reportjnt/RB000213/toc_pdf/RedressJourneytoJustice.pdf>.

¹⁸ Australian National Audit Office, *Department of Social Services’ Management of the National Redress Scheme*, November 2025, <<https://www.anao.gov.au/work/performance-audit/departments-of-social-services-management-of-the-national-redress-scheme>>.

Recommendation 1

The Australian Government should lead work with the state and territory governments to implement recommendations made by previous reviews of the National Redress Scheme.

We particularly wish to highlight the 2 most recent reports from major reviews of the NRS:

1. the report of the previous Joint Standing Committee, published in November 2024
2. the Australian National Audit Office's report (ANAO's report), published in November 2025.

The report of the previous Joint Standing Committee was a unanimous report, supported by Labor, Liberal and Greens members of the previous Joint Standing Committee.¹⁹ We commend the previous Joint Standing Committee for its constructive, cross-party approach, recognising that redress for victims and survivors of institutional child sexual abuse is too important to be reduced to a matter of party politics.

One of the previous Joint Standing Committee's most significant findings, as noted on page 11 above, was that the NRS 'is running out of time'.²⁰ We make further comments about this on pages 58 to 65 below.

The Australian National Audit Office's audit (ANAO's audit) took place in the context of the previous Joint Standing Committee's concerns about unfairness, inconsistency and lack of transparency in redress decisions (see our further comments about these issues on pages 75 to 111 below).²¹ The overarching conclusion of the ANAO's report was that the

¹⁹ Australian Parliament, *Report released – National Redress Scheme*, 26 November 2024, <https://www.aph.gov.au/About_Parliament/House_of_Representatives/About_the_House_News/Media_Releases/Report_Released_National_Redress_Scheme>.

²⁰ Previous Joint Standing Committee, *Redress: journey to justice*, p 4.

²¹ Previous Joint Standing Committee, *Redress: journey to justice*, pp 19–21, paragraphs 1.91–1.100.

Department's administration of the NRS was only 'partly effective'.²² As we expressed in our response to the ANAO's report in November 2025, 'partly effective' is not good enough when it comes to redress for victims and survivors of institutional child sexual abuse.²³

The Australian Government has generally been slow to respond to the reports of previous major reviews of the NRS. For example, it took the Australian Government more than 2 years to provide a final response to the second year review of the National Redress Scheme (the second year review), although we acknowledge that there was an interim response.²⁴ The Australian Government's response to the previous Joint Standing Committee's report was due in February 2025, but has not been provided as at February 2026.²⁵

The Australian Government's delays in responding to review reports contribute to the slow pace of reform to the NRS (see the discussion on pages 40 to 43), and impact on the ability of victims and survivors to make

²² ANAO, *Department of Social Services' Management of the National Redress Scheme*, p 8, paragraph 10.

²³ Knowmore, 'Partly effective not good enough': legal service for child abuse survivors calls for change following audit of redress, 24 November 2025, <<https://knowmore.org.au/partly-effective-not-good-enough-legal-service-for-child-abuse-survivors-calls-for-change-following-audit-of-redress/>>.

²⁴ The final report of the second year review of the NRS was provided in March 2021. The Australian Government provided an interim response in June 2021. The Australian Government did not provide a final response until May 2023. See Australian Government, *Interim Australian Government response to the Final Report of the Second year review of the National Redress Scheme*, June 2021, <<https://www.nationalredress.gov.au/sites/default/files/documents/2024-08/Interim-Australian-Government-Response-Second-Year-Review-National-Redress-Scheme.pdf>>; Australian Government, *The Australian Government response to the Final Report of the Second Year Review of the National Redress Scheme*, May 2023, <https://www.nationalredress.gov.au/sites/default/files/documents/2024-08/australian-government-response-second-year-review-national-redress-scheme_0.pdf>.

²⁵ See President of the Senate, *President's report to the Senate on the status of government responses to parliamentary committee reports as at 31 December 2025* (President of the Senate), 3 February 2026, p 11, <https://www.aph.gov.au/Parliamentary_Business/Tabled_Documents/14824>; previous Joint Standing Committee, *Government response*, accessed 19 February 2026, <https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/National_Redress_Scheme_Standing/Redress47/Government_Response>.

informed choices about their redress and compensation options. We consider that the Australian Government should urgently provide a response to the report of the previous Joint Standing Committee.

Recommendation 2

The Australian Government should urgently provide a response to the report of the previous Joint Standing Committee on Implementation of the National Redress Scheme.

Current status of reforms to the National Redress Scheme

While there have been significant reforms to the NRS since it started on 1 July 2018, the overall pace of reform has been slow, given the time-limited nature of the NRS as a 10-year scheme. We share the previous Joint Standing Committee's perspective that 'in general, improvements to the Scheme are happening too slowly to be of greatest benefit to survivors'.²⁶

Knowmore has repeatedly raised concerns about the slow pace of reform to the NRS and our clients' experience of 'review fatigue'.²⁷ As we stated in our primary submission to the previous Joint Standing Committee in February 2023:

²⁶ Previous Joint Standing Committee, p 6, paragraph 1.22.

²⁷ See Knowmore, *Submission to the Australian National Audit Office on the Department of Social Services' management of the National Redress Scheme* (Submission to the Australian National Audit Office), 3 June 2025, pp 28-29, <<https://knowmore.org.au/wp-content/uploads/2025/06/submission-dss-management-national-redress-scheme-cth.pdf>>; Knowmore, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme: Seventh year of the National Redress Scheme*, 26 July 2024, p 11, <<https://knowmore.org.au/wp-content/uploads/2024/08/submission-joint-standing-committee-on-implementation-of-the-national-redress-scheme-seventh-year-cth.pdf>>; Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme* (Primary Submission to the Joint Standing Committee), 27 February 2023, p 15, <<https://knowmore.org.au/wp-content/uploads/2023/03/submission-joint-standing-committee-on-implementation-of-the-national-redress-scheme-cth.pdf>>.

*We are hearing from our clients a sense of 'review fatigue' and frustration about the lack of meaningful improvements ... Many survivors continue to wait for reforms to enable them to receive redress ... In our experience, survivors feel that many important recommendations for improvement have been made, and meaningful action is now long overdue.*²⁸

In many respects, and for many victims and survivors, this statement remains true and is worsened by the fact that a further 3 years has passed with many sound recommendations remaining unimplemented or not having been fully implemented. These include recommendations that the Australian Government expressed support for in its final response to the second year review in May 2023 (see, for example, pages 85 to 98 and pages 171 to 175 below).

The Australian Government has also said it supports recommendations where, due to ongoing issues with transparency, it is not clear if and how the recommendations have been fully implemented. These include recommendations to:

- strengthen consistency and integrity in decision-making²⁹
- improve the treatment of prior payments received by victims and survivors, including Stolen Generations payments³⁰
- improve counselling support³¹
- improve direct personal responses.³²

Our clients continue to face barriers to accessing redress and to experience harm and re-traumatisation as a result of inadequate action on these recommendations and others.

²⁸ Knowmore, Primary Submission to the Joint Standing Committee, p 15.

²⁹ Australian Government, *The Australian Government response to the Final Report of the Second Year Review of the National Redress Scheme*, pp 10–11 and 14.

³⁰ Australian Government, *The Australian Government response to the Final Report of the Second Year Review of the National Redress Scheme*, p 14.

³¹ Australian Government, *The Australian Government response to the Final Report of the Second Year Review of the National Redress Scheme*, p 17.

³² Australian Government, *The Australian Government response to the Final Report of the Second Year Review of the National Redress Scheme*, p 18.

We note the Department's view that '88 per cent of the agreed actions across the first five reports [on the NRS] have been completed'.³³ However, it is unclear to us precisely which recommendations the Department considers to be fully implemented or what further steps are planned to fully implement the remaining recommendations.

In Knowmore's view, there would be significant benefits to providing greater transparency as to the implementation status of recommendations from reviews of the NRS. This would be respectful of the victims and survivors who have contributed to the reviews, hoping that the review processes would lead to change. It would also assist us to better understand the cause of problems with the NRS that impact upon our clients (see the discussion on 76 to 78) and to more effectively contribute to resolving such problems, both for individual clients and systemically.

The Australian National Audit Office (ANAO) noted that 'there is no single reporting framework for monitoring the implementation of all agreed report recommendations',³⁴ and made the following recommendation.³⁵

Recommendation 5 of the Australian National Audit Office

The Department of Social Services develop a framework for reporting on all review and inquiry reports about the Scheme. This framework should include:

- a) a documented process for monitoring, reviewing and closing all report recommendations, and
- b) a plan for evaluating how the implementation of recommendations has resulted in continuous improvement.

The Department agreed with this recommendation, commenting that the NRS was 'implementing a framework to monitor all report

³³ ANAO, *Department of Social Services' Management of the National Redress Scheme*, p 83, paragraph 4.39.

³⁴ ANAO, *Department of Social Services' Management of the National Redress Scheme*, p 83, paragraph 4.40.

³⁵ ANAO, *Department of Social Services' Management of the National Redress Scheme*, p 84, paragraph 4.41.

recommendations through to completion'.³⁶ Knowmore recommends that the Department of Social Services make this framework – or a similar framework – publicly available, in order to improve transparency. The publicly available framework should include, for each recommendation that has been supported or supported in principle by the Australian Government:

- whether the Department of Social Services considers the recommendation to be fully implemented
- specific steps taken to implement the recommendation
- whether there are further steps planned to implement the recommendation.

Recommendation 3

The Department of Social Services should develop a single, publicly available framework for monitoring and reporting on all recommendations from reviews of the National Redress Scheme. The framework should include, for each recommendation that has been supported or supported in principle by the Australian Government:

- whether the Department of Social Services considers the recommendation to be fully implemented
- specific steps taken to implement the recommendation
- whether there are further steps planned to implement the recommendation.

³⁶ ANAO, *Department of Social Services' Management of the National Redress Scheme*, p 84, paragraph 4.43.

Improving redress for victims and survivors who experience intersectional marginalisation

Knowmore emphasises the importance of an intersectional approach to understanding the experiences of victims and survivors. An intersectional approach recognises that victims and survivors may experience multiple forms of marginalisation, and that these experiences may overlap to create additional barriers to accessing redress and support.³⁷

Previous reviews of the NRS have highlighted the importance of improving redress for victims and survivors who experience intersectional marginalisation, including First Nations survivors, survivors with disability, culturally and racially marginalised survivors, survivors who are care leavers, and survivors in prison.³⁸ Throughout these reviews, Knowmore has consistently highlighted that victims and survivors who experience intersectional marginalisation:

- are over-represented among victims and survivors of institutional child sexual abuse
- face additional and often unique barriers to disclosing abuse, and to accessing redress and support
- are often disproportionately and cumulatively impacted by existing problems with the NRS that affect victims and survivors in general (see our comments on pages xx to xx above).³⁹

These observations remain relevant in February 2026. In particular, we are concerned that the growing pressure on the NRS is impacting disproportionately on victims and survivors who experience intersectional marginalisation – a situation that is likely to worsen as the NRS draws

³⁷ Knowmore, Primary Submission to the Joint Standing Committee, pp 25–26.

³⁸ Previous Joint Standing Committee, Chapters 6–8; Joint Select Committee, *Second interim report of the Joint Select Committee on Implementation of the National Redress Scheme*, p 145, paragraph 6.211.

³⁹ See for example Knowmore, Submission to the Australian National Audit Office, pp 75–78; Knowmore, Primary Submission to the Joint Standing Committee, pp 25–50; Knowmore, *Submission to the second anniversary review of the National Redress Scheme*, 30 September 2020, pp 37–56, <<https://knowmore.org.au/wp-content/uploads/2020/11/submission-second-anniversary-review-of-the-national-redress-scheme-cth.pdf>>.

closer to the legislated deadline for applications (see the discussion on pages 74 to 151).

As noted on page 32, the legislated principles for providing redress include regard for the needs of survivors who are experiencing particular vulnerability. This reflects the Royal Commission's recommendations.⁴⁰ We also note the Royal Commission's recommendation that there must be equal access to redress.⁴¹

Consistent with these objectives, Knowmore recommends that the Australian Government prioritise improvements to the NRS for victims and survivors who experience intersectional marginalisation. We particularly note the importance of publicly available data as an element of truth-telling about the experiences of victims and survivors who experience intersectional marginalisation (see pages 194 to 196).⁴² We also note the importance of engagement strategies tailored to specific communities and informed by lived experience, recognising the diversity of people who experience intersectional marginalisation and the additional barriers to redress they face.⁴³

⁴⁰ See especially Royal Commission, *Redress and civil litigation report*, p 10, recommendation 4.

⁴¹ See Royal Commission, *Redress and civil litigation report*, p 4, recommendation 1.

⁴² See Previous Joint Standing Committee, p 13, paragraph 1.55, recommendation 8.

⁴³ See Previous Joint Standing Committee, p 14, paragraphs 1.59-1.64.

Recommendation 4

The Australian Government should prioritise improvements to the National Redress Scheme for victims and survivors who experience intersectional marginalisation. In doing this, the Australian Government should have regard to the importance of:

- publicly available data as an element of truth-telling about the experiences of victims and survivors who experience intersectional marginalisation
- engagement strategies tailored to specific communities and informed by lived experience, recognising the diversity of people who experience intersectional marginalisation and the additional barriers to redress they face.

For accountability and transparency, we also recommend that the Australian Government report publicly on the implementation of these improvements, including information about specific steps taken and any further steps planned. We note that this could be integrated effectively within a single, publicly available framework for monitoring and reporting on all recommendations from reviews of the NRS (see recommendation 3 on page 43).

Recommendation 5

The Australian Government should report publicly on the implementation of improvements to the National Redress Scheme for victims and survivors who experience intersectional marginalisation, including information about specific steps taken and any further steps planned.

We have made detailed comments about improving redress for victims and survivors who experience intersectional marginalisation in our previous submissions.⁴⁴ We do not repeat those comments in full here. Our

⁴⁴ See for example, Knowmore, Primary Submission to the Joint Standing Committee, pp 25–50; Knowmore, *Submission to the second anniversary review of the National Redress Scheme*, pp 37–56, recommendations 21, 24, 29 and 32.

comments in this submission focus on recommendations that have been recently made and our recent experience assisting victims and survivors who experience intersectional marginalisation.

We make comments below about improving redress for First Nations victims and survivors, and victims and survivors with disability, building on the valuable work of the previous Joint Standing Committee.⁴⁵ We also make comments about the experiences of victims and survivors in prison (on pages 153 to 168) as part of the discussion about the impacts of changes to the NRS in 2024.

Improving redress for First Nations victims and survivors

In the period from 1 July 2024 to 30 June 2025, the NRS received 6,861 applications from First Nations peoples. More than 1 in 3 applications (35%) to the NRS were from First Nations peoples.⁴⁶

Knowmore is proud to play a significant role in facilitating access to redress for First Nations victims and survivors. Almost 2 in 5 (39%) of Knowmore's clients identify as Aboriginal and/or Torres Strait Islander peoples. Our service model provides culturally safe legal assistance and related support to victims and survivors of institutional child sexual abuse. For more information about our service model, see the discussion on pages 144 to 145.

We continue to see the impact of ongoing barriers to redress for First Nations victims and survivors. We see a particularly unjust dynamic, where Australian governments disproportionately place First Nations children in

⁴⁵ We note that the inquiry of the previous Joint Standing Committee included a focus on First Nations victims and survivors, and victims and survivors with disability. See Previous Joint Standing Committee, pp 245–246.

⁴⁶ Department of Social Services, *Annual Report 2024–25*, October 2025, p 102, <<https://www.dss.gov.au/system/files/documents/2025-11/departement-social-services-annual-report-2024-25.pdf>>.

institutions,⁴⁷ where they experience a heightened risk of child sexual abuse,⁴⁸ only to later deny many of those same First Nations people equal access to redress.⁴⁹ For example, we note the significant impact of ‘private care’ arrangements in Western Australia, which involved the government placing a child into an out-of-home care arrangement (for example, with a family member) without bringing the child under state guardianship or obtaining formal court orders for the arrangement. We experience significant difficulties in getting the NRS to recognise the government’s institutional responsibility for private care arrangements, even where the government had ongoing involvement in the child’s care. This issue affects many First Nations victims and survivors in Western Australia who were placed in private care arrangements.⁵⁰

⁴⁷ 65% of young people in detention aged 10 and over are Aboriginal and/or Torres Strait Islander peoples. 44.5% of children in out-of-home care are Aboriginal and/or Torres Strait Islander peoples. See Australian Institute of Health and Welfare, *Youth justice in Australia 2023–24: First Nations young people in detention*, 28 March 2025, accessed 16 February 2026, <<https://www.aihw.gov.au/reports/youth-justice/youth-justice-in-australia-2023-24/contents/first-nations-young-people-under-supervision/first-nations-young-people-in-detention>>; Australian Institute of Health and Welfare, *Child protection Australia 2023–24: Supporting children*, 11 December 2025, accessed 16 February 2026, <<https://www.aihw.gov.au/reports/child-protection/child-protection-australia-2023-24/contents/insights/supporting-children#duction>>.

⁴⁸ The Royal Commission found that 75% of Aboriginal and/or Torres Strait Islander survivors experienced child sexual abuse in out-of-home care, while 15.2% of Aboriginal and/or Torres Strait Islander survivors experienced child sexual abuse in youth detention. See Royal Commission, *Final report: volume 5, private sessions*, December 2017, p 400, table P.13, <https://www.childabuseroyalcommission.gov.au/sites/default/files/final_report_-_volume_5_private_sessions.pdf>.

⁴⁹ See Knowmore, Primary submission to the Joint Standing Committee, pp 49–50.

⁵⁰ We note that Tuart Place’s submission to the Joint Standing Committee makes detailed comments about ‘private care’ arrangements. Knowmore has also made detailed comments about this issue in a submission to a committee of the WA Parliament. See Tuart Place, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, February 2026, <https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/National_Redress_Scheme_Standing/OperationoftheNRS/Submissions>; Knowmore, *Submission to the inquiry into the options available to survivors of institutional child sexual abuse in Western Australia who are seeking justice*, 11 August 2023, pp 41–43, <<https://knowmore.org.au/wp-content/uploads/2023/11/submission-inquiry-into-the-options-available-to-survivors-of-institutional-child-sexual-abuse-seeking-justice-wa.pdf>>.

In our primary submission to the previous Joint Standing Committee, we made many recommendations to improve redress for First Nations peoples, including recommendations that the Australian Government take the following steps:

- improving awareness of the NRS among First Nations victims and survivors, including through a targeted communication and engagement strategy
- improving access to culturally safe and appropriate Redress Support Services, including for victims and survivors living in regional, rural and remote locations
- improving cultural safety within NRS processes, including in relation to the NRS's nominee process, the practice of recording telephone calls, and the NRS's identity requirements
- improving knowledge of the experiences of First Nations victims and survivors among NRS staff, including Independent Decision Makers (IDMs)
- addressing the inconsistent and unfair treatment of prior payments received by First Nations victims and survivors, in particular for Stolen Generations survivors
- improving the counselling and psychological care component of redress for First Nations victims and survivors, including by ensuring that relevant services are culturally appropriate.⁵¹

Many of these areas of improvement are reflected in the report of the previous Joint Standing Committee, published in November 2024.⁵² The previous Joint Standing Committee recognised that:

*...there are many barriers that prevent First Nations survivors from seeking redress. Further, being able to think about redress may be secondary to resolving other problems such as housing, health issues, substance abuse or family violence.*⁵³

⁵¹ See Knowmore, Primary Submission to the Joint Standing Committee, recommendations 3, 12, 13, 15, and 17.

⁵² Previous Joint Standing Committee, Chapter 6 and Recommendations 8 and 22.

⁵³ Previous Joint Standing Committee p 120, paragraph 6.4.

In Knowmore's view, it would be valuable for the Department to make publicly available updated information about the status of any improvements to address the many barriers to redress that disproportionately impact First Nations victims and survivors.

Without diminishing the importance of any of the issues discussed above, we wish to highlight 2 priority areas relevant to First Nations survivors for the Joint Standing Committee's attention:

- the NRS's approach to prior payments to Stolen Generations survivors
- the disproportionate impact of delays and First Nations victims and survivors.

The National Redress Scheme's approach to prior payments to Stolen Generations survivors

In this context, prior payments refer to payments that a survivor has received from a source other than the NRS, such as a civil claim or another redress scheme. In some circumstances, the NRS will index prior payments and deduct them from a survivor's NRS payment.⁵⁴ Knowmore has long been concerned by inconsistency and unfairness in the NRS's approach to prior payments, and in particular, the NRS's approach to prior payments to Stolen Generations survivors for the harm caused by forced removal (Stolen Generations payments).⁵⁵

We had observed some improvement in the NRS's approach to Stolen Generations payments in recent years. However, with the start of the WA Stolen Generations Redress Scheme in November 2025, the issue has unfortunately been re-enlivened.⁵⁶ Applying the *National Redress Scheme for Institutional Child Sexual Abuse Rules 2018* (Cth) (NRS Rules), the NRS should not deduct payments that relate solely to the harm caused by the

⁵⁴ Australian Government, *National Redress Guide: Part 5.1 Redress payment*, accessed 16 February 2026, <<https://guides.dss.gov.au/national-redress-guide/5/1>>.

⁵⁵ See, for example, Knowmore, Primary Submission to the Joint Standing Committee, pp 19–21 and 42–44.

⁵⁶ See Government of Western Australia, Department of Premier and Cabinet, *WA Stolen Generations Redress Scheme*, accessed 6 February 2026, <www.wa.gov.au/organisation/department-of-the-premier-and-cabinet/wa-stolen-generations-redress-scheme>.

forced removal of First Nations children, rather than an act of sexual abuse.⁵⁷ Despite this, the Department has indicated that the NRS may consider deducting a payment made under the WA Stolen Generations Redress Scheme from a survivor's NRS payment. Such a deduction would be unfair and retraumatising for many Stolen Generations survivors, who have experienced a persistent lack of justice in their lives.

We have not received clear guidance about the circumstances in which a WA Stolen Generations Redress Scheme payment could be deducted. In addition, the NRS has removed the commitment from its website that 'any redress payments that eligible applicants receive through the Territories Stolen Generations Redress Scheme will not impact any payments you may receive from the NRS, as the Schemes are for two different purposes'. This is a step backwards, and impacts on our ability to assist Stolen Generations survivors who also experienced institutional child sexual abuse to make informed choices about their redress and justice-making options. For many victims and survivors, the lack of clarity is distressing, and enough to stop them from fully exploring their options or making an NRS application.

The disproportionate impact of delays on First Nations victims and survivors

Every major review of the NRS has raised concerns about delays in processing redress applications.⁵⁸ We make detailed comments about these delays on pages 61 to 64. Previous reviews of the NRS have also noted the related issue of victims and survivors passing away without

⁵⁷ *National Redress Scheme for Institutional Child Sexual Abuse Rules 2018* (Cth) (NRS Rules), rule 26. For more information about how the NRS Rules apply to Stolen Generations payments, see Knowmore, Primary Submission to the Joint Standing Committee, p 42.

⁵⁸ Joint Select Committee on oversight of the implementation of redress related recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse, *Getting the National Redress Scheme right: An overdue step towards justice*, pp 151–153; Joint Select Committee, *First interim report of the Joint Select Committee on Implementation of the National Redress Scheme*, pp 53–63; Joint Select Committee, *Second interim report of the Joint Select Committee on Implementation of the National Redress Scheme*, pp 59 and 86–87; R Kruk AO, *Final report: Second year review of the National Redress Scheme*, pp 43–45 and 194; Previous Joint Standing Committee, p 53; ANAO, Department of Social Services' Management of the National Redress Scheme, p 9, paragraph 12.

receiving a redress payment.⁵⁹ In our experience, these issues have a disproportionate impact on First Nations victims and survivors.

We particularly note the impact of the gap in life expectancy. First Nations men have a life expectancy that is 8.8 years less than the life expectancy of non-First Nations men. First Nations women have a life expectancy that is 8.1 years less than the life expectancy of non-First Nations women. The gap is bigger in remote and very remote areas, at 12.4 years for both men and women.⁶⁰ Many First Nations peoples do not have the luxury of time when it comes to the processing of their redress applications.

Due to the lack of transparency from the NRS (discussed on pages 76 to 83), we often do not have a clear understanding of why the processing of a survivor's application has been delayed. This is distressing for survivors, and impacts on our ability to respond effectively to the specific causes of delay, both in particular cases and systemically.

Margie Coyne, the Acting National Manager of First Nations Engagement at Knowmore, describes the impact of these issues on First Nations victims and survivors in the following terms.

There's a feeling of being forgotten and a fear for Aboriginal people that they're going to die before they get an outcome. It's keeping that trauma alive, and not being able to close that chapter of their lives.

Reflections of Margie Coyne, Acting National Manager of First Nations Engagement at Knowmore Legal Service

⁵⁹ Joint Select Committee on oversight of the implementation of redress related recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse, *Getting the National Redress Scheme right: An overdue step towards justice*, p 130; Joint Select Committee, *First interim report of the Joint Select Committee on Implementation of the National Redress Scheme*, pp 31–32; Joint Select Committee, *Second interim report of the Joint Select Committee on Implementation of the National Redress Scheme*, p 59; R Kruk AO, *Final report: second year review of the National Redress Scheme*, pp 43–45 and 194; Previous Joint Standing Committee, p 53.

⁶⁰ Australian Institute of Health and Welfare, *Aboriginal and Torres Strait Islander Health Performance Framework Summary report*, June 2025, p 24, <https://www.indigenoushpf.gov.au/getattachment/36db9308-d7ed-47b9-945c-5ceebb956528/hpf_summary-report-june-2025.pdf>.

In light of these issues, Knowmore considers that the growing pressure on the NRS risks causing severe and disproportionate harm to First Nations victims and survivors (see our comments on pages 58 to 65).

Improving redress for victims and survivors with disability

The Department informed the previous Joint Standing Committee that the NRS had received 16,260 applications from people with disability. More than 1 in 3 applications (35%) to the NRS were from people with disability.⁶¹

In Knowmore's experience, victims and survivors with disability experience additional barriers to accessing redress. In our primary submission to the previous Joint Standing Committee, we made many recommendations to improve redress for victims and survivors with disability, including that the Australian Government take the following steps:

- improving awareness of the NRS among victims and survivors with disability, including through a targeted communication and engagement strategy⁶²
- improving access to support services for victims and survivors with disability, including by providing additional and secure funding for specialist Redress Support Services
- improving the accessibility of the NRS, including by ensuring that NRS processes are accessible and flexible, ensuring that NRS staff receive adequate training in responding to the needs of survivors with disability, and providing reasonable adjustments for survivors with disability

⁶¹ Previous Joint Standing Committee, p 127. See also Department of Social Services, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme* (Submission 9, supplementary submission 24), September 2024, p 6, <<https://www.aph.gov.au/DocumentStore.ashx?id=f3407ca3-e77f-4461-80dc-10f30484d32d&subId=734158>>.

⁶² We note that the ANAO recently reported that in late March 2025, the Department of Social Services established The National Redress Scheme Disability Engagement Strategy to 'guide engagement and community activity until June 2025.' However, there remains limited public information about this strategy, its implementation and effectiveness, and whether it remains current or has concluded. See ANAO, *Department of Social Services' Management of the National Redress Scheme*, p 44, paragraph 2.74.

- improving the counselling and psychological care component of redress, including by ensuring that victims and survivors with disability have lifelong access to trauma-informed redress counselling, and that counselling services are available, appropriate, and meet the diverse needs of survivors with disability
- improving the availability of data and information available about the experiences of victims and survivors with disability who apply to the NRS.⁶³

Recognising the importance of reasonable adjustments, the previous Joint Standing Committee also made the following detailed recommendation.⁶⁴

Recommendation 5 of the report of the previous Joint Standing Committee

The Committee recommends that the Department of Social Services should:

- Make reasonable adjustments and allow exceptions to the Scheme's application procedures.
- Do this subject to individual circumstances and the risks in each case, such as where a survivor has severe disability or a communication barrier.

This should include:

- Steps for completing the redress application, including:
 - How questions must be answered.
 - Receiving information in alternative formats, including in languages other than spoken English.
- Procedures whereby a redress applicant's documents, identity or signatures can be witnessed or recorded by electronic or virtual means.

⁶³ *Knowmore, Primary Submission to the Joint Standing Committee*, pp 26-34.

⁶⁴ *Previous Joint Standing Committee*, p 12, recommendation 5.

Knowmore supports this recommendation. In our experience, NRS staff do not have a consistently strong understanding of the experiences, rights and needs of victims and survivors with disability. Many NRS processes are inaccessible to victims and survivors with disability, and it often takes significant advocacy to obtain reasonable adjustments.

In Knowmore's view, it would be valuable for the Department to make publicly available updated information about the status of any improvements to address the many barriers to redress that disproportionately impact victims and survivors with disability.

Part 2: the National Redress Scheme's operational timeline

We note that the terms of reference ask about 'the Scheme's operational timeline, and the potential for this timeline to be extended'.⁶⁵ Our comments below address the following matters:

- legal aspects of the NRS's operational timeline
- concern about the capacity of the NRS to deliver redress to all eligible victims and survivors
- planning for the legislated deadline for redress applications and the legislated end of the NRS
- extending the NRS
- matters for consideration beyond the formal end of the NRS.

This part of the submission focuses on the NRS's operational timeline. We make comments about the future of redress for victims and survivors beyond the end of the NRS in part 5 of the submission.

Legal aspects of the National Redress Scheme's timeline

The NRS started on 1 July 2018.⁶⁶ As noted on page 11, the legislated deadline for applications is 30 June 2027 and the legislated end of the NRS is 1 July 2028.⁶⁷

We have received limited information from any source about the intended arrangements for the final year of the NRS. The relevant law provides some indications, but with significant complexity and uncertainty.

⁶⁵ Joint Standing Committee, *Terms of Reference*.

⁶⁶ NRS Act, section 2.

⁶⁷ NRS Act sections 20(1)(e) and 193(1); Australian Government, *National Redress Guide*, Part 2.5 *Timeframe to lodge application* and Part 9.3.7 *Scheme sunset day*.

We note the following relevant aspects of the legal framework:

- An application can be made after the legislated deadline for applications if the NRS ‘determines there are exceptional circumstances justifying the application being made’.⁶⁸ There is not yet any publicly available guidance as to what the NRS considers to be relevant exceptional circumstances.
- The NRS Rules prevent institutions from joining the NRS after 31 January 2028.⁶⁹ The Minister for Social Services (the Minister) can extend this deadline by amending the NRS Rules.⁷⁰
- The NRS Act provides the Minister with the legal power to extend the NRS by amending the NRS Rules before 1 July 2028.⁷¹ As the deadline for applications is determined by reference to the end date for the NRS,⁷² the same legal power would enable the Minister to extend the deadline for applications by amending the NRS Rules before 30 June 2027. The agreement of state and territory governments is important for extending the NRS, as the NRS is underpinned by an intergovernmental agreement and state laws referring power to the Australian Government (see the discussion about extending the NRS on pages 68 to 70 below).⁷³
- The NRS Act also empowers the Minister to make transitional arrangements for up to a year beyond the formal end date for the NRS.⁷⁴ However, we do not know what transitional arrangements, if any, the Australian Government intends to put in place.
- In some cases, victims and survivors may have legal rights that continue beyond the formal end of the NRS. This is because of a legal

⁶⁸ NRS Act, section 20(1)(2).

⁶⁹ NRS Rules, section 56A. We have not identified a specific legislative deadline for funder of last resort arrangements to be made for defunct institutions. See NRS Act, section 115(4).

⁷⁰ See NRS Act, section 115(4)(b).

⁷¹ NRS Act, sections 179(1) and 193(1)(b).

⁷² NRS Act, section 20(e).

⁷³ Intergovernmental Agreement on the National Redress Scheme for Institutional Child Sexual Abuse, accessed 16 January 2026, <www.federation.gov.au/about/agreements/intergovernmental-agreement-national-redress-scheme-institutional-child-sexual>.

⁷⁴ NRS Act, sections 193(4) and 193(6).

principle that a person's accrued rights generally continue to exist, even if the Act underpinning those rights ceases to have effect.⁷⁵ We do not know under what circumstances the Australian Government will recognise that accrued rights continue to exist, or what infrastructure will be in place to ensure that victims and survivors can access these rights (see the discussion matters for consideration beyond the formal end of the NRS on pages 70 to 73).

Concern about the capacity of the National Redress Scheme to deliver redress to all eligible victims and survivors

The ANAO's audit identified that, by February 2025, the Department of Social Services' Redress Group (the Department's Redress Group) had identified 'a high-rated risk of not finalising applications by 30 June 2028'.⁷⁶ We were particularly concerned by the ANAO's finding that this risk had not been reported to the Secretary of the Department of Social Services (the Secretary), contrary to the Department's risk management procedure.⁷⁷ We would welcome clarification as to whether the Department has since provided the Secretary and the Minister with a briefing about the risk.

The risk identified by the Department's Redress Group aligns with the concerns of the previous Joint Standing Committee. As noted on page 11, the previous Joint Standing Committee recognised that the NRS 'is running out of time',⁷⁸ commenting that:

*Unless redress applications suddenly decrease, based on recent trends, our analysis suggests that the Scheme will be unable to provide redress to all eligible applicants on time.*⁷⁹

⁷⁵ *Acts Interpretation Act 1901* (Cth), sub-sections 7(1)–(2).

⁷⁶ ANAO, *Department of Social Services' management of the National Redress Scheme*, p 10, paragraph 15 and p 32.

⁷⁷ ANAO, *Department of Social Services' management of the National Redress Scheme*, p 34, table 2.3 and paragraph 2.32.

⁷⁸ Previous Joint Standing Committee, p 4.

⁷⁹ Previous Joint Standing Committee, p 8, paragraph 1.27.

The number of redress applications is unlikely to suddenly or significantly decrease in the coming years. The number of redress applications has increased every year since the end of the second year of the NRS (2019–20). In 2024–25, 19,726 people applied for redress – a 21% increase on the 2023–24 record of 16,324 applications. This was itself a 53% increase on the 2022–23 record of 10,723 applications.⁸⁰ The consistent, year-on-year growth in redress applications has taken place despite the limited public awareness of the NRS, which we hope will be addressed (see the discussion on pages 128 to 129).

The increase in the number of redress applications each year is illustrated by the table below, which has been adapted from the ANAO’s report.⁸¹

Table: Increase in the number of redress applications each year

Financial year	Number of redress applications	Increase from previous year
2018–19	4,168	N/a – first year of the NRS
2019–20	3,115	-25%
2020–21	3,748	20%
2021–22	5,975	59%
2022–23	10,687	79%
2023–24	16,319	53%
2024–25	19,726	21%

As noted on page 12, we acknowledge that the NRS has funding constraints that may impact on its capacity. Knowmore holds concerns about the capacity of the NRS to deliver redress to all eligible victims and survivors

⁸⁰ ANAO, *Department of Social Services’ Management of the National Redress Scheme*, p 48.

⁸¹ ANAO, *Department of Social Services’ Management of the National Redress Scheme*, p 48.

before the legislated end of the NRS on 1 July 2028. Our comments below address the following matters:

- data about the number of eligible victims and survivors who have applied for redress
- delays in processing redress applications
- our concern that the NRS and the redress support system for victims and survivors is approaching a dangerous crunch point in the final year of the NRS.

Data about the number of eligible victims and survivors who have applied for redress

The Royal Commission estimated that 60,000 eligible victims and survivors would make a claim for redress.⁸² However, the NRS reported that, as at 31 December 2025, only 20,773 redress payments had been made.⁸³ This figure is only of partial assistance in considering the NRS's capacity to deliver redress to all eligible victims and survivors, as it does not directly correspond to the Royal Commission's estimate that 60,000 eligible victims and survivors would make an application. for redress. For example, it presumably does not include victims and survivors who were found eligible but rejected a redress offer, or victims and survivors who accepted a redress offer with a nil payment.⁸⁴ Nonetheless, the figure indicates that, well into the eighth year of a 10-year scheme, only about a third (35%) of eligible victims and survivors had applied for and received a redress payment.

⁸² Royal Commission, *Redress and civil litigation report*, p 22.

⁸³ National Redress Scheme, *January 2026 Update*, 19 January 2026, <www.nationalredress.gov.au/news/january-2026>.

⁸⁴ Similarly, the number of applications made to the NRS is only of partial assistance, as it presumably includes applications that do not lead to an eligible outcome. See National Redress Scheme, *January 2026*.

Delays in processing applications

Delays in processing redress applications raise further concerns about the capacity of the NRS to deliver redress to all eligible victims and survivors. As noted on page 51, every major review of the NRS has raised concerns about delays in processing redress applications.⁸⁵ The second year review reported that the NRS took an average of 12.5 months to process an application and 13.4 months to process a priority application, commenting that ‘applicants should not wait 13.4 months or more for an outcome’.⁸⁶ Despite this, there has been little to no improvement in processing times in the years following the second year review.

In fact, recent data indicates that processing times have gotten significantly worse since the end of the 2022–23 financial year. For example, the Department reported that, in 2023–24, the NRS took an average of 14.9 months to process an application and 13.5 months to process a priority application.⁸⁷ The data that we are aware of for 2024–25 indicates that the NRS is taking an average of 17.6 months to process an application and 16.5 months to process a priority application.⁸⁸ Further, this data is likely to provide a conservative indication of average processing times, as the data

⁸⁵ Joint Select Committee on oversight of the implementation of redress related recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse, *Getting the National Redress Scheme right: An overdue step towards justice*, pp 151–153; Joint Select Committee, *First interim report of the Joint Select Committee on Implementation of the National Redress Scheme*, pp 53–63; Joint Select Committee, *Second interim report of the Joint Select Committee on Implementation of the National Redress Scheme*, pp 59 and 86–87; R Kruk AO, *Final report: Second year review of the National Redress Scheme*, pp 43–45 and 194; Previous Joint Standing Committee, p 53; ANAO, *Department of Social Services’ Management of the National Redress Scheme*, p 9, paragraph 12.

⁸⁶ R Kruk AO, *Final report: Second year review of the National Redress Scheme*, pp 43 and 115.

⁸⁷ Department of Social Services, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme* (submission 9, supplementary submission 23), accessed 26 July 2024, p 27, <<https://www.aph.gov.au/DocumentStore.ashx?id=de17b49a-1b9d-416d-b0aa-f6f6e21ff514&subId=734158>>; Previous Joint Standing Committee, p 5, Table 1.1.

⁸⁸ Department of Social Services, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme* (submission 9, supplementary submission 23), p 27.

dates to when an applicant was notified of a redress outcome,⁸⁹ not when the application was finalised (the measure used in the second year review).⁹⁰ The ANAO reported that, from the start of the NRS to 30 June 2025, the NRS took an average of 16.3 months to process an application.⁹¹

It remains common for our clients to experience delays of this nature or longer. For example, our clients often wait 2 years to receive a redress outcome, even in matters that – to us – appear to be relatively straightforward. If a client applies for an internal review of a redress decision, they often have to wait a further 2 years to receive the review outcome, leading to a total wait time of 4 years or longer to receive a final outcome from the NRS. On pages 124–125, we share the experience of a current Knowmore client, who has been waiting for more than 5 years to receive a redress outcome.

Further, the Department reported that the NRS finalised 4,209 applications in the 2024–25 financial year.⁹² If the NRS maintains this rate of processing, it will finalise a further 12,627 applications by the end of the NRS, not all of which will lead to eligible outcomes. This will not clear the present backlog of applications (43,536 applications as at 31 December 2025),⁹³ let alone deliver redress to all eligible victims and survivors by the end of the NRS.

We recognise that the NRS has set a target to process 8,400 applications in the 2025–26 financial year –⁹⁴ effectively, a doubling of the rate of processing from the previous financial year. If the NRS meets and maintains this target, it will finalise a further 25,200 applications by the end of the NRS. This remains insufficient to clear the backlog.

⁸⁹ Department of Social Services, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme* (submission 9, supplementary submission 23), p 27.

⁹⁰ R Kruk AO, *Final report: Second year review of the National Redress Scheme*, p 44.

⁹¹ ANAO, *Department of Social Services' Management of the National Redress Scheme*, p 50, paragraph 3.15.

⁹² Department of Social Services, *Annual Report 2024–25*, p 98.

⁹³ National Redress Scheme, *January 2026 Update*.

⁹⁴ ANAO, *Department of Social Services' Management of the National Redress Scheme*, p 82, paragraph 4.34.

The previous Joint Standing Committee highlighted the impacts of delays on the efficiency of the NRS, illustrating how delays can create a vicious cycle that contributes to further delays:

*Understandably, anxious survivors and support services email or call the Scheme to ask for updates. Responding to queries likely diverts Scheme staff away from tasks that could get redress applications processed sooner.*⁹⁵

The causes of delay have been discussed at length by the previous major reviews of the NRS.⁹⁶ These causes include, but are not limited to, the delay in institutions joining the NRS and issues around the onboarding of institutions (see the discussion on pages 119 to 121).⁹⁷ As noted on page 52,⁹⁸ we often do not have a clear understanding of why the processing of a victim/survivor's application has been delayed. Addressing the non-participation of institutions is therefore only part of what is required to respond to unacceptable delays.⁹⁹ Improving transparency will also assist us and other support services to identify and respond effectively to the specific causes of delay, both in particular cases and systemically.¹⁰⁰

⁹⁵ Previous Joint Standing Committee, p 10, paragraph 1.38.

⁹⁶ See, for example, Joint Select Committee on oversight of the implementation of redress related recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse, *Getting the National Redress Scheme right: An overdue step towards justice*, pp 151–153; Joint Select Committee, *First interim report of the Joint Select Committee on Implementation of the National Redress Scheme*, pp 53–63; Joint Select Committee, *Second interim report of the Joint Select Committee on Implementation of the National Redress Scheme*, pp 59 and 86–87; R Kruk AO, *Final report: second year review of the National Redress Scheme*, pp 43–45 and 194; Previous Joint Standing Committee, p 53.

⁹⁷ See Previous Joint Standing Committee, pp 56–57, paragraphs 3.62–3.68; ANAO, *Department of Social Services' Management of the National Redress Scheme*, p 46.

⁹⁸ Knowmore, Primary Submission to the Joint Standing Committee, pp 16–19 and 66–72.

⁹⁹ Knowmore, Primary Submission to the Joint Standing Committee, pp 8–9, recommendations 4 and 5.

¹⁰⁰ Knowmore, Primary Submission to the Joint Standing Committee, pp 8 and 12–13, recommendations 1 and 26–31.

We note that the 2024–25 federal budget and the 2025–26 federal budget committed additional funding to the redress support system.¹⁰¹ We welcome this funding – we hope it will assist to reduce NRS processing times, although we continue to hold concerns about the security and adequacy of funding for survivor support services (see the discussion on pages 146 to 151).

A dangerous crunch point for the National Redress Scheme

In light of the issues discussed above, Knowmore is concerned that we are approaching a dangerous crunch point for the NRS. We note that the terms of reference ask about ‘a possible increase in applications as the Scheme approaches its conclusion’.¹⁰² In Knowmore’s view, an increase in applications as the NRS approaches its conclusion is not only possible, but likely.

Modelling done in April 2025 estimated that that there will be an increase in the number of applications lodged in 2027 before the legislated deadline for applications.¹⁰³ This is consistent with the experience of other redress schemes. For example, data from the Irish Residential Institutions Redress Scheme indicated that ‘reporting patterns are heavily impacted by cut-off dates’, with 57% of all applications received in the scheme’s final year.¹⁰⁴

¹⁰¹ Australian Government, *Budget 2024–25: budget paper no. 2, budget measures*, 14 May 2024, p 174, <https://archive.budget.gov.au/2024-25/bp2/download/bp2_2024-25.pdf>; Attorney-General’s Department, *Budget 2024–25 Portfolio Budget Statements – Entity resources and planned performance*, p 22, <https://www.ag.gov.au/system/files/2024-05/2024-25_AG_PBS_AGD.PDF>; Attorney-General’s Department, *Budget 2025–26 Portfolio Budget Statements – Entity resources and planned performance*, p 21, <<https://www.ag.gov.au/system/files/2025-03/2025-26-AG-PBS-AGD.PDF>>.

¹⁰² Joint Standing Committee, *Terms of Reference*.

¹⁰³ ANAO, *Department of Social Services’ Management of the National Redress Scheme*, p 48, paragraph 3.6.

¹⁰⁴ See Finity Consulting, *National Redress Scheme participant and cost estimates*, July 2015, pp 30 and 57, <https://www.childabuseroyalcommission.gov.au/sites/default/files/file-list/national_redress_scheme_participant_and_cost_estimates_report.pdf>.

Redress WA and Queensland Redress also experienced a surge in applications towards the end of the schemes.¹⁰⁵

Knowmore recognises and supports victims' and survivors' legal right to apply for redress at any time before the deadline. However, we are also concerned that the final year of the NRS (30 June 2027 to 1 July 2028) is likely to be accompanied by increased pressure on an already overwhelmed system of survivor support services and an extension of the already lengthy delays in processing redress applications.

We noted (on page 61) that average processing times for redress applications continue to exceed 12 months and are worsening. In light of this, and the other data discussed above, we hold serious concerns that the NRS will not be in a position to process the volume of applications required in the final year of the NRS, let alone to do this in a way that is survivor-focused, trauma-informed and culturally safe.

We are facing a situation in which many thousands of eligible victims and survivors of institutional child sexual abuse are at risk of missing out on the redress that they are legally entitled to, with many thousands more facing retraumatisation with the approaching NRS crunch point.

Planning for the legislated deadline for redress applications and the legislated end of the National Redress Scheme

As highlighted by our comments on pages 11 to 12, these issues cannot wait for the eighth year review of the NRS, which is not due to begin until 1 July 2026.¹⁰⁶ Knowmore is concerned by the ANAO's finding that planning for the end of the NRS did not begin until mid-2025, and 'there was no detailed planning for communications about the end of the Scheme, or risk treatments identified'.¹⁰⁷

¹⁰⁵ Stephen Winter, *Monetary redress for abuse in state care*, 2022, p 146, <<https://www.cambridge.org/core/books/monetary-redress-for-abuse-in-state-care/57AB2994831FFC5AA3B827DC40EE74AF>>.

¹⁰⁶ NRS Act, section 192(3).

¹⁰⁷ ANAO, *Department of Social Services' management of the National Redress Scheme*, p 10, paragraph 16.

There is limited publicly available information about any planning that may have taken place –¹⁰⁸ for example:

- to ensure all eligible victims and survivors are aware of the NRS and the deadline for applications (see pages 128 to 129)
- to ensure the capacity of the NRS to deliver redress to all eligible victims and survivors in a survivor-focused, trauma-informed and culturally safe way by 1 July 2028 (see pages 58 to 65)¹⁰⁹
- to ensure that victims and survivors who apply for redress close to the deadline for applications are not disadvantaged by the delays of government departments in providing relevant records (see pages 90 to 91)
- to ensure adequate arrangements in relation to institutions that are named in a redress application, but do not join the NRS by the current deadline for joining on 31 January 2028 (see pages 121 to 127)
- to ensure that support services have adequate funding to support victims and survivors until the end of their redress matters (see pages 146 to 151)
- to ensure victims and survivors who accept an offer of redress can access all the components of redress beyond the legislated end of the NRS (see pages 70 to 73)
- to ensure that victims and survivors have ongoing access to meaningful redress and justice-making options beyond the end of the NRS (see pages 185 to 188).

We see increasing anxiety among many of our clients about the approaching end of the NRS, worsened by the lack of publicly available information about any planning that may have taken place. This lack of information impacts on the ability of victims and survivors to make informed choices about their redress and justice-making options. It also

¹⁰⁸ We note the limited information about communications planning in the report of the Australian National Audit Office. See ANAO, *Department of Social Services' management of the National Redress Scheme*, p 45, paragraphs 2.76-2.79.

¹⁰⁹ See ANAO, *Department of Social Services' management of the National Redress Scheme*, p 10, paragraph 15.

impacts on the ability of support services to provide appropriate advice and support.

We note the ANAO's recommendation that the Department update its communications framework to 'include a plan for timely and consistent messaging about the end of the Scheme to stakeholders' (recommendation 1).¹¹⁰ The Department agreed with this recommendation, commenting that 'the Scheme is aware survivors need timely and trauma-informed information regarding Scheme end'.¹¹¹ We would add that communication about the end of the NRS must be survivor-focused, culturally safe and provided in forms that are accessible to victims and survivors who experience intersectional marginalisation (see pages 44 to 55).¹¹²

Knowmore recommends that the Australian Government immediately prioritise planning for the legislated deadline for redress applications and the legislated end of the NRS. This planning should:

- take place via a transparent process
- be in partnership with victims, survivors and support services, including Knowmore and the Redress Support Services
- be communicated in a way that is timely, consistent, trauma-informed, survivor-focused, culturally safe, and provided in forms that are accessible to victims and survivors who experience intersectional marginalisation.

¹¹⁰ ANAO, *Department of Social Services' management of the National Redress Scheme*, p 45, recommendation 1.

¹¹¹ ANAO, *Department of Social Services' management of the National Redress Scheme*, p 45, paragraph 2.77.

¹¹² For more information about providing information in forms accessible to victims and survivors who experience intersectional marginalisation, see Knowmore, Submission to the Australian National Audit Office, pp 75–78.

Recommendation 6

The Australian Government should immediately prioritise planning for the legislated deadline for redress applications and the legislated end of the National Redress Scheme. This planning should:

- take place via a transparent process
- be in partnership with victims, survivors and support services, including Knowmore and the Redress Support Services
- be communicated in a way that is timely, consistent, trauma-informed, survivor-focused, culturally safe, and provided in forms that are accessible to victims and survivors who experience intersectional marginalisation.

As part of planning for the legislated end of the NRS, the Australian Government must also ensure that victims and survivors have ongoing access to meaningful redress and justice-making options. We make comments about this on pages 185 to 188.

Extending the National Redress Scheme

The Royal Commission recommended that the redress scheme have no fixed closing date.¹¹³ The 9-year time limit to apply to the NRS is contrary to this recommendation and does not realistically reflect the time needed to disclose child sexual abuse. The Royal Commission found that it takes victims and survivors almost 24 years on average to disclose to another person that they have experienced child sexual abuse,¹¹⁴ let alone to seek redress. The problems with the implementation of the NRS, detailed throughout this submission (in particular, on pages 75 to 111 and pages 111 to 117), have placed further pressure on the NRS's operational timeline, leading to an untenable situation.

¹¹³ Royal Commission, *Redress and civil litigation report*, p 38.

¹¹⁴ Royal Commission, *Final Report: Volume 4, Identifying and disclosing child sexual abuse*, December 2017, p 30,

<https://www.childabuseroyalcommission.gov.au/sites/default/files/final_report_-_volume_4_identifying_and_disclosing_child_sexual_abuse.pdf>.

As noted on page 57, the agreement of state and territory governments is important for extending the NRS. The complexity of intergovernmental negotiations reinforces the urgency of the Australian Government planning for the end of the NRS (see pages 65 to 68).

We note that the previous Joint Standing Committee recommended that ‘the Australian Government seek agreement from state and territory governments to extend the National Redress Scheme beyond 2028’.¹¹⁵ Knowmore supports this recommendation. In particular, we recommend that:

- the deadline for applications to the NRS should be significantly extended,
- the deadline for institutions to join the NRS should be extended until the end of the NRS, and
- the end of the NRS should be extended to reflect the actual processing times for redress applications, noting that an average processing time of 17.6 months indicates that many applications take even longer (see our comments on pages 61 to 62).

¹¹⁵ Previous Joint Standing Committee, p 9, recommendation 1.

Recommendation 7

The Australian Government should 'seek agreement from state and territory governments to extend the National Redress Scheme beyond 2028' (as per recommendation 1 of the previous Joint Standing Committee on Implementation of the National Redress Scheme). In particular:

- the deadline for applications to the National Redress Scheme should be significantly extended,
- the deadline for institutions to join the National Redress Scheme should be extended until the end of the National Redress Scheme, and
- the end of the National Redress Scheme should be extended to reflect the actual processing times for redress applications, noting that an average processing time of 17.6 months indicates that many applications take even longer.

The previous Joint Standing Committee also made recommendations relevant to the funding of Knowmore and Redress Support Services in the context of the legislated deadline for applications to the NRS and the legislated end of the NRS. We make further comments about these recommendations on pages 150 to 151.

Matters for consideration beyond the formal end of the National Redress Scheme

We note that the discussion paper for the inquiry asks whether 'certain functions [should] continue beyond the life of the Scheme'.¹¹⁶ It is difficult to provide a comprehensive answer to this question, given the current uncertainty about how the NRS will end, or what redress and justice-making options will be available to victims and survivors after the end of

¹¹⁶ Joint Standing Committee, *Discussion Paper, Inquiry into the continuing operations of the National Redress Scheme*, December 2025, p 4, <https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/National_Redress_Scheme_Standing/OperationoftheNRS/Discussion_Paper>.

the NRS (see part 5 of this submission). We raise the following matters for consideration in relation to the end of the NRS:

- Victims and survivors who have applied for redress, but not received a redress determination by the formal end of the NRS, will need a way to receive the redress determination.¹¹⁷
- Victims and survivors who have applied for a review of a redress determination, but not received a review determination by the formal end of the NRS, will need a way to receive the review determination.¹¹⁸
- Victims and survivors who have agreed to have a redress determination reassessed, but not received a reassessment decision by the formal end of the NRS, will need a way to receive the reassessment decision.¹¹⁹
- Victims and survivors who have applied for a review of a reassessment decision, but not received a review determination by the formal end of the NRS, will need a way to receive the review determination.¹²⁰
- Victims and survivors who have accepted a redress offer, but not received all components of their redress in full, will need a way to receive the outstanding components of their redress. We are particularly concerned about victims and survivors who accept a redress offer just before the formal end of the NRS – there is likely to be a crunch point in the delivery of redress (see pages 64 to 65). We are also particularly concerned about victims and survivors who have accepted, but not received, a direct personal response (DPR) – we note that the Direct Personal Response Framework currently states that a DPR is not required if the survivor does not contact the institution to request a DPR, or respond to reasonable attempts to arrange a DPR, before the end of the NRS.¹²¹

¹¹⁷ See NRS Act, section 29.

¹¹⁸ See NRS Act, sections 73 and 75.

¹¹⁹ See NRS Act, sections 71B and 71D.

¹²⁰ See NRS Act, sections 71T and 71U.

¹²¹ *National Redress Scheme for Institutional Child Sexual Abuse Direct Personal Response Framework 2018* (Cth) (Direct Personal Response Framework), section 13(1)(b)-(c).

- Victims and survivors who have received a redress payment will need ongoing protection of the payment, so that it does not affect other payments (such as social security payments) or get deducted by a garnishee order.¹²²
- Victims and survivors who have provided personal information to the NRS will need ongoing protection of their personal information, including in relation to information held by institutions or other people.¹²³
- Victims and survivors will need ongoing access to appropriate legal and related support (see pages 146 to 151) and meaningful redress and justice-making options (see pages 185 to 188).

As highlighted by our comments on page 58, some of the matters outlined above may involve accrued rights that continue to exist beyond the formal end of the NRS. However, we do not know under what circumstances the Australian Government will recognise that accrued rights continue to exist, or what infrastructure will be in place to ensure that victims and survivors can access these rights. This raises further risks that victims and survivors will miss out on their entitlements and experience retraumatisation (see pages 90 to 91).

The Australian Government must ensure that there is appropriate infrastructure in place to support victims and survivors in a survivor-focused, trauma-informed and culturally safe way beyond the formal end of the NRS. This must include appropriate infrastructure for victims and survivors to access any accrued rights that continue to exist beyond the formal end of the NRS. It must also include appropriate legal and related support for victims and survivors to understand and access their redress and justice-making options (see recommendation 34 on pages 146 to 151).

¹²² See NRS Act, sections 49 and 50.

¹²³ See NRS Act, division 2.

Recommendation 8

The Australian Government must ensure that there is appropriate infrastructure in place to support victims and survivors in a survivor-focused, trauma-informed and culturally safe way beyond the formal end of the National Redress Scheme. This must include appropriate infrastructure for victims and survivors to access any accrued rights that continue to exist beyond the formal end of the National Redress Scheme. It must also include appropriate legal and related support for victims and survivors to understand and access their redress and justice-making options (see recommendation 34).

Part 3: ongoing and emerging problems with the National Redress Scheme

As noted on page 11, there remain significant problems with the NRS that are preventing it from consistently delivering redress in accordance with the expectations of victims and survivors, and the NRS's statutory objectives. The growing pressure on the NRS is worsening many of these existing problems, which have been explored in detail by previous reviews. This growing pressure is also contributing to new problems with the NRS, as the NRS compromises on the legislated principles for redress in an attempt to meet the deadlines imposed by the NRS's governing law (see pages 111 to 117).

We make comments below about the following ongoing and emerging problems with the NRS:

- persistent unfairness, inconsistency and lack of transparency in redress decisions
- compromising on the legislated principles of redress in an attempt to meet deadlines
- non-participating institutions and inadequate funder of last resort arrangements
- limited awareness of the NRS
- claim farming and exploitative practices in relation to the NRS
- the importance of appropriate support services for victims and survivors navigating the NRS.

Persistent unfairness, inconsistency and lack of transparency in redress decisions

Major reviews of the NRS have repeatedly raised concerns about unfairness, inconsistency and/or lack of transparency in redress decisions.¹²⁴ For example, the previous Joint Standing Committee stated:

*The Scheme's legislated objectives include providing justice to abuse survivors. Inconsistent or unfair outcomes do not meet this objective. Unless doubts about consistency and fairness can be transparently resolved, confidence in the Scheme (and the Royal Commission's vision) is likely to be eroded. This issue should be a high priority for the Scheme.*¹²⁵

Unfairness, inconsistency and lack of transparency in redress decisions remain some of the most concerning and persistent problems with the NRS. Knowmore has raised these issues in every major review of the NRS,¹²⁶ but we have not seen adequate reforms to effectively address these issues.

Unfairness, inconsistency and lack of transparency impact many aspects of the NRS's decision-making. In our experience, these issues have

¹²⁴ Previous Joint Standing Committee, pp 7 and 19; Joint Select Committee, *Second interim report of the Joint Select Committee on Implementation of the National Redress Scheme*, pp 11, 39 and 43; R Kruk AO, *Final report: Second year review of the National Redress Scheme*, pp 75, 90 and 117; Joint Select Committee on oversight of the implementation of redress related recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse, *Getting the National Redress Scheme right: An overdue step towards justice*, pp xvii, 73 and 141.

¹²⁵ Previous Joint Standing Committee, p 19, paragraph 1.91.

¹²⁶ Knowmore, Submission to the Australian National Audit Office, pp 32-72; Knowmore, Primary Submission to the Joint Standing Committee, pp 16-19; Knowmore, *Submission to the Joint Select Committee: Inquiry into the implementation of the redress related recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse*, August 2018, pp 8-10, <<https://knowmore.org.au/wp-content/uploads/2020/11/submission-implementation-of-redress-related-recommendations-of-the-royal-commission-cth.pdf>>; Knowmore, *Submission to the Joint Select Committee on Implementation of the National Redress Scheme*, 28 April 2020, pp 11-15, <<https://knowmore.org.au/wp-content/uploads/2020/11/submission-joint-select-committee-on-implementation-of-the-national-redress-scheme-cth.pdf>>; Knowmore, *Submission to the second anniversary review of the National Redress Scheme*, pp 20-41.

particularly adverse impacts within communities of survivors who experienced abuse within the same institution, often with the same perpetrator, but receive different redress outcomes. This can be very difficult for survivors to reconcile and can leave survivors feeling deeply upset about the unfairness of the NRS and their inability to obtain what they consider to be proper recognition of their abuse. We often see issues of this nature impacting on care leavers and Stolen Generations survivors.

For the purposes of the Joint Standing Committee's present inquiry, we wish to highlight the following areas:

- ongoing problems with the transparency of the NRS
- the lack of effective quality assurance processes for the NRS
- the NRS's approach to the legal standard of proof for deciding that victims and survivors are eligible for redress
- the NRS's approach to abuse in medical settings and the abusive, non-medical practice of virginity testing
- the NRS's approach to child sexual abuse involving grooming or voyeurism
- ongoing concerns about procedural fairness for victims and survivors in the NRS's decision-making.

We also make comments about the internal review process for redress on pages 171 to 175.

Ongoing problems with transparency

As highlighted by our comments on page 33, ongoing problems with the transparency of NRS processes and decision-making often make it difficult for us to determine the precise cause of problems with the NRS, such as when a problem has been caused by a legislative requirement, a policy of the Department or the NRS, or an exercise of discretion by an NRS decision-maker or staff member. This lack of transparency impacts on our ability to respond effectively to the specific causes of delay, both in particular cases and systemically.

Problems with transparency often affect victims and survivors throughout their engagement with the NRS. In our experience, the lack of transparency

in redress decisions can undermine a survivors' ability to understand how or why a redress decision has been made. This is often distressing, and may prevent the survivor from identifying and rectifying any error in the decision. For example, without an understanding of the policy framework underpinning the decision and/or the reasons for the decision, it is difficult for survivors to make an informed choice about whether to exercise their right to seek an internal review.

Throughout previous reviews of the NRS, Knowmore has consistently raised concerns about the lack of transparency in relation to redress decisions. For example, we have previously highlighted concerns in relation to the following matters:

- the lack of transparency about key policies, processes and practices affecting redress decisions (see pages 80 to 83)¹²⁷
- the lack of adequate written reasons for redress decisions¹²⁸
- the lack of transparency about where many non-participating institutions stand with respect to joining the NRS (see pages 119 to 120)¹²⁹
- the lack of transparency about reasons for delays in processing redress applications (see pages 51 to 52)¹³⁰
- the lack of transparency in the review process for redress decisions¹³¹
- the lack of transparency in the NRS's approach to protected information provisions (see pages 78 to 80)¹³²
- the lack of information about the implementation of recommendations from previous reviews of the NRS (see pages 40 to 43)¹³³

¹²⁷ Knowmore, Submission to the Australian National Audit Office, pp 42–48.

¹²⁸ Knowmore, Submission to the Australian National Audit Office, pp 59–63.

¹²⁹ Knowmore, Submission to the Australian National Audit Office, pp 65–66.

¹³⁰ Knowmore, Submission to the Australian National Audit Office, pp 65–66.

¹³¹ Knowmore, Submission to the Australian National Audit Office, pp 79–80.

¹³² Knowmore, Submission to the Australian National Audit Office, pp 36–42.

¹³³ Knowmore, Submission to the Australian National Audit Office, pp 28–31.

- the lack of publicly available information about the NRS’s quality assurance framework (see pages 83 to 89).¹³⁴

We do not repeat those comments in full here. We recognise that there have been improvements in specific areas – for example, the NRS now provides all applicants who receive a redress determination with a statement of reasons, although these statements often fall short of best practice standards.¹³⁵ Our comments below address the following matters:

- the impact of the protected information provisions of the NRS Act on transparency
- the withholding of the Assessment Framework Policy Guidelines.

We have also included details of specific areas where greater transparency would be valuable in Appendix 3 on pages 204–224.

Impact of the protected information provisions

In general terms, the protected information provisions of the NRS Act prohibit anyone from disclosing information obtained by the NRS, with some exceptions. We provide an outline of the protected information provisions in Appendix 2 on pages 199–203.

The second year review noted survivors’ concerns that the protected information provisions enable secrecy by the NRS and institutions.¹³⁶ In our experience, the protected information provisions and the NRS’s approach to their implementation remain some of the most significant, ongoing problems with the transparency of the NRS.

For example, the protected information provisions continue to play a significant role in the excessive withholding of information from victims and survivors.¹³⁷ This includes the withholding of the Assessment Framework Policy Guidelines (see pages 80 to 83).

¹³⁴ Knowmore, Submission to the Australian National Audit Office, pp 68–70.

¹³⁵ Knowmore, Submission to the Australian National Audit Office, pp 59–63.

¹³⁶ R Kruk AO, *Final report: Second year review of the National Redress Scheme*, pp 99–100.

¹³⁷ For detailed discussion on the shortcomings of the protected information provisions in the NRS Act and the impact of these shortcomings on victims and survivors, see Knowmore, Primary Submission to the Joint Standing Committee, pp 65–75.

We also see a general lack of transparency in the NRS's approach to the protected information provisions themselves. The NRS often withholds significant information from us and our clients without providing adequate reasons for us to understand why the information has been withheld.

We appreciate the challenges for the NRS in explaining why information has been withheld without also disclosing the information. We recognise that the requirements of procedural fairness can be flexible for protected information.¹³⁸ At the same time, we are concerned that this flexibility presently tilts too far in favour of withholding information from victims and survivors, denying victims and survivors the ability to:

- understand why information has been withheld
- seek legal advice about the withholding of information
- challenge the decision to withhold information.

The protected information provisions in the NRS Act are complex, requiring more than a piecemeal approach to reform. We made detailed recommendations relevant to the protected information provisions in our submission to the previous Joint Standing Committee in February 2023.¹³⁹ We have included these recommendations in Appendix 2 on pages 199–203. We recommend that the Australian Government and the NRS implement these detailed recommendations.

Recommendation 9

The Australian Government and the National Redress Scheme should implement the detailed recommendations relevant to the protected information provisions from our primary submission to the previous Joint Standing Committee on Implementation of the National Redress Scheme in February 2023 (see Appendix 2 of the present submission).

¹³⁸ Administrative Review Council, *Best practice guide 2 –Decision Making: Natural justice*, August 2007, p 9, <https://www.ag.gov.au/legal-system/publications/arc-best-practice-guide-2-natural-justice>.

¹³⁹ Knowmore, Primary Submission to the Joint Standing Committee, pp 12–13, recommendations 26 to 33.

We note that, in 2024, the Australian Government made changes to when protected information can be disclosed. We make comments about these changes on pages 175 to 177.

The Assessment Framework Policy Guidelines

The Assessment Framework Policy Guidelines are guidelines made by the Minister for the purposes of applying the NRS's Assessment Framework, which 'helps the Scheme's decision makers work out how much redress an eligible survivor should be paid'.¹⁴⁰ Despite their significant role in the NRS's decision-making, the Assessment Framework Policy Guidelines are protected information under the NRS Act (see our comments about the impact of the protected information provisions above).¹⁴¹

Knowmore has made detailed comments about the secrecy surrounding the Assessment Framework Policy Guidelines, how the withholding of these Guidelines impacts victims and survivors seeking redress, and the impacts on survivor support services.¹⁴² For example, as stated in our submission to the second year review:

Denying survivors access to the policy framework that underpins the assessment of their redress application directly impacts their ability to understand how and why their redress decision was made. This is particularly problematic for survivors who receive an adverse and/or unexpected redress outcome.

It also makes it very challenging for knowmore and redress support services to provide advice and support to survivors when we are not able to determine whether the decision they received is fair or consistent with the Scheme's legislative and policy framework. This is exacerbated by the fact that some key terms in the assessment framework are ambiguously defined, as well as by the apparent

¹⁴⁰ Previous Joint Standing Committee, p 90, paragraph 4.63. See also NRS Act, section 32; *National Redress Scheme for Institutional Child Sexual Abuse Assessment Framework 2018* (Cth) (NRS Assessment Framework).

¹⁴¹ NRS Act, section 104.

¹⁴² Knowmore, Submission to the Australian National Audit Office, pp 43-45.

*inconsistencies in the application of the assessment framework by some independent decision-makers (IDMs).*¹⁴³

One of the ways in which Knowmore supports clients is by providing a realistic assessment of what their redress outcome may be. This is important for empowering clients to make an informed choice about their redress and justice-making options, and to minimise the occurrence of unexpected outcomes that cause distress. The protected status of the Assessment Framework Policy Guidelines impacts on our ability to effectively support clients in this way.

Major reviews of the NRS have repeatedly highlighted the problems with protected status of the Assessment Framework Policy Guidelines.¹⁴⁴ Significantly, the second year review recommended that the Australian Government remove the protected status of the Guidelines and make the Guidelines publicly available.¹⁴⁵

We are disappointed that the Australian Government has not supported this recommendation.¹⁴⁶ However, we recognise that the Australian Government has previously supported the following recommendation from

¹⁴³ Knowmore, Submission to the second anniversary review of the National Redress Scheme, pp 22–24.

¹⁴⁴ See for example, Joint Select Committee on oversight of the implementation of redress related recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse, *Getting the National Redress Scheme right: An overdue step towards justice*, p 141, paragraph 8.79; Joint Select Committee, *First interim report of the Joint Select Committee on Implementation of the National Redress Scheme*, pp 32–33, recommendation 3; Joint Select Committee, *Second interim report of the Joint Select Committee on Implementation of the National Redress Scheme*, pp 41–44, paragraphs 3.13–3.24; R Kruk AO, *Final report: Second year review of the National Redress Scheme*, pp 91 and 94–95, p 96, recommendation 3.13; Previous Joint Standing Committee, pp 90–91, paragraphs 4.63–4.72.

¹⁴⁵ R Kruk AO, *Final report: Second year review of the National Redress Scheme*, p 96, recommendation 3.13.

¹⁴⁶ Australian Government, *The Australian Government response to the Final Report of the Second Year Review of the National Redress Scheme*, pp 12–13.

the former Joint Select Committee on Implementation of the National Redress Scheme (former Joint Select Committee).¹⁴⁷

Recommendation 5 of the second interim report of the former Joint Select Committee

The Committee recommends that the National Redress Scheme produce public education materials to clearly explain and demonstrate how the assessment framework is applied to applications by Independent Decision Makers

Although this commitment was made in 2023, the recommendation is yet to be implemented. Knowmore would welcome a renewed commitment to produce education materials to provide greater transparency and accountability to victims and survivors about how their redress applications are likely to be determined. In our view, this would improve the ability of the NRS to provide survivor-focused, trauma-informed and culturally safe redress.

Recommendation 10

The National Redress Scheme should produce public education materials that more clearly explain and demonstrate how the Assessment Framework is applied to redress applications by NRS decision-makers (consistent with Recommendation 5 of the second interim report of the former Joint Select Committee on Implementation of the National Redress Scheme).

Further, we continue to call on the Australian Government to remove the protected status of the Assessment Framework Policy Guidelines and make this document publicly available as a matter of priority (consistent with recommendation 3.13 of the second year review of the NRS).

¹⁴⁷ Australian Government, Australian Government response to the Second Interim Report of the Joint Select Committee on Implementation of the National Redress Scheme, July 2023, pp 6–7, <<https://www.dss.gov.au/system/files/resources/joint-select-committee-australian-government-response-second-interim-report.pdf>>.

Recommendation 11

The Australian Government should remove the protected status of the Assessment Framework Policy Guidelines and make this document publicly available as a matter of priority (as per recommendation 3.13 of the second year review of the National Redress Scheme).

Lack of effective quality assurance processes

Knowmore has repeatedly raised concerns about the lack of publicly available information about the NRS's quality assurance framework and processes.¹⁴⁸ Our comments below address the following areas, where significant information has recently come to light:

- the implementation of the Independent Decision-making Quality Framework
- ongoing issues with the NRS's Chief Independent Decision Maker Panel.

Implementation of the Independent Decision-making Quality Framework

A significant finding of the ANAO's audit report, published in November 2025, was that 'an Independent Decision-making Quality Framework, established in 2021 to ensure consistency of [redress] decision-making, was not implemented as intended'.¹⁴⁹ In particular, the framework 'was not reviewed annually as required, and the intended sampling to review decision making by Independent Decision Makers to ensure consistency was not done'.¹⁵⁰ Given the long-standing issues with the fairness and consistency of redress decisions, we are concerned that this key framework was not implemented as intended.

¹⁴⁸ See, for example, Knowmore, Submission to the Australian National Audit Office, pp 68–70.

¹⁴⁹ ANAO, Department of Social Services' Management of the National Redress Scheme, p 9, paragraph 12.

¹⁵⁰ The framework required six-monthly quality reviews of a random sample of decisions produced by each Independent Decision Maker (IDM). See ANAO, *Department of Social Services' Management of the National Redress Scheme*, pp 10 and 47.

In response to a recommendation from the ANAO's audit report (published on 24 November 2025), the Department agreed to review and implement the Independent Decision-making Quality Framework.¹⁵¹ On 4 December 2025, the Department reported in Senate estimates that the framework had already been implemented.¹⁵² It is unclear to us whether the framework was reviewed, as recommended by the ANAO. It is also unclear to us what steps have been taken, or whether any additional steps are planned to address the ongoing issues of unfairness and inconsistency in redress decisions.

Knowmore recommends that the Australian Government ensure the full implementation of the ANAO's recommendation that the Department of Social Services review and implement the Independent Decision-making Quality Framework, with transparency about the findings of any review and any steps taken to implement the recommendation.

Recommendation 12

The Australian Government should ensure the full implementation of the recommendation of the Australian National Audit Office that the Department of Social Services review and implement the Independent Decision-making Quality Framework, with transparency about the findings of any review and any steps taken to implement the recommendation.

In addition, we recommend that the Australian Government make publicly available current and previous versions of the Independent Decision-making Quality Framework to improve accountability and transparency in the implementation of the framework.

¹⁵¹ ANAO, Department of Social Services' Management of the National Redress Scheme, p 60, paragraphs 3.47-3.49.

¹⁵² See ANAO, *Department of Social Services' Management of the National Redress Scheme*, p 60, paragraph 3.49; Australian Parliament, Senate Community Affairs Legislation Committee, *Estimates*, 4 December 2025, p 90, <https://parlinfo.aph.gov.au/parlInfo/download/committees/estimate/29020/toc_pdf/Community%20Affairs%20Legislation%20Committee_2025_12_04.pdf;fileType=application%2Fpdf#search=%22committees/estimate/29020/0000%22>.

Recommendation 13

The Australian Government should make publicly available current and previous versions of the Independent Decision-making Quality Framework to improve accountability and transparency in the implementation.

Ongoing issues with the Chief Independent Decision Maker Panel

The second year review made the following recommendation relevant to improving the NRS's quality assurance processes (emphasis added).¹⁵³

Recommendation 3.9 of the second year review

The Australian Government strengthen consistency and integrity in decision-making through actions including but not limited to:

- a. the Australian Government providing accurate and clear policy guidance to independent decision makers
- b. the Australian Government, as a priority, reviewing and improving the information and training resources provided to independent decision makers
- c. the Australian Government creating the position of a Chief independent decision maker to provide a systemic focus on Scheme integrity, quality assurance and consistency in decision-making**
- d. the development of a de-identified case database, available to assist independent decision makers.

The Australian Government has said it supports this recommendation.¹⁵⁴ However, the recommendation has not been implemented in full. In particular, our understanding is that the position of Chief Independent Decision Maker has not been created. Instead, in April 2022 the Department

¹⁵³ R Kruk AO, *Final report: Second year review of the National Redress Scheme*, p 90.

¹⁵⁴ Australian Government, *The Australian Government response to the Final Report of the Second Year Review of the National Redress Scheme*, p 10.

established a Chief Independent Decision Maker Panel (Chief IDM Panel), consisting of 5 chief IDMs.¹⁵⁵

In our submission to the ANAO's audit, we outlined our concerns in relation to how the Chief IDM Panel diverges from what was recommended by the second year review. In particular, we made the following comments:

*...we consider that a Chief Independent Decision Maker would ensure a degree of accountability and consistency that is difficult to achieve with a group or panel. We also consider that it should be publicly available information who the Chief Independent Decision Maker is, and that the Chief Independent Decision Maker should have a role in working with Knowmore and Redress Support Services to address systemic issues with decision-making by the NRS, such as those detailed in this submission.*¹⁵⁶

We made 2 recommendations relevant to Chief Independent Decision Makers, which we repeat below.¹⁵⁷

¹⁵⁵ Previous Joint Standing Committee, p 79, paragraph 4.10. See also Australian Government, *The Australian Government response to the Final Report of the Second Year Review of the National Redress Scheme*, p 10. We note that the Australian Government's response to the second year review states that the panel of Chief Independent Decision Makers was established in March 2022.

¹⁵⁶ Knowmore, Submission to the Australian National Audit Office, p 72.

¹⁵⁷ Knowmore, Submission to the Australian National Audit Office, p 72, recommendations 13 and 14.

Recommendation 14

The Department of Social Services should ensure the full and urgent implementation of recommendation 3.9 of the second year review of the National Redress Scheme, including by 'creating the position of a Chief Independent Decision Maker to provide a systemic focus on Scheme integrity, quality assurance and consistency in decision-making'. The Chief Independent Decision Maker should have a role in working with Knowmore and Redress Support Services to address systemic issues with decision-making by the NRS, such as those detailed in this submission. The Department of Social Services should ensure it is publicly available information who the Chief Independent Decision Maker is.

Knowmore understands that a key purpose of the Chief IDM Panel is to enhance the quality and consistency of redress decisions,¹⁵⁸ including by providing advice on complex applications and undertaking 'quality assurance activities to help identify themes, trends and opportunities to inform a knowledge base to support continual improvement'.¹⁵⁹ However, since its creation in 2022, we have been unable to obtain meaningful information about specific activities undertaken by the Chief IDM Panel.

Following the release of the ANAO's audit report in November 2025, we remain concerned that the Chief IDM Panel is not fully and effectively

¹⁵⁸ See Ministers' Redress Scheme Governance Board, *Communique*, 12 October 2022, <[https://www.dss.gov.au/news/ministers-redress-scheme-governance-board-communicue-0#:~:text=Ministers%20supported%20work%20led%20by,an%20average%20payment%20of%20\\$87%2C541](https://www.dss.gov.au/news/ministers-redress-scheme-governance-board-communicue-0#:~:text=Ministers%20supported%20work%20led%20by,an%20average%20payment%20of%20$87%2C541)>.

¹⁵⁹ Australian Government, *The Australian Government response to the Final Report of the Second Year Review of the National Redress Scheme*, May 2023, p 10. The expectation that the Chief IDM Panel would undertake quality assurance activities was reiterated by the Department in July 2024 in responding to a Question on Notice from the previous Joint Standing Committee, see Department of Social Services, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme* (submission 9, supplementary submission 17), pp 2-3, <https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/National_Redress_Scheme_Standing/Redress47/Submissions>.

carrying out its critical quality assurance functions. For example, the ANAO report revealed that:

- As at 15 May 2025, only 29 applications had been referred to the Chief IDM Panel for advice or feedback,¹⁶⁰ despite the Chief IDM Panel having been in place for more than 3 years by that time.
- 'The Department did not evaluate the consistency or integrity of the Scheme's decision making before or after the introduction of the Chief IDM Panel',¹⁶¹ despite the Panel being identified as a key initiative to improve the quality and consistency of redress decisions.¹⁶²

In light of these findings and our ongoing concerns in relation to the Chief IDM Panel, Knowmore recommends that the Department of Social Services urgently undertake an evaluation of the Chief IDM Panel to determine whether it is effectively contributing to improvements in the consistency, fairness and quality of redress decisions. As part of the evaluation, the Department of Social Services should identify priority reforms to enhance the ability of the Chief IDM Panel to carry out critical quality assurance functions. For accountability and transparency, the findings of this evaluation should be made publicly available.

¹⁶⁰ ANAO, *Department of Social Services' Management of the National Redress Scheme*, p 59, paragraph 3.45.

¹⁶¹ ANAO, *Department of Social Services' Management of the National Redress Scheme*, p 59, paragraph 3.45.

¹⁶² ANAO, *Department of Social Services' Management of the National Redress Scheme*, pp 58-59, paragraph 3.42.

Recommendation 15

The Department of Social Services should urgently undertake an evaluation of the Chief IDM Panel to determine whether it is effectively contributing to improvements in the consistency, fairness and quality of redress decisions. As part of the evaluation, the Department of Social Services should identify priority reforms to enhance the ability of the Chief IDM Panel to carry out critical quality assurance functions. For accountability and transparency, the findings of this evaluation should be made publicly available.

The National Redress Scheme's approach to the legal standard of proof

Knowmore has been especially concerned by recent redress decisions that do not reflect an understanding of the legal standard of proof for deciding that a person is eligible for redress – namely, that it is reasonably likely that the person is eligible.¹⁶³ The NRS Act states that 'reasonable likelihood' means that 'the chance of the person being eligible is real, is not fanciful or remote and is more than merely plausible'.¹⁶⁴ This was the standard of proof recommended by the Royal Commission and is a lower standard of proof than is used in civil litigation (proof on the balance of probabilities) or in a criminal trial (proof beyond reasonable doubt).¹⁶⁵

The second year review made the following observations about the NRS's application of the reasonable likelihood standard:

Understanding memory, and the distinctive features of traumatic memory, is crucial for all IDMs making determinations on an applicant's eligibility for redress.

The Scheme must accommodate the way unreported childhood memories are disclosed in adulthood, as most people who have

¹⁶³ NRS Act, section 12(b).

¹⁶⁴ NRS Act, section 6, definition of 'reasonable likelihood'.

¹⁶⁵ Royal Commission, *Redress and civil litigation report*, p 41, recommendation 57.

been sexually abused as children do not disclose until they are adults.

...

Current determinations appear to reflect a misunderstanding of trauma and memory. They indicate that the Royal Commission's guidance had been erroneously interpreted and determinations appear to be inconsistent with the burden of proof of 'reasonable likelihood'.¹⁶⁶

Despite this guidance from the second year review, we have seen recent decisions that the client is not eligible for redress on the apparent basis that the client has not disclosed specific details about the abuse or disproved other possible versions of events. It is often difficult for us to understand the precise basis of these decisions,¹⁶⁷ and we struggle to reconcile these decisions with the reasonable likelihood standard.

We have also seen recent redress decisions that do not reflect an understanding of the nature or context of institutional child sexual abuse – for example, decisions that the client is not eligible for redress on the apparent basis that the institution does not have records relevant to the abuse, even though the Royal Commission noted extensive problems with institutional records and record-keeping.¹⁶⁸ Again, we struggle to reconcile these decisions with the reasonable likelihood standard.

In our experience, some government departments take 12 months or more to provide records for victims and survivors, following the relevant freedom of information application. We recognise that this is beyond the NRS's control. However, as noted on page 66, there is limited publicly available

¹⁶⁶ R Kruk AO, Final report: second year review of the National Redress Scheme, p 263.

¹⁶⁷ See Knowmore, Submission to the Australian National Audit Office, pp 59–63.

¹⁶⁸ Royal Commission, *Final report: Volume 8, Recordkeeping and information sharing*, 15 December 2017, p 39,

www.childabuseroyalcommission.gov.au/sites/default/files/final_report_-_volume_8_recordkeeping_and_information_sharing.pdf. We also note survivors' reflections that the NRS is 'inconsistent in relation to decisions where there is a lack of records'. See National Redress Scheme, *Survivor Roundtable, 16 October 2024*, accessed 17 February 2026, www.nationalredress.gov.au/about/about-scheme/reports-and-statistics/survivor-roundtable#questions-and-answers-from-the-adelaide-roundtable.

information about any planning that may have taken place to ensure that victims and survivors who apply for redress close to the deadline for applications are not disadvantaged by these delays. Based on the NRS's current approach to the reasonable likelihood standard, we are concerned that many victims and survivors who apply for redress close to the deadline for applications will miss out on redress due to government departments not providing their records before the end of the NRS.

The National Redress Scheme's approach to abuse in medical settings and the abusive, non-medical practice of virginity testing

The previous Joint Standing Committee recognised ongoing concerns in relation to child sexual abuse in medical settings,¹⁶⁹ and the abusive, non-medical practice of virginity testing.¹⁷⁰ These were illustrated by evidence from Lorraine (a pseudonym), who 'experienced horrific abuse' and 'was found ineligible for redress on the basis that virginity testing was a "medical procedure"'.¹⁷¹ In Knowmore's experience, child sexual abuse in medical settings and the abusive, non-medical practice of virginity testing remain areas in which unfairness, inconsistency and lack of transparency continue to have significant, adverse impacts on victims and survivors.

Our comments below address the following matters:

- ongoing problems with the NRS's approach to assessing child sexual abuse in medical settings and the abusive, non-medical practice of virginity testing
- relevant recommendations.

Ongoing problems with the National Redress Scheme's approach

Before discussing these issues in more detail, we wish to highlight an important point: while virginity testing often took place in medical

¹⁶⁹ Previous Joint Standing Committee, p 106, paragraph 5.52.

¹⁷⁰ Previous Joint Standing Committee, pp 20-21.

¹⁷¹ Previous Joint Standing Committee, p 87, paragraph 4.49.

settings,¹⁷² these issues cannot be simply equated. Child sexual abuse in medical settings includes many forms of abuse beyond virginity testing. Likewise, virginity testing has no medical purpose,¹⁷³ and often took place outside of medical settings – for example, in residential institutions and prisons.¹⁷⁴

In relation to child sexual abuse in medical settings, the previous Joint Standing Committee stated it had ‘heard evidence that the Scheme’s IDMs have made inconsistent or unfair decisions’ about child sexual abuse in medical settings,¹⁷⁵ and that ‘evidence we heard is consistent with past reports’, including from the Royal Commission.¹⁷⁶ In relation to virginity testing, the previous Joint Standing Committee observed that:

*Virginity testing can be a painful, humiliating and traumatic practice, but as a form of abuse it is not always covered by the Scheme.*¹⁷⁷

¹⁷² See for example, Royal Commission, *Final Report: Volume 11, Historical residential institutions*, December 2017, p 72,

<https://www.childabuseroyalcommission.gov.au/sites/default/files/final_report_-_volume_11_historical_residential_institutions.pdf>.

¹⁷³ See *Eliminating virginity testing: an interagency statement*, Geneva: World Health Organization, 2018, WHO/RHR/18.15, p 9,

<https://www.ohchr.org/sites/default/files/Documents/Issues/Women/WRGS/Eliminating_VirginityTestingAnInteragency.pdf>.

¹⁷⁴ See for example, Royal Commission, *Final Report: Volume 11, Historical residential institutions*, p 72; Royal Commission, *Narratives: Estelle’s story*, accessed 17 February 2025, <<https://www.childabuseroyalcommission.gov.au/narrative/estelles-story>>; Royal Commission, *Narratives: Justine’s story*, accessed 17 February 2025, <<https://www.childabuseroyalcommission.gov.au/narrative/justines-story>>. We acknowledge that this invasive and abusive practice was also referred to in the *Forgotten Australians* report, see *Senate Community Affairs References Committee, Forgotten Australians: A report on Australians who experienced institutional or out-of-home care as children*, August 2004, p 87,

<https://www.aph.gov.au/~media/wopapub/senate/committee/clac_ctte/completed_inquiries/2004_07/inst_care/report/report_pdf.ashx>.

¹⁷⁵ Previous Joint Standing Committee, p 106, paragraph 5.52.

¹⁷⁶ Previous Joint Standing Committee, p 107.

¹⁷⁷ Previous Joint Standing Committee, p 20, paragraph 1.94.

The previous Joint Standing Committee also made the following comments, relevant to the NRS's approach to assessing virginity testing.¹⁷⁸

Extract from the previous Joint Standing Committee's report

... the Department of Social Services had difficulty explaining to us:

- How the Scheme's independent decision makers could find that virginity testing was ever a valid medical procedure.
- Why assessing those redress applications would, therefore, become complex and lead to variable outcomes.

In October 2025, almost a year after the previous Joint Standing Committee released its report, the Minister for Social Services and the Attorney-General announced that the Australian Government had 'taken further steps to strengthen decisions of the NRS relating to abuse in medical settings – often referred to by victims and survivors as virginity testing' and 'updated how the Scheme considers abuse in medical settings to classify virginity testing as sexual abuse'.¹⁷⁹

Knowmore welcomes the Australian Government's clear recognition of virginity testing as sexual abuse. While this is an important first step, there remains limited publicly available information about this change, and how it will impact victims and survivors. We are particularly concerned that the announcement from October 2025 conflates child sexual abuse in medical settings with the abusive, non-medical practice of virginity testing. It remains unclear, for example, whether the change will ensure that IDMs consistently make decisions that reflect the Royal Commission's findings about the nature and context of child sexual abuse in medical settings. It also remains unclear whether the change will ensure that IDMs consistently recognise when virginity testing (as opposed to a medical procedure) has occurred.

¹⁷⁸ Previous Joint Standing Committee, p 20, paragraph 1.95.

¹⁷⁹ Hon. Tanya Plibersek MP and Hon. Michelle Rowland, New initiatives underscore the commitment to victim survivors of institutional child sexual abuse, 22 October 2025, <<https://ministers.dss.gov.au/media-releases/18476>>.

Recommendations relevant to child sexual abuse in medical settings and the abusive, non-medical practice of virginity testing

Knowmore recommends that the Australian Government make publicly available the policy guidance material that the NRS gives to Independent Decision Makers about child sexual abuse in medical settings and the abusive, non-medical practice of virginity testing.

Recommendation 16

The Australian Government should make publicly available the policy guidance material that the National Redress Scheme gives to Independent Decision Makers about child sexual abuse in medical settings and the abusive, non-medical practices of virginity testing.

We also recommend that the Australian Government make publicly available specific information about the scope of the change, announced in October 2025, to the NRS's approach to assessing abuse in medical settings – for example:

- whether and how the change will ensure that Independent Decision Makers consistently make decisions that reflect the Royal Commission's findings about the nature and context of child sexual abuse in medical settings
- whether and how the change will ensure that Independent Decision Makers consistently recognise when virginity testing (as opposed to a medical procedure) has occurred.

Recommendation 17

The Australian Government should make publicly available specific information about the scope of the change, announced in October 2025, to the NRS's approach to assessing abuse in medical settings – for example:

- whether and how the change will ensure that Independent Decision Makers consistently make decisions that reflect the Royal Commission's findings about the nature and context of child sexual abuse in medical settings
- whether and how the change will ensure that Independent Decision Makers consistently recognise when virginity testing (as opposed to a medical procedure) has occurred.

We note that, in response to the previous Joint Standing Committee's concerns about the NRS's approach to assessing virginity testing, the Department committed to implementing 'a range of priority improvements', outlined in the previous Committee's report.¹⁸⁰ There remains limited publicly available information about any steps taken to implement these priority improvements, beyond the announcement of the Minister for Social Services and the Attorney-General in October 2025.

We recommend that the Department of Social Services report publicly on the implementation status of each of these priority improvements, including:

- whether the Department of Social Services considers the recommendation to be fully implemented
- specific steps taken to implement the recommendation
- whether there are further steps planned to implement the recommendation.

¹⁸⁰ Previous Joint Standing Committee, p 89, paragraph 4.61.

We note that this could be integrated effectively within a single, publicly available framework for monitoring and reporting on all recommendations from reviews of the NRS (see recommendation 3 on page 43).

Recommendation 18

The Department of Social Services should report publicly on the implementation status of each of the priority improvements that it committed to making in response to concerns about the National Redress Scheme's approach to assessing virginity testing. In doing this, the Department of Social Services should address:

- whether the Department of Social Services considers the recommendation to be fully implemented
- specific steps taken to implement the recommendation
- whether there are further steps planned to implement the recommendation.

We note that one of the priority improvements committed to by the Department was:

Identifying applicants who have described abuse relating to intrusive internal examinations and were found ineligible prior to the updated policy advice in 2022 and providing them with an opportunity to seek a review of their application if they want to do this.¹⁸¹

For detailed comments about the relevant policy update in 2022, we refer to our submission to the ANAO's audit in June 2025.¹⁸²

While Knowmore welcomes the commitment by the Department, we note that there have now been at least 2 updates relevant to the NRS's approach to assessing child sexual abuse in medical settings and the abusive, non-medical practice of virginity testing. This highlights the importance of ensuring that the reassessment process applies to all victims and survivors who are affected by a change in circumstance after

¹⁸¹ Previous Joint Standing Committee, p 89, paragraph 4.61.

¹⁸² Knowmore, Submission to the Australian National Audit Office, pp 45-47.

their redress application is finalised. We make further comments about this on pages 177 to 181.

The National Redress Scheme's approach to child sexual abuse involving grooming and voyeurism

It is by no means impossible to regard grooming as 'an act which exposes the person to, or involves the person in, sexual processes beyond the person's understanding or contrary to accepted community standards'

The Hon Justice Longbottom in *HMB24 v Operator, National Redress Scheme for Institutional Child Sexual Abuse*, paragraph 23

Knowmore has repeatedly raised concerns about the NRS's approach to grooming and voyeurism.¹⁸³ In fact, 2 of Knowmore's clients have engaged barristers and taken issues of this nature to the Federal Court for judicial review. In both cases, the Federal Court decided that the NRS made legal errors in how it approached the question of what constitutes 'sexual abuse' for the purposes of the NRS.¹⁸⁴ Despite this, we continue to experience significant difficulties in getting the NRS to recognise grooming and voyeurism as forms of child sexual abuse. We experience ongoing challenges in relation to one of the cases that a client took to the Federal Court.

These ongoing challenges are despite the following:

¹⁸³ See, for example, Knowmore, Submission to the Australian National Audit Office, pp 52–54; Knowmore, *Submission to the Joint Select Committee on Implementation of the National Redress Scheme*, p 13.

¹⁸⁴ Federal Court of Australia, *Brooks v Operator of the National Redress Scheme*, 5 July 2024, paragraphs 17–18, <www.judgments.fedcourt.gov.au/judgments/Judgments/fca/single/2024/2024fca0725>; Federal Court of Australia, *HMB24 v Operator, National Redress Scheme for Institutional Child Sexual Abuse*, 28 March 2025, paragraph 24, <www.judgments.fedcourt.gov.au/judgments/Judgments/fca/single/2025/2025fca0278>.

- The Royal Commission expressly recognised both grooming and voyeurism as forms of child sexual abuse.¹⁸⁵
- The Federal Court has recognised the definition of ‘sexual abuse’ in the NRS Act is broad,¹⁸⁶ and that grooming may constitute sexual abuse for the purposes of the NRS.¹⁸⁷
- The Australian Government’s National Redress Guide recognises that child sexual abuse ‘may include (but is not limited to) ... preparing or encouraging a child to engage in sexual activity’.¹⁸⁸

Many of Knowmore’s clients have experienced grooming or voyeurism, and understood these experiences to be forms of child sexual abuse. When the NRS does not recognise this, it is often retraumatising for the client, and can result in the client receiving a lower redress payment or no redress at all.

We are particularly concerned by the content of a relevant document that the Department provided to the previous Joint Standing Committee – a guide to assist IDMs when completing statements of reasons. This guide states that it could be a reason to deny that an applicant experienced sexual abuse ‘where the applicant was subject to grooming behaviours, but those behaviours never eventuated to sexual abuse’.¹⁸⁹ The guide provides an example where ‘a child experiences grooming (e.g. teacher pays them excessive compliments in class, is singled out as someone being special and is sometimes driven home from school by their teacher)’, stating that this could be a situation where ‘an applicant could

¹⁸⁵ Royal Commission, *Final report: volume 2, nature and cause*, p 15.

¹⁸⁶ *Brooks v Operator of the National Redress Scheme*, paragraph 5.

¹⁸⁷ *HMB24 v Operator, National Redress Scheme for Institutional Child Sexual Abuse*, paragraph 23.

¹⁸⁸ See Australian Government, *National Redress Guide, Part 1.1.S.30 Sexual abuse*, accessed 2 January 2026, <<https://guides.dss.gov.au/national-redress-guide/1/1/s/30>>.

¹⁸⁹ Department of Social Services, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme* (Submission 9, supplementary submission 18), September 2024, p 4, 3A,

<https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/National_Redress_Scheme_Standing/Redress47/Submissions>.

not get an amount more than nil'.¹⁹⁰ Knowmore struggles to reconcile this guidance with the definition of 'sexual abuse' in the NRS Act,¹⁹¹ which closely aligns with the Royal Commission's definition of 'child sexual abuse'.¹⁹² We also struggle to reconcile this guidance with the relevant judgments of the Federal Court.

Our concerns relating to the NRS's approach to grooming and voyeurism are illustrated by the following experiences of one of Knowmore's clients who had to go to the Federal Court to get the abuse they experienced recognised as sexual abuse. The text below includes a brief, factual description of the abuse experienced by our client for the purpose of illustrating the relevant issues.

¹⁹⁰ Department of Social Services, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme* (Submission 9, supplementary submission 18), p 5, 5A.

¹⁹¹ NRS Act, section 6, definition of 'sexual abuse'.

¹⁹² Royal Commission, *Final report: volume 1, Our inquiry*, 15 December 2017, p 19, <https://www.childabuseroyalcommission.gov.au/sites/default/files/final_report_-_volume_1_our_inquiry.pdf>.

A client who had to go to the Federal Court to get the abuse they experienced recognised as sexual abuse

The client experienced sexual, physical and psychological abuse while in out-of-home care. The abuse was perpetrated by 2 carers at the home.

The client, made to strip naked, was whipped extensively with a leather strap by one carer while the other carer watched. The carers gained sexual gratification from the whipping, which was done to groom the client for further abuse. The client says the 'major thing that I didn't have, that I lost when I was 11 years old, was emotions and love'.

The client self-lodged an application for redress in December 2018. In July 2022, an NRS decision-maker determined that the client was ineligible for redress on the basis that the client had not experienced 'sexual abuse' as defined by the NRS (original determination). The statement of reasons noted that the decision-maker was unable to conclude that the physical and psychological abuse the client experienced involved a sexual element.

Knowmore assisted the client to seek an internal review of the original determination. In September 2022, a different NRS decision-maker determined that the client was ineligible for redress (review determination). In March 2023, the client provided additional information to the NRS and applied to have the review determination revoked, which was unsuccessful.

In September 2023, the client applied to the Federal Court for judicial review of the original determination made by the NRS. The client's application was successful and the NRS were ordered to reconsider the client's application for redress. The court found that, in making the original determination, the decision-maker made an error of law by adopting a narrow interpretation of 'sexual abuse' and by failing to consider whether one of the perpetrators gained sexual gratification from the whipping the client experienced.

The client lodged a new application for redress and received an offer of redress from the NRS in September 2024. The client found it very beneficial to have the staff of Knowmore 'actually listen' to them and said that having Knowmore's assistance throughout their redress process was a 'real relief'.

Knowmore recommends that the NRS consistently recognise grooming and voyeurism as child sexual abuse, including by ensuring that any guidance provided to Independent Decision Makers reflects this position.

Recommendation 19

Knowmore recommends that the National Redress Scheme consistently recognise grooming and voyeurism as child sexual abuse, including by ensuring that any guidance provided to Independent Decision Makers reflects this position.

Ongoing concerns about procedural fairness

Procedural fairness, also known as natural justice, 'requires that administrators adhere to a fair decision-making procedure'.¹⁹³ It is both a legal duty applying to many types of administrative decisions and a requirement of best practice administrative decision-making.¹⁹⁴ In Knowmore's view, the duty to provide procedural fairness applies to many decisions made by the NRS, including:

- decisions about whether a person is eligible to apply for redress and whether their redress application is valid (for example, under the special assessment process for people with serious criminal convictions)
- determinations of redress applications made under section 29 of the NRS Act
- decisions made under the NRS's internal review and revocation processes.¹⁹⁵

¹⁹³ Administrative Review Council, *Best practice guide 2 –Decision Making: Natural justice*, p 1.

¹⁹⁴ Knowmore, *Submission to the second anniversary review of the National Redress Scheme*, p 25; Administrative Review Council, *Best practice guide 2 –Decision Making: Natural justice*, p 1.

¹⁹⁵ See, Knowmore, *Submission to the second anniversary review of the National Redress Scheme*, pp 20–32.

There are limited review options for victims and survivors who wish to challenge decisions made by the NRS.¹⁹⁶ This makes it especially important that all decisions made by the NRS are correct and procedurally fair, as there may be few or no avenues to address an incorrect or unfair decision.¹⁹⁷ Further, procedural fairness is an important part of a trauma-informed approach to redress decision-making, as it avoids replicating the institutional secrecy that many victims and survivors have experienced in connection with abuse,¹⁹⁸ and helps to demonstrate the trustworthiness of the decision-making process.¹⁹⁹

Knowmore has long held concerns that the NRS is not consistently complying with the rules of procedural fairness, including the hearing rule, which requires the NRS to notify survivors of information that may adversely affect a decision to be made by the NRS and to provide survivors with a meaningful opportunity to respond to this information.²⁰⁰ We have a long history of advocating for the NRS to improve procedural fairness for victims and survivors.²⁰¹

We recognise that, in recent years, the NRS has made progress in relation to procedural fairness for victims and survivors. For example, the previous Joint Standing Committee reported, based on information provided by the Department, that:

From July 2024, induction training has included information on administrative decision-making principles, procedural fairness and

¹⁹⁶ Knowmore, Submission to the Australian National Audit Office, p 79.

¹⁹⁷ See Knowmore, Submission to the Australian National Audit Office, p 56.

¹⁹⁸ Royal Commission, *Final Report: Volume 4, Identifying and disclosing child sexual abuse*, pp 146–147.

¹⁹⁹ For further discussion on the principle of trustworthiness, see Blue Knot, *Trauma-informed services*, accessed 17 February 2026, <<https://professionals.blueknot.org.au/resources/trauma-informed-services/>>.

²⁰⁰ Knowmore, *Submission to the second anniversary review of the National Redress Scheme*, p 25.

²⁰¹ See for example, Knowmore, Primary submission to Joint Standing Committee, pp 66–68; Knowmore, *Submission to the second anniversary review of the National Redress Scheme*, pp 24–27.

preparing a statement of reasons. Existing IDMs are being given 'refresher training'.²⁰²

Further, the NRS now provides victims and survivors with significantly greater access to material provided by institutions, providing victims and survivors with an opportunity to respond to information in this material that may adversely affect their redress outcome. While Knowmore welcomes this progress, we hold ongoing concerns about procedural fairness for victims and survivors in the NRS's decision-making. These include concerns in relation to the following matters, which we discuss below:

- a change of practice by the NRS regarding information request letters
- the NRS's approach to fraud prevention.

Change of practice regarding information request letters

We note that the terms of reference ask about 'information requests, and the timeframe required to resolve these matters'.²⁰³

In the second half of 2025, the NRS adopted a practice of sending letters to victims and survivors, which:

- provide material provided by institutions directly to victims and survivors, often in an unfiltered form, and
- ask victims and survivors to respond to potentially unfavourable information in the material within a timeframe of 4 to 8 weeks, often with limited guidance about which specific parts of the material the NRS considers to require a response.

²⁰² See Previous Joint Standing Committee, p 81, paragraphs 4.16-4.19; Department of Social Services, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme* (Submission 9, supplementary submission 21), accessed 17 February 2026, p 6, <https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/National_Redress_Scheme_Standing/Redress47/Submissions>; Previous Joint Standing Committee on Implementation of the National Redress Scheme, *Hansard*, 21 August 2024, pp 2 and 5-6, <<https://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22committees%2Fcommjnt%2F28350%2F0000%22>>.

²⁰³ Joint Standing Committee, *Terms of Reference*.

These letters may be called 'section 24 letters', because the NRS issues them under its power to request information from applicants under section 24 of the NRS Act. We note that the NRS also uses its power under section 24 of the NRS Act to send letters to victims and survivors as part of its fraud prevention approach. We make further comments about this on pages 108 to 111.

The NRS has stated that the purpose of its change in practice regarding information request letters is to provide procedural fairness to victims and survivors by ensuring they have an opportunity to respond to adverse information provided by institutions.²⁰⁴ While Knowmore recognises the importance of this objective, we consider the way in which it is being pursued falls short of best practice standards for providing procedural fairness and is not trauma-informed.

As noted on page 102, procedural fairness requires the NRS to notify victims and survivors of information that may adversely affect a decision to be made by the NRS. It does not require the NRS to directly provide victims and survivors with material provided by an institution in an unfiltered form. In Knowmore's experience, victims and survivors are often provided with large quantities of material from institutions that are irrelevant to any decision the NRS is required to make. This does not enhance procedural fairness, and in many cases undermines procedural fairness, as it is often unclear to survivors which parts of the material the NRS considers to require a response.

We note the Department's guidance for making a redress determination, provided to the previous Joint Standing Committee:

Before requesting the Scheme to contact an applicant, decision-makers should firstly undertake an assessment of the adverse information (in particular its relevance, weight, consistency and credibility) and come to a preliminary conclusion as to whether the totality of the evidence means that that the decision-maker can't be satisfied that it is reasonably likely that the applicant is eligible for redress. It is not necessary to contact an applicant about adverse

²⁰⁴ Email from the National Redress Scheme to Knowmore, *Changes on the way information is provided to applicants*, 11 November 2025.

*information unless that information is likely to have a material impact in respect of eligibility or assessment.*²⁰⁵

Knowmore agrees with this guidance. We are concerned that, in many cases, the Independent Decision Maker is either not undertaking an appropriate assessment of the material provided by institutions, or is failing to filter out material that is not likely to affect a decision they are required to make.

In our view, the material that should be filtered out (unless the survivor requests otherwise) includes material that is not credible because it repeats myths and misconceptions about child sexual abuse that were debunked by the Royal Commission.²⁰⁶ We do not see how material of this nature could reasonably affect any relevant decision of a survivor-focused, trauma-informed redress scheme with a reasonable likelihood standard of proof (see our comments about the reasonable likelihood standard on pages 89 to 91)

We also note that best practice standards for procedural fairness require that ‘an affected person’s attention should be directed to any information or fact that is crucial to the decision but might not be apparent to them’.²⁰⁷ As noted on page x, victims and survivors often receive limited guidance about which specific parts of the material the NRS considers to require a response. This puts victims and survivors in the position of trying to guess what an Independent Decision Maker may be thinking.

Rather than demonstrating accountability and learning, the material provided by institutions often replicates the inadequate responses to child

²⁰⁵ Department of Social Services, *Administrative decision making: making a determination under the National Redress Scheme for Institutional Child Sexual Abuse Act 2018*, August 2024, p 26. See Department of Social Services, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme* (Submission 9, supplementary submission 20), <https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/National_Redress_Scheme_Standing/Redress47/Submissions>.

²⁰⁶ See, for example, Royal Commission, *Final report: volume 2, nature and cause*, pp 126 and 256.

²⁰⁷ Administrative Review Council, *Best practice guide 2 –Decision Making: Natural justice*, p 10.

sexual abuse documented by the Royal Commission.²⁰⁸ This material often prioritises the legal, financial and reputational interests of institutions and perpetrators over justice and healing for victims and survivors, and does not reflect an understanding of the nature, context and impacts of institutional child sexual abuse. It is often distressing and retraumatising for victims and survivors to receive this material, which directly exposes them to the institution's denial and minimisation of the abuse they experienced.

As noted on page 103, the NRS asks victims and survivors to provide a response within a timeframe of 4 to 8 weeks.²⁰⁹ This puts significant pressure on victims and survivors, who may not be able to get an appointment with a Redress Support Service or Knowmore within the available time (see pages 143 to 144). In our experience, the NRS will generally grant a survivor only a short extension of time (a maximum of 3 months) to respond. These timeframes impact disproportionately on victims and survivors who experience heightened marginalisation (see pages 44 to 55) and often do not allow survivors a meaningful opportunity to respond to the information provided by institutions.

The NRS's change of practice in relation information requests requires survivor support services to do significant additional work in a context where many survivor support services are already stretched to their limit. The additional work includes reviewing, analysing and responding to large quantities of material within unreasonable and pressing timeframes, and providing support to victims and survivors who are experiencing distress from the information request process.

In addition to providing procedural fairness, we understand that the NRS's change of practice is intended to address the large number of redress applications that are yet to have an outcome advised because the NRS is waiting for the applicant to provide additional information.²¹⁰ Knowmore also recognises the importance of this objective – as at 31 December 2025,

²⁰⁸ See for example, Royal Commission, *Final Report: Volume 4, Identifying and disclosing child sexual abuse*, pp 140 and 146.

²⁰⁹ Section 24(4) of the NRS Act specifies 4-8 weeks as the minimum timeframe for a response. The NRS has the discretion to set a longer timeframe. The NRS may also grant an extension of time under section 24(5).

²¹⁰ Email from the National Redress Scheme to Knowmore, *Changes on the way information is provided to applicants*.

the NRS reported that it was unable to action 6,873 applications because it was waiting for the applicant to provide additional information.²¹¹ However, we query whether the NRS's change of practice with regard to information requests sets up a false economy, diverting the resources of support services away from assisting survivors to make complete applications at first instance, towards assisting survivors to respond to information requests. For victims and survivors who have already been waiting years for a redress outcome, it is likely to be distressing and further extend the process to now receive an information request.

Knowmore recommends that the NRS implement the reforms detailed below to ensure a more survivor-focused, trauma-informed and culturally safe approach to information request letters sent to survivors.

²¹¹ National Redress Scheme, *January 2026 Update*.

Recommendation 20

The National Redress Scheme should implement the following reforms to ensure a more survivor-focused, trauma-informed and culturally safe approach to information request letters sent to survivors:

- Before sending an information request letter, the Independent Decision Maker should undertake an assessment of all the information available to them. The Independent Decision Maker should only send a letter in relation to information that is likely to have a material impact on a decision they are required to make.
- The National Redress Scheme should provide victims and survivors with the option to be informed via a phone call before the Independent Decision Maker sends the survivor an information request letter.
- When sending an information request letter, the Independent Decision Maker should:
 - use the most trauma-informed and culturally safe language possible
 - filter out information that is not likely to have a material impact on a decision they are required to make
 - provide victims and survivors with guidance about the specific information being requested.
- The National Redress Scheme should ensure that victims and survivors have adequate time to respond to an information request, including the time needed to access appropriate support.

The National Redress Scheme's approach to fraud prevention

Following highly publicised arrests in New South Wales in relation to alleged fraudulent claims of child sexual abuse in February 2025,²¹² we have seen

²¹² See, for example, the alleged fraudulent claims of child sexual abuse and allegations of claim farming as an associated practice: Emily Wind, *Seven arrested over alleged sexual abuse 'claim farming' scheme that police say netted more than \$1bn*, 13 February 2025,

the NRS increase its focus on fraud prevention. Knowmore recognises that fraud is a difficult and important problem for the NRS to address. However, we consider that the NRS must approach fraud prevention in a trauma-informed and procedurally fair way.

Before discussing these issues in more detail, we emphasise that victims and survivors face significant barriers to disclosing that they have experienced child sexual abuse,²¹³ and false allegations of child sexual abuse are rare.²¹⁴ Allegations of fraud are devastating for our clients, many of whom already fear that they will not be believed when disclosing the child sexual abuse perpetrated against them.²¹⁵ In this context, we have been concerned to see the NRS sending letters to many of our clients, saying that concerns about fraud (or 'assurance concerns') have been identified in relation to their redress application. The NRS sends these letters under its power to request information from applicants under section 24 of the NRS Act (see our comments on page 104).

When sending these letters to raise concerns about fraud, the NRS often does not provide enough information to equip our clients with a meaningful understanding of the basis of the NRS's concerns. For example, many victims and survivors have received letters in which the NRS says that concerns about fraud have been raised by similarities between the survivor's application and other applications. However, due to privacy requirements, the NRS generally cannot provide detail about what these similarities are.

It is appropriate that the NRS respects the privacy of all victims and survivors. At the same time, it is not procedurally fair to ask victims and

The Guardian, <<https://www.theguardian.com/australia-news/2025/feb/13/seven-arrested-over-alleged-sexual-abuse-claim-farming-scheme-that-police-say-netted-more-than-1bn-ntwnfb>>.

²¹³ Royal Commission, *Final Report: Volume 4, Identifying and disclosing child sexual abuse*, p 77.

²¹⁴ Royal Commission, *Final Report: Volume 7, Improving institutional responding and reporting*, December 2017, pp 136–137, <https://www.childabuseroyalcommission.gov.au/sites/default/files/final_report_-_volume_7_improving_institutional_responding_and_reporting.pdf>.

²¹⁵ See Royal Commission, *Final Report: Volume 4, Identifying and disclosing child sexual abuse*, pp 80–81.

survivors to respond to concerns about fraud without providing them with enough information to understand the concerns and provide a meaningful response.

We note that similar experiences are to be expected in the context of institutional child sexual abuse. The Royal Commission reported that ‘perpetrators in institutional contexts may be strategic in the way they identify, groom and sexually abuse children, and groom others within the institution’,²¹⁶ and that there were some institutions where ‘networks or groups of perpetrators operated’.²¹⁷ Many victims and survivors experienced abuse in the same institution or by the same perpetrator. In this context, it is unsurprising that there are similarities between many redress applications.

Knowmore recommends that the NRS ensure that its approach to fraud prevention is trauma-informed and procedurally fair, as detailed below.

Recommendation 21

The National Redress Scheme should ensure that its approach to fraud prevention is trauma-informed and procedurally fair. In particular:

- The National Redress Scheme’s approach to fraud prevention should reflect an understanding of the nature and context of institutional child sexual abuse, including an understanding that:
 - false allegations of child sexual abuse are rare
 - similar experiences are to be expected in context of institutional child sexual abuse.
- When asking survivors to respond to concerns about fraud, the National Redress Scheme should provide enough information to equip survivors with a meaningful understanding of the basis of its concern and provide survivors with a meaningful opportunity to respond to the concern, while respecting the privacy of all applicants.

²¹⁶ Royal Commission, *Final Report: Volume 2, nature and cause*, p 14.

²¹⁷ Royal Commission, *Final report: volume 2, nature and cause*, pp 14 and 34–39.

We understand that the Department has provided the Joint Standing Committee with a briefing on techniques that the Department apply in preventing fraud in relation to the NRS.²¹⁸ At present, Knowmore has limited information about the NRS's broader approach to fraud prevention, beyond what we have described above. While we understand the sensitivity of the subject, we consider that it would be possible for the NRS to make publicly available more information about its fraud prevention processes without compromising legitimate objectives. We would especially welcome more information about how the NRS assesses the effectiveness of its fraud prevention processes.

Recommendation 22

The National Redress Scheme should make publicly available more information about its fraud prevention processes, including how the National Redress Scheme assesses the effectiveness of these processes.

Compromising the principles of redress to meet deadlines

We note that the discussion paper for the inquiry asks for 'evidence with a view to ensuring the Scheme can respond to emerging trends and challenges, particularly as it moves into its final phase of operation'.²¹⁹ As noted on pages 111 and 117, we are concerned that growing pressure on the NRS is contributing to new problems with the NRS, as the NRS compromises on the legislated principles of redress in an attempt to meet the deadlines imposed by the NRS's governing law. These principles include survivor-focused, trauma-informed and culturally appropriate redress (see the discussion on pages 32 to 33). While we recognise the importance of addressing delays, this must not come at the expense of the legislated principles for redress.

²¹⁸ Australian Parliament, Senate Community Affairs Legislation Committee, *Estimates*, 4 December 2025, p 90.

²¹⁹ Joint Standing Committee, *Discussion Paper, Inquiry into the continuing operations of the National Redress Scheme*, p 2.

Knowmore has been concerned by recent changes to the NRS's procedures and practices that, in our view, are not survivor-focused, trauma-informed or culturally safe. These include the following changes, which we discuss below:

- changes to the NRS's online application form
- changes to procedures for delivering redress outcomes.

In light of these issues, Knowmore recommends that the Australian Government ensure that all policies, processes and practices of the NRS reflect the legislated principles for redress under section 10 of the NRS Act. This should include ensuring that any changes to address delays in the processing of redress applications do not come at the expense of survivor-focused, trauma-informed and culturally appropriate practice.

Recommendation 23

The Australian Government should ensure that all policies, processes and practices of the National Redress Scheme reflect the legislated principles for redress under section 10 of the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth). This should include ensuring that any changes to address delays in the processing of redress applications do not come at the expense of survivor-focused, trauma-informed and culturally appropriate practice.

Changes to the National Redress Scheme's online application form

In December 2025, the NRS made several changes to the online application form, accessible via myGov. These changes included a new requirement for victims and survivors to provide a minimum of 750 characters when describing the abuse they experienced (the minimum character requirement).²²⁰ In Knowmore's view, the minimum character requirement

²²⁰ We note that the 'describe the abuse' question in the National Redress Scheme's online application form, accessible via myGov, is the equivalent of question 41 in the application form accessible via the National Redress Scheme website and that this section of the application is commonly referred to as the 'statement of abuse'.

is not survivor-focused or trauma-informed, and imposes a barrier to redress that has no basis in the legal framework for the NRS.

There are many reasons that victims and survivors might describe the abuse they experienced in less than 750 characters. For example, the Royal Commission noted that victims and survivors face significant barriers to disclosing that they have experienced child sexual abuse, which may include the following:

- feelings of shame and embarrassment
- fear that they will not be believed
- fear that a disclosure will not be kept confidential
- distrust of government authorities
- stigma or taboos about discussing child sexual abuse
- lack of appropriate support for people with disability
- lack of appropriate support for people who speak a first language that is not English.²²¹

Further, the second year review noted that ‘survivors of abuse may have incomplete memories’.²²² The minimum character requirement will worsen barriers of this nature, and prevent some victims and survivors from applying for redress altogether.

The legal framework for the NRS does not contain any requirement for victims and survivors to describe the abuse they experienced using any particular number of characters. As noted on page 89, the legal standard of proof for deciding that a person is eligible for redress is that it is reasonably likely that the person is eligible. In our view, and in our experience, this standard can be met without requiring victims and survivors to provide a 750-character description of the abuse they experienced.

The NRS has said that the changes to the online application form were made ‘to encourage applicants to submit more complete applications,

²²¹ Royal Commission, *Final Report: volume 4, identifying and disclosing child sexual abuse*, pp 78-108.

²²² R Kruk AO, *Final report: Second year review of the National Redress Scheme*, p 63.

and to reduce the number of section 24 letters applicants are issued'.²²³ In our view, guidance text in the application form more appropriately fulfils this objective.

We acknowledge that the NRS is encouraging victims and survivors who are unable to meet the minimum character requirement to contact a Redress Support Service for assistance.²²⁴ Due to the challenges facing many support services, which can include long wait times for appointments (see pages 143-144), we do not consider this to be an effective solution to address the additional barrier to accessing redress imposed by the minimum character requirement.

Knowmore recommends that the NRS reverse the change to the online application form, requiring victims and survivors to provide a minimum of 750 characters when describing the abuse they experienced.

Recommendation 24

The National Redress Scheme should reverse the change to the online application form, requiring victims and survivors to provide a minimum of 750 characters when describing the abuse they experienced.

Changes to procedures for delivering redress outcomes

In August 2025, the NRS began a trial of notifying some victims and survivors of the outcome of their redress application in writing only, via post or MyGov (the Outcome Delivery Call Reduction Trial).²²⁵ This departed from the NRS's previous standard practice of first notifying victims and survivors of their redress outcome through a telephone call.²²⁶ On 16 February 2025, the NRS informed Knowmore that the Outcome Delivery Call

²²³ Email from the National Redress Scheme to Knowmore, *Updates to the National Redress Scheme online application*, 5 December 2025.

²²⁴ Email from the National Redress Scheme to Knowmore, *Updates to the National Redress Scheme online application*.

²²⁵ Email from the National Redress Scheme to Knowmore, *Outcome delivery call reduction trial*, 13 October 2025.

²²⁶ See the summary of the *outcome* process stage in Appendix 3, Table A.1 of the ANAO Report.

Reduction Trial had been made permanent and that notifying survivors of their redress outcome in writing only would be the standard approach. While we understand that new applicants will be able to request a telephone call during their Outbound Acknowledgement Call, victims and survivors who have already lodged their application will not be informed of this option. This change is likely to have particularly significant impacts on victims and survivors who experience intersectional marginalisation (see pages 44 to 55), and victims and survivors without appropriate support (see pages 139 to 142).

A telephone call is generally a more trauma-informed approach to delivering sensitive and potentially distressing information, which may include that a redress application has been rejected or that a redress payment will be significantly less than what a victim-survivor was expecting to receive. It is common for victims and survivors to experience re-traumatisation and, in some instances, suicidality after receiving information of this nature. A telephone call can be scheduled for a time that suits the applicant, and allows for a support person to be present with the applicant during the call and to provide follow-up support to the applicant immediately after the call.

Even when a support person is not present during the outcome call, victims and survivors still have the opportunity to ask questions of NRS staff during the call about their redress outcome and what happens next. Providing a survivor's redress outcome via letter only shifts the burden to the survivor to contact the NRS or a support service for assistance in understanding their outcome.

We have heard from many victims and survivors that it was an important step in their healing journey to hear their redress outcome directly from a representative of a government agency, acknowledging that the abuse they experienced was wrong and that it should never have happened. Delivering redress outcomes in writing only removes this important step.

Noting the trauma-informed principles of choice and respect for diversity,²²⁷ Knowmore considers that the NRS should allow all victims and survivors to choose whether they are notified of their redress outcome in

²²⁷ Blue Knot, *Trauma-informed services*.

writing only or first notified of their outcome through a telephone call, including victims and survivors who lodged their redress application before the Outcome Delivery Call Reduction Trial was made permanent. In addition, we recommend that the NRS:

- inform all victims and survivors about their different options for outcome delivery
- allow victims and survivors to change their choice at any time before the outcome delivery
- send a text to inform the survivor when an outcome letter is being sent
- adopt a default approach of delivering ineligible outcomes by telephone call
- record data about the number and proportion of applicants who return their documents in response to the different methods of outcome delivery.

Recommendation 25

The National Redress Scheme should allow all victims and survivors to choose whether they are notified of their redress outcome in writing only or first notified of their outcome through a telephone call, including victims and survivors who lodged their redress application before the Outcome Delivery Call Reduction Trial was made permanent. In addition, we recommend that the NRS:

- inform all victims and survivors about their different options for outcome delivery
- allow victims and survivors to change their choice at any time before the outcome delivery
- send a text to inform the survivor when an outcome letter is being sent
- adopt a default approach of delivering ineligible outcomes by telephone call
- record data about the number and proportion of applicants who return their documents in response to the different methods of outcome delivery.

Noting the importance of transparency (see pages 76 to 83), Knowmore also considers that the NRS should make the findings of the Outcome Delivery Call Reduction Trial publicly available.

Recommendation 26

The National Redress Scheme should make the findings of the Outcome Delivery Call Reduction Trial publicly available.

Non-participating institutions and inadequate funder of last resort arrangements

We note that the terms of reference ask about 'outstanding applications and determinations, and the processes and procedures that may need to

be implemented to maximise just outcomes before the Scheme concludes'.²²⁸ In Knowmore's view, it must be a priority to address the impact of non-participating institutions and inadequate funder of last resort arrangements

Knowmore has long held concerns about victims and survivors not receiving redress due to institutions that are not participating in the NRS.²²⁹ Every major review of the NRS has addressed issues with institutions participating in the NRS,²³⁰ and these issues remain a significant barrier to victims and survivors accessing the NRS. Many victims and survivors are unable to access redress through the NRS, receive reduced redress payments and experience significant delays and anxiety due to non-participating institutions and inadequate funder of last resort arrangements. Knowmore agrees with the reflection of the second year review of the NRS, that:

*All institutions named in redress applications must join the Scheme to provide equal access to justice for all survivors of institutional sexual abuse and equal and fair treatment of survivors; and to hold institutions accountable.*²³¹

As noted by the previous Joint Standing Committee, 'participation in the Scheme is voluntary, and it is not possible to compel any institution to join, or remain in the Scheme'.²³² The second year review observed that some survivors 'are unable to access redress because the responsible institution no longer exists and there is no contemporary successor institution, or the responsible institution cannot or will not join the Scheme'.²³³ While the reasons for non-participating institutions vary, the end result for victims

²²⁸ Joint Standing Committee, *Terms of Reference*.

²²⁹ For example, see Knowmore, Submission to the Australian National Audit Office, pp 63-68; Knowmore, *Submission to the Joint Select Committee on Implementation of the National Redress Scheme*, pp 4-9.

²³⁰ For example, see Joint Select Committee on Implementation of the National Redress Scheme, *First Interim Report*, pp 53-68; Second year review of the National Redress Scheme, pp 12 and 197-203; Joint Standing Committee, pp 15-16; ANAO, *Department of Social Services' Management of the National Redress Scheme*, pp 19-20, 42-44 and 51-54.

²³¹ R Kruk AO, *Final report. Second year review of the National Redress Scheme*, p 197.

²³² Previous Joint Standing Committee, p 16, paragraph 1.73.

²³³ R Kruk AO, *Final report. Second year review of the National Redress Scheme*, p 106.

and survivors who experienced child sexual abuse in these institutions is the same – they are unable to access redress, unless the institution is covered by a relevant arrangement for a government to act as a funder of last resort. As we discuss further below, these arrangements are often inadequate.

Our comments below address the following issues in relation to non-participating institutions and inadequate funder of last resort arrangements:

- delays in the onboarding of institutions to the NRS
- the risk that institutions do not join or remain fully participating in the NRS
- the need for penalties for non-participating institutions to continue beyond the end of the NRS.

Delays in the onboarding of institutions to the National Redress Scheme

As noted on page 63, issues around the onboarding of institutions contribute to delays in the processing of redress applications. Knowmore has long held concerns about these issues.²³⁴ The ANAO's audit noted that the average time taken from the Department's first contact with a non-government institution to declaring the institution as participating in the NRS (the onboarding process) has worsened over recent years. As at 30 June 2025, the onboarding process took an average of 400 days.²³⁵

During the onboarding process, victims and survivors often receive very limited information about where any institutions identified in their redress application stand with respect to joining the NRS. This lack of transparency often creates additional anxiety and distress for survivors, who do not know if or when the institution responsible for their abuse will join the NRS, or when they will receive more information (see the experiences of one of

²³⁴ See, for example, Knowmore, Submission to the Australian National Audit Office, p 97; Knowmore, *Submission to the second anniversary review of the National Redress Scheme*, p 11.

²³⁵ ANAO, *Department of Social Services' Management of the National Redress Scheme*, pp 43-44, paragraph 2.70.

Knowmore's clients on pages 124 to 125). Further, as noted in our submission to the former Joint Select Committee:

This lack of transparency can be detrimental to survivors, in that they are prevented from making informed decisions about what avenues to pursue for redress or compensation – knowing that an institution will never join the NRS, for example, enables survivors to evaluate their remaining options and pursue alternatives. This is particularly important for elderly survivors and those with serious health conditions who do not have the luxury of time.²³⁶

The ANAO's audit concluded that, in order 'to meet the Scheme's sunset date and deliver outcomes to all applicants', the Department will need to accelerate institutional onboarding (among other things).²³⁷ However, the ANAO's audit also reported that 'there has not been a review of the effectiveness of the onboarding process for institutions'.²³⁸ We note that a review of this nature would have significant potential to identify ways to address delays in the processing of redress applications, without compromising on the legislated principles for redress (see pages 111 to 117).

Knowmore recommends that the Australian Government undertake a review of the process for onboarding institutions to the NRS, which should include a focus on addressing delays in the onboarding of institutions. For accountability and transparency, the findings of this review should be made publicly available.

²³⁶ Knowmore, *Submission to the Joint Select Committee on Implementation of the National Redress Scheme*, p 5.

²³⁷ ANAO, *Department of Social Services' Management of the National Redress Scheme*, p 46.

²³⁸ ANAO, *Department of Social Services' Management of the National Redress Scheme*, p 42, paragraph 2.66.

Recommendation 27

The Australian Government should undertake a review of the process for onboarding institutions to the National Redress Scheme, which should include a focus on addressing delays in the onboarding of institutions. The findings of this review should be made publicly available.

The risk that institutions do not join or remain fully participating

The ANAO's audit noted that, by February 2025, the Department's Redress Group had identified the risk that 'institutions do not join or remain fully participating in the Scheme', but did not plan any risk treatments to reduce this risk.²³⁹ It remains unclear to us what risk management strategies, if any, are in place to effectively address this risk.

Since the start of the NRS in 2018, there has consistently been a large number of applications that identify institutions that are not already participating in the NRS.²⁴⁰ The Department has informed the ANAO that, as at 30 June 2025, 5,269 NRS applications had been associated with a non-participating institution.²⁴¹

As at 28 January 2026, the NRS website identified at least 174 non-participating institutions that 'have chosen to voluntarily join the Scheme or ... have been named in an application'.²⁴² These include many institutions that have said they intend to participate in the NRS, but have not yet

²³⁹ ANAO, *Department of Social Services' Management of the National Redress Scheme*, p 34, table 2.3.

²⁴⁰ Knowmore, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme: Resourcing of knowmore and other support services*, 3 July 2023, p 15, <<https://knowmore.org.au/wp-content/uploads/2023/07/submission-joint-standing-committee-on-implementation-of-the-national-redress-scheme-resourcing-of-knowmore-and-other-support-services-cth.pdf>>.

²⁴¹ ANAO, *Department of Social Services' Management of the National Redress Scheme*, p 51, paragraph 3.16.

²⁴² National Redress Scheme, *Institutions that have not joined*, 28 January 2026, accessed 28 January 2026, <<https://www.nationalredress.gov.au/institutions-landing/institutions-have-not-joined/list-institutions-have-not-joined#list-of-institution-that-have-not-joined>>.

completed the steps to participate, and institutions that are unable to join the NRS.

We remain concerned that the list of non-participating institutions on the NRS website is not complete, such that the actual number of non-participating institutions is even higher than the website suggests. The ANAO reported that, as at 30 June 2025, 41 non-government institutions had declined to join the NRS, but only 13 of these institutions were publicly disclosed.²⁴³ This is despite the commitment made by the Ministers' Redress Scheme Governance Board in April 2020 to publicly name institutions listed in redress applications that have failed to join the NRS 6 months after being contacted by the NRS.²⁴⁴

Knowmore noticed a decrease in the overall number of institutions covered by the NRS between February 2023 and July 2024.²⁴⁵ This was likely to be due to the withdrawal of ACS Mutual (which represented a significant number of institutions) from the NRS on 30 June 2023.²⁴⁶ Due to changes in how the NRS reports the number of participating institutions on its website, a comparison of the previous and current number of participating institutions covered by the NRS is not straightforward.²⁴⁷

²⁴³ ANAO, *Department of Social Services' Management of the National Redress Scheme*, p 52, paragraph 3.18.

²⁴⁴ Department of Social Services, *Ministers' Redress Scheme Governance Board Communique*, 28 April 2020, <<https://www.dss.gov.au/news/ministers-redress-scheme-governance-board-communicue-3>>.

²⁴⁵ Knowmore, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme: Seventh year of the National Redress Scheme*, p 17.

²⁴⁶ See National Redress Scheme, *July 2023 update*, accessed 18 February 2026, <<https://www.nationalredress.gov.au/news/july-update-2023>>.

²⁴⁷ We note that the National Redress Scheme website has changed the way it breaks down the number of participating institutions. For example, in January 2026, participating institutions are grouped under 'fully-participating institutions', 'defunct institutions' and 'partly-participating'. See National Redress Scheme, *January 2026 update*. Whereas, in January 2023, participating institutions were not broken down into groups and the website simply states that 'all Commonwealth and State and Territory government institutions and 629 non-government institutions are now participating in the Scheme', without noting the number of Commonwealth and State and Territory government institutions. See National Redress Scheme, *January update 2023*,

We note that institutions continue to withdraw from the NRS or otherwise have their participating status revoked. For example, the Department reported that, in the 2024-25 financial year, the participating status of 5 institutions was revoked.²⁴⁸

In our primary submission to the previous Joint Standing Committee, we expressed particular concern that no funder of last resort arrangements had been made for institutions that cannot participate in the NRS.²⁴⁹ As at 28 January 2026, victims and survivors have named at least 30 such institutions – funder of last resort arrangements have not been made for any of these 30 institutions.²⁵⁰

At least some of these institutions have been identified as unable to join the NRS for a substantial period of time. For example, the Department received a question from the previous Joint Standing Committee about an institution that was described as ‘notorious in the royal commission’. In March 2023, the Department told the previous Joint Standing Committee that this was a defunct institution and that the Department was exploring options under the expanded funder of last resort provisions.²⁵¹ Almost 3 years later, no funder of last resort arrangements have been made for this institution, which remains listed on the NRS’s website.²⁵²

The ongoing impact of non-participating institutions and inadequate funder of last resort arrangements is illustrated by the following experiences of one of Knowmore’s clients who has been waiting for redress for more than 5 years.

<<https://www.nationalredress.gov.au/news/january-update-2023>>. See Department of Social Services, *Annual Report 2024-25*, p 97.

²⁴⁸ Department of Social Services, *Annual Report 2024-25*, p 97.

²⁴⁹ Knowmore, Primary Submission to the Joint Standing Committee, p 22.

²⁵⁰ National Redress Scheme, *Institutions that have not joined*, 28 January 2026.

²⁵¹ Department of Social Services, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme* (Submission 9, supplementary submission 1), March 2023, p 1, <<https://www.aph.gov.au/DocumentStore.ashx?id=f3407ca3-e77f-4461-80dc-10f30484d32d&subId=734158>>.

²⁵² National Redress Scheme, *Institutions that have not joined*, 28 January 2026.

A client who has been waiting more than 5 years for redress due to non-participating institutions and inadequate funder of last resort arrangements

Knowmore submitted the client's application to the NRS in December 2020.

The NRS told Knowmore in August 2021 that the client's application was on hold as the relevant institutions (both basketball clubs) had not joined the NRS.

Knowmore was told in February 2022 that one of the basketball clubs had been assessed as unable to participate in the NRS. Knowmore was also told that Basketball Australia was not considered to be a responsible parent organisation for the club.

At the time, the NRS indicated that the basketball club was 'on the list' for discussions about the expanded funder of last resort provisions, but did not provide any information about:

- how long the discussions would take
- the likelihood of a funder of last resort being declared
- how long the client's application would be on hold for.

Our client felt very excited about the expanded funder of last resort provisions, 'like there's finally a beacon of hope'. However, they were unimpressed about the lack of information about how long they would have to wait. Our client felt there was no understanding of the nature of trauma, because this wait left them without any closure. They described the experience as 'hugely frustrating'.

In October 2022, the NRS told Knowmore that the funder of last resort provisions would not apply to smaller sports clubs, and that the client's redress application was unlikely to proceed unless Basketball Australia agreed to take responsibility. Basketball Australia signalled their intent to join the NRS, but have not done so.

[Continued below]

[Continued from above] A client who has been waiting more than 5 years for redress due to non-participating institutions and inadequate funder of last resort arrangements

In October 2022, the NRS told Knowmore that the funder of last resort provisions would not apply to smaller sports clubs, and that the client's redress application was unlikely to proceed unless Basketball Australia agreed to take responsibility. Basketball Australia signalled their intent to join the NRS, but have not done so.

In February 2023, Knowmore shared the client's experience of waiting for redress in our primary submission to the previous Joint Standing Committee. At that point in time, the participation status of the second basketball club remained unknown. Knowmore has since been informed that the second basketball club has not joined the NRS.

In June 2024, the NRS said that even if Basketball Australia joins the NRS, Basketball Australia may not take responsibility for the 2 basketball clubs, leaving the client without redress. The client said, 'I feel like these organisations pretend to care about kids, but it's all superficial because I'm not getting any justice.'

In July 2024, Knowmore provided an update about the client's matter in a supplementary submission to the previous Joint Standing Committee. In June 2025, Knowmore also shared the client's experience of waiting for redress with the Australian National Audit Office's audit of the Department of Social Services' management of the NRS.

As at February 2026, the same client is still waiting for redress. The client has said, 'The prolonged delays with redress continue to stagnate a chapter of grief that will not heal until an acknowledgement of the past is surfaced. It's been an emotionally charged and psychological journey fraught with pains. The light needs to be shone on the darkness of the crimes.'

To address the ongoing problems with non-participating institutions and inadequate funder of last resort arrangements, Knowmore makes the following recommendations, consistent with recommendations of previous reviews of the NRS.²⁵³ We note that the Australian Government has said it supports the former recommendation in full and supports the latter recommendation in part.²⁵⁴

Recommendation 28

The Australian Government and state and territory governments should prioritise declaring themselves as funders of last resort for:

- named institutions that are now defunct and where no link to a parent or government institution can be found
- named institutions that are willing to join the National Redress Scheme but do not have the financial means to do so (as per recommendation 5.2 of the second year review of the National Redress Scheme).

Recommendation 29

The Australian Government should expand funder of last resort provisions to ensure that all survivors can access the National Redress Scheme (as per Recommendation 19 of the second interim report of the former Joint Select Committee on Implementation of the National Redress Scheme).

²⁵³ R Kruk AO, *Final report: Second year review of the National Redress Scheme*, p 196, recommendation 5.2; Joint Select Committee, *Second interim report of the Joint Select Committee on Implementation of the National Redress*, p 87, recommendation 19; Previous Joint Standing Committee, p 16, recommendation 12.

²⁵⁴ Australian Government, *The Australian Government response to the Final Report of the Second Year Review of the National Redress Scheme*, p 20; Australian Government, *Australian Government response to the Second Interim Report of the Joint Select Committee on Implementation of the National Redress Scheme*, p 15.

Recommendation 30

The Australian Government should publicly disclose and report on:

- how many redress applications have named:
 - an institution that has refused to join the Scheme
 - an institution that has refused to join the Scheme for longer than 12 months.
- the names of those institutions (as per recommendation 12 of the previous Joint Standing Committee on Implementation of the National Redress Scheme).

The need for penalties for institutions to continue beyond the end of the National Redress Scheme

The previous Joint Standing Committee observed that some institutions ‘have declined to participate in the Scheme or are taking a long time to decide whether to join’ and that these institutions ‘may be hoping that any penalties (such as loss of their charitable status) will be lifted when the Scheme ceases in 2028’.²⁵⁵ The previous Joint Standing Committee also observed that some institutions ‘may choose to remain in a grey area, where they neither join nor decline to join, while avoiding any consequences’,²⁵⁶ reflecting:

*There should be options to place pressure on institutions who say they will join the Scheme, but in practice, try to remain hidden and intend to stay indecisive.*²⁵⁷

The previous Joint Standing Committee recommended that ‘the Australian Government consider, before the Scheme closes, what penalties will continue to be directed towards responsible institutions that did not participate in the Scheme’.²⁵⁸ Knowmore strongly supports this recommendation. We note that the NRS has indicated that a decision will be made at the eighth year review of the NRS to determine if being

²⁵⁵ Previous Joint Standing Committee, p 16, paragraph 1.75.

²⁵⁶ Previous Joint Standing Committee, p 15, paragraph 1.70.

²⁵⁷ Previous Joint Standing Committee, p 16, paragraph 1.73.

²⁵⁸ Previous Joint Standing Committee, p 16, recommendation 13.

restricted from accessing future grant funding from the Australian Government will be a 'permanent sanction'.²⁵⁹

In our view, institutions should not be permitted to simply 'run down the clock' on joining the NRS, nor should they be permitted to benefit from a calculation that it is in their financial or other interests to endure a temporary penalty, rather than join the NRS.

We consider that continuing penalties for this conduct are appropriate for ensuring the accountability of institutions, and that the Australian Government should publicise its approach to these penalties before the deadline for institutions to join the NRS (currently 31 January 2028). The relevant penalties should include an ongoing listing of the institution's name on a public register, and ongoing ineligibility for charitable status and government contracts.

Recommendation 31

There should be continuing penalties for institutions responsible for child sexual abuse that do not join the NRS before the relevant deadline (currently 31 January 2028). The Australian Government should publicise its approach to these penalties before the relevant deadline (consistent with recommendation 13 of the previous Joint Standing Committee on Implementation of the National Redress Scheme). The relevant penalties should include an ongoing listing of the institution's name on a public register, and ongoing ineligibility for charitable status and government contracts.

Limited awareness of the National Redress Scheme

As noted on page 40, the previous Joint Standing Committee recognised that 'improvements to the Scheme are happening too slowly to be of greatest benefit to survivors'.²⁶⁰ The previous Joint Standing Committee observed:

²⁵⁹ National Redress Scheme, *Guidance for institutions*, accessed 6 February 2026, <<https://www.nationalredress.gov.au/institutions-landing/guidance-institutions>>.

²⁶⁰ Previous Joint Standing Committee, p 6, paragraph 1.22.

Promoting awareness of the Scheme is a key example [of where some reforms are taking longer than expected or are simply not going to plan]. When the Scheme closes, some survivors could miss out on the opportunity to seek redress simply because they did not know about it.²⁶¹

This is consistent with our experience assisting victims and survivors. Knowmore often speaks with victims and survivors who first learn of the NRS from us, especially when we undertake outreach to rural, regional and remote areas. While limited awareness of the NRS has been a long-standing issue,²⁶² we are becoming increasingly concerned by this problem as the NRS draws closer to the legislated deadline for applications (see the discussion on pages 65 to 68).

The previous Joint Standing Committee made detailed recommendations to improve awareness of the NRS (recommendations 4 and 11), including that ‘the Department of Social Services urgently undertake a public information campaign to increase awareness of the Scheme and redress support services’.²⁶³ We note that these recommendations are broadly consistent with recommendation 7.1 of the second year review, which the Australian Government has said it supports.²⁶⁴ Knowmore supports these recommendations and calls for their urgent implementation.

Recommendation 32

The Department of Social Services should urgently implement recommendations 4 and 11 of the previous Joint Standing Committee on Implementation of the National Redress Scheme, including ‘urgently undertak[ing] a public information campaign to increase awareness of the National Redress Scheme and redress support services’.

²⁶¹ Previous Joint Standing Committee, p 6, paragraph 1.22.

²⁶² See, for example, Knowmore, *Primary Submission to the Joint Standing Committee*, p 36.

²⁶³ Previous Joint Standing Committee, pp 9 and 14, recommendations 4 and 11.

²⁶⁴ Australian Government, *The Australian Government response to the Final Report of the Second Year Review of the National Redress Scheme*, p 25.

Claim farming and related practices in relation to the National Redress Scheme

Our comments below address the following matters:

- general comments about claim farming and related practices in relation to the NRS
- strategies to address claim farming and related practices in relation to the NRS.

General comments about claim farming and related practices

Claim farming refers to an exploitative business practice that usually involves someone (a 'claim farmer') contacting a survivor without their permission and selling their information to a law firm, which then usually sends the survivor a costs agreement that includes fees to be paid to the claim farmer. Claim farming in relation to the NRS is associated with a range of exploitative practices, such as:

- cold calling victims and survivors to pursue redress and compensation claims
- subjecting victims and survivors to harassment, intimidation and high-pressure tactics, and asking victims and survivors to sign legal documents they do not understand
- charging victims and survivors excessive fees for NRS applications, and not informing victims and survivors that free support is available from Knowmore and Redress Support Services.

These practices have significant, adverse impacts for victims and survivors, including retraumatisation and having their redress payments severely eroded by fees.²⁶⁵

In the context of the NRS, claim farmers are sometimes referred to as 'survivor advocates' or 'survivor advocacy businesses'.²⁶⁶ This reflects the

²⁶⁵ For more information about claim farming and related practices, see Knowmore, Submission to the Australian National Audit Office, pp 112-115.

²⁶⁶ See, for example, Joint Select Committee, *Second interim report of the Joint Select Committee on Implementation of the National Redress Scheme*, November 2021, pp 70-71.

fact that claim farmers often market themselves as survivor advocates,²⁶⁷ disguising their exploitative practices. There are, of course, legitimate survivor advocates and survivor advocacy organisations that assist victims and survivors, without exploitation.

Claim farming and related practices targeting victims and survivors of institutional child sexual abuse have been extensively documented, including by the previous Joint Standing Committee and the former Joint Select Committee.²⁶⁸ Knowmore has repeatedly raised the issue in our advocacy,²⁶⁹ and we continue to receive regular reports of these practices from victims, survivors and Redress Support Services.

In our experience, claim farmers particularly target victims and survivors who experience intersectional marginalisation, including victims and survivors who are First Nations peoples, in prison, or living in rural, regional or remote communities. We make comments further comments about claim farming targeting victims and survivors in prison on pages 162 to 163. Knowmore is particularly concerned by the potential for claim farming and related practices to increase with the likely increase in applications to the NRS before the legislated deadline in 2027 (see pages 64 to 65).

We note that the issue of claim farming in relation to the NRS is closely related to claim farming targeting victims and survivors of child abuse in other contexts – for example:

- claim farming in relation to civil claims for institutional child sexual abuse
- claim farming in relation to other redress and/or reparation schemes, such as the Territories Stolen Generations Redress Scheme.

²⁶⁷ See Previous Joint Standing Committee, p 157, paragraph 10.

²⁶⁸ Joint Select Committee, *Second interim report of the Joint Select Committee on Implementation of the National Redress Scheme*, pp 69–74; Previous Joint Standing Committee, pp 157–163.

²⁶⁹ See, for example, Knowmore, *Submission to the Joint Select Committee on Implementation of the National Redress Scheme*, pp 32–33; Knowmore, *Submission to the second anniversary review of the National Redress Scheme*, pp 52–56; Knowmore, *Primary Submission to the Joint Standing Committee*, pp 57–62.

For detailed comments about claim farming in relation to civil claims, we refer to our previous submissions.²⁷⁰ For comments about other redress and/or reparation schemes, see the discussion on pages 189 to 193 below.

Strategies to address claim farming and related practices

Despite the substantial impacts of claim farming on victims and survivors, existing regulatory mechanisms are insufficient to stop law firms and claim farming businesses from engaging in claim farming and related practices in relation to the NRS. Further, there has been a lack of meaningful action at the national level to address claim farming in the context of the NRS, and instead it has been left to individual states and territories to progress reforms at their own pace.

In Knowmore's submission to the second year review, we recommended specific strategies to address the exploitative practices of some private law firms and claim farming businesses and to protect survivors accessing redress through the NRS.²⁷¹ These strategies are closely reflected in a significant recommendation of the former Joint Select Committee in 2021,²⁷² and repeated with urgency by the previous Joint Standing Committee in November 2024.²⁷³

²⁷⁰ See, for example, Knowmore, Primary Submission to the Joint Standing Committee, pp 61–62; Knowmore, *Draft Claim Farming Practices Prohibition Bill 2025: Submission to the NSW Department of Communities and Justice*, 14 February 2025, pp 11–13, <www.knowmore.org.au/wp-content/uploads/2025/03/submission-draft-claim-farming-practices-prohibition-bill-2025-nsw.pdf>; Knowmore, *Personal Injuries Proceedings and Other Legislation Amendment Bill 2022: Submission to the Legal Affairs and Safety Committee*, 22 April 2022, pp 6–8, <www.knowmore.org.au/wp-content/uploads/2022/05/submission-personal-injuries-proceedings-and-other-legislation-amendment-bill-2022-qld.pdf>.

²⁷¹ Knowmore, *Submission to the second anniversary review of the National Redress Scheme*, pp 52–56.

²⁷² Joint Select Committee, *Second interim report of the Joint Select Committee on Implementation of the National Redress Scheme*, p 74, recommendation 17.

²⁷³ Previous Joint Standing Committee, pp 23–24, recommendation 20.

Recommendation 20 of the previous Joint Standing Committee

The Committee recommends that the Commonwealth encourages state and territory governments to urgently change laws to address claim farming and exploitative practices, including by:

- Making it unlawful for lawyers to charge contingency fees for services delivered with respect to National Redress Scheme applications.
- Imposing a legal obligation on lawyers to advise a potential client of the availability of free services (knowmore Legal Service and the Redress Support Services), and to certify such advice has been provided, before executing a costs agreement for a National Redress Scheme application.
- Capping fees that lawyers can charge for services delivered with respect to National Redress Scheme applications.
- Making it an offence for any person to:
 - contact a person without their consent and solicit or induce them to make a National Redress Scheme application; or
 - give or receive any money or other benefit in exchange for a referral to make a National Redress Scheme application.
- Establishing a set of expected practice standards for lawyers and survivor advocates providing services with respect to National Redress Scheme applications.

In addition, we note that the former Joint Select Committee recommended prioritising the prevention of exploitative practices through the Ministers' Redress Scheme Governance Board and 'establish[ing] a specific complaints process within the National Redress Scheme to deal with concerns about the conduct of lawyers and representatives from survivor advocacy businesses'.²⁷⁴

²⁷⁴ Joint Select Committee, *Second interim report of the Joint Select Committee on Implementation of the National Redress Scheme*, p 74, recommendation 17.

The Australian Government supported in principle the relevant recommendation of the former Joint Select Committee.²⁷⁵ However, the recommendation has not been fully implemented – and, due to ongoing issues with transparency in relation to the implementation of review recommendations (see pages 40 to 43), it is not clear to what extent the relevant recommendation has been or will be implemented.

As at February 2026, no Australian jurisdiction has both passed and commenced laws to address claim farming in relation to the NRS. The table below summarises recent developments to address claim farming and recent practices targeting victims and survivors of institutional child sexual abuse.

Table: Summary of recent developments to address claim farming and related practices targeting victims and survivors of institutional child sexual abuse

Date	Development to address claim farming
November 2021	The former Joint Select Committee recommends specific measures to address claim farming in relation to the NRS (see pages 132-133 above).
June 2022	The Queensland Government passed a law addressing claim farming in relation to personal injury claims, ²⁷⁶ but not in relation to the NRS.
November 2024	The previous Joint Standing Committee repeats the recommendation of the former Joint Select Committee with urgency (see page 133 above).

²⁷⁵ Australian Government, *Australian Government response to the Second Interim Report of the Joint Select Committee on Implementation of the National Redress Scheme*, pp 13–14.

²⁷⁶ *Personal Injuries Proceedings and Other Legislation Amendment Act 2022* (Qld).

Date	Development to address claim farming
February 2025	The Standing Council of Attorneys-General 'noted' the previous Joint Standing Committee's recommendation and 'discussed existing state and territory laws related to claim farming, and reforms that are planned or currently underway'. ²⁷⁷
March 2025	The NSW Government passed a law addressing claim farming in relation to personal injury claims, ²⁷⁸ but not in relation to the NRS.
June 2025	The Victorian Legal Services Board and Commissioner published ethical guidance for lawyers relevant to claim farming in relation to statutory redress schemes, including the NRS. ²⁷⁹
September 2025	South Australia became the first jurisdiction to pass a law addressing claim farming in relation to both personal injury claims and claims for redress under the NRS. ²⁸⁰ As at February 2026, this law has not commenced.

²⁷⁷ Standing Council of Attorneys-General, *Communique*, 21 February 2025, p 3, <<https://www.ag.gov.au/about-us/publications/standing-council-attorneys-general-communications>>.

²⁷⁸ *Claim Farming Practices Prohibition Act 2025* (NSW).

²⁷⁹ Victorian Legal Services Board + Commissioner, *Engaging ethically with people eligible for statutory redress*, 13 June 2025, <<https://lsbc.vic.gov.au/engaging-ethically-people-eligible-statutory-redress>>.

²⁸⁰ *Statutes Amendment (Claim Farming) Act 2025* (SA).

Date	Development to address claim farming
December 2025	The Ministers' Redress Scheme Governance Board discussed claim farming, agreed that claim farming 'needs to stop' and 'agreed to explore further measures to safeguard survivors from these practices, both now and after the Scheme closes'. ²⁸¹

We note the view of the Department that many of the relevant reforms to address claim farming 'fall within the remit of state and territory governments rather than the Federal Government'.²⁸² Similarly, the Australian Government has commented that 'there are limited levers for the Commonwealth to regulate private law firms'.²⁸³ However, as we stated in our primary submission to the previous Joint Standing Committee:

While it is true that some of these reforms would likely require legislative change in the states and territories ... the NRS is a national scheme and a national solution is required; it cannot be left to the states and territories to progress what would likely become piecemeal reforms.

*It is essential that the Australian Government, as the administrator of the NRS, takes the lead in progressing a coordinated, national response. We strongly support the former Joint Select Committee's calls for the Australian Government to use the Ministers' Redress Scheme Governance Board to work with the state and territory governments to consider reforms, and urge the Board to do so as a priority.*²⁸⁴

²⁸¹ Hon. Tanya Plibersek MP, *Ministers' Redress Scheme Governance Board Communique*, 8 December 2025, <<https://ministers.dss.gov.au/media-releases/18661>>.

²⁸² Joint Select Committee, *Second interim report of the Joint Select Committee on Implementation of the National Redress Scheme*, p 72.

²⁸³ Australian Government, *Australian Government response to the Second Interim Report of the Joint Select Committee on Implementation of the National Redress Scheme*, p 13.

²⁸⁴ Knowmore, Primary Submission to the Joint Standing Committee, pp 60-61.

These comments remain relevant in February 2026. We would add that the Australian Government should ensure coordination between the approaches of the Ministers' Redress Scheme and the Standing Council of Attorneys-General.

We recognise that the focus of the Joint Standing Committee's inquiry is the NRS. However, given the close relationship between all forms of claim farming targeting victims and survivors of child abuse, we consider that it is both necessary and efficient for the Australian Government to lead a comprehensive response to the problem. This must include laws prohibiting claim farming targeting victims and survivors of child abuse in any context, including in relation to any redress scheme, reparation scheme and personal injury claims.

The response led by the Australian Government should include urgent implementation of the detailed recommendations to address claim farming from the former Joint Select Committee and the previous Joint Standing Committee (see page 133 above). In particular, we recommend that the Australian Government lead the development of a model law to address claim farming and timelines for the implementation of reforms in all Australian jurisdictions.

Recommendation 33

The Australian Government should lead a comprehensive, national response to claim farming and related practices targeting victims and survivors of child abuse in any context, including in relation to any redress scheme, reparation scheme and personal injury claims.

The response led by the Australian Government should include urgent implementation of the detailed recommendations to address claim farming from the former Joint Select Committee and the previous Joint Standing Committee on Implementation of the National Redress Scheme. In particular, the Australian Government should lead the development of a model law to address claim farming and timelines for the implementation of reforms in all Australian jurisdictions.

The second year review also noted the importance of suitable legal support in addressing 'opportunistic legal practices and coercive

behaviour'.²⁸⁵ This is consistent with our experience – timely access to appropriate legal and related support significantly reduces the risk that victims and survivors will be exploited by claim farmers, in part, because it makes claim farmers redundant. Appropriate legal and related support can also assist clients to identify 'red flags' that may indicate claim farming and consider their legal options, limited though these options are at present for many victims and survivors.²⁸⁶

We make further comments below about the importance of legal and related support for victims and survivors navigating the NRS.

The importance of appropriate support services for victims and survivors navigating the National Redress Scheme

We note that the terms of reference ask about 'the accessibility, funding, and transition plans for support services as the Scheme concludes'.²⁸⁷ We use the term 'support services' as an umbrella term, covering many different types of services that support victims and survivors. In the context of the NRS, the term 'Redress Support Service' (RSS) has a specific meaning – it refers to particular organisations that are 'contracted to provide a range of services to survivors before, during and after they apply for redress'.²⁸⁸

Knowmore provides legal and related support services, but is generally not classified as a Redress Support Service. Redress Support Services generally do not provide legal support, although some Redress Support Services do provide legal support. Knowmore also has a dedicated team that provides legal support and capability development to Redress Support Services.

Access to appropriate support services is important for victims and survivors to effectively navigate and access their redress and justice–

²⁸⁵ R Kruk AO, *Final report: Second year review of the National Redress Scheme*, p 208.

²⁸⁶ See Knowmore, Primary Submission to the Joint Standing Committee, pp 51–53; Knowmore, *Draft Claim Farming Practices Prohibition Bill 2025: Submission to the NSW Department of Communities and Justice*, p 27.

²⁸⁷ Joint Standing Committee, *Terms of Reference*.

²⁸⁸ R Kruk AO, *Final report: Second year review of the National Redress Scheme*, p 144.

making options, including under the NRS. The availability and suitability of support services for victims and survivors has significant implications for their experience of seeking redress, and for the fairness and efficiency of the NRS.

We make further comments below about the following matters:

- general comments about the importance of appropriate support services for victims and survivors
- challenges for support services
- Knowmore as a multidisciplinary support service
- the funding model for Knowmore, which is based on incorrect assumptions
- the current status of funding for the redress support system
- impacts of funding issues on victims and survivors of child sexual abuse
- recommendations relevant to the funding of survivor support services.

General comments about the importance of appropriate support services for victims and survivors

As the discussion paper for the inquiry notes, the NRS is ‘extremely complex’.²⁸⁹ Victims and survivors experience significant barriers to access redress, which are compounded for victims and survivors who experience intersectional marginalisation (see the discussion on pages 44 to 55).

The Royal Commission recognised that victims and survivors face significant barriers to disclosing that they have experienced child sexual abuse.²⁹⁰ As noted on page 68, it takes victims and survivors almost 24 years on average to disclose to another person that they have experienced

²⁸⁹ Joint Standing Committee, *Discussion Paper, Inquiry into the continuing operations of the National Redress Scheme*, p 4.

²⁹⁰ Royal Commission, *Final Report: Volume 4, Identifying and disclosing child sexual abuse*, p 77.

child sexual abuse. Some victims and survivors never disclose.²⁹¹ Further, disclosure is a process. Many victims and survivors need time and support between their first disclosure and their decision to seek compensation or redress.²⁹²

Victims and survivors who choose to seek redress face additional barriers, many of which are detailed in this submission. Appropriate support services assist victims and survivors to overcome these barriers, receive the redress to which they are legally entitled, and avoid further harm and re-traumatisation.

The previous Joint Standing Committee observed that access to appropriate support services can have a significant impact on a victim/survivor’s redress outcome.²⁹³ As the table below illustrates, victims and survivors who receive support from Knowmore receive the highest redress payments on average, followed by victims and survivors who receive support from a Redress Support Service. Victims and survivors who are unsupported receive the lowest redress payments on average.²⁹⁴

Table: Average redress payment received by victims and survivors according to their source of support

Source of support	Average redress payment
Knowmore	\$97,018
A Redress Support Service	\$91,114
A legal support service other than Knowmore	\$87,302
Unsupported	\$86,013

²⁹¹ Royal Commission, *Final Report: Volume 4, Identifying and disclosing child sexual abuse*, p 30.

²⁹² See Royal Commission, *Final Report: Volume 4, Identifying and disclosing child sexual abuse*, p 30.

²⁹³ Previous Joint Standing Committee, p 166, paragraph 11.8.

²⁹⁴ Table data retrieved from Department of Social Services, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme* (submission 9, supplementary submission 23), p 31; Previous Joint Standing Committee, p 166, paragraph 11.8.

The previous Joint Standing Committee also recognised the importance of appropriate support for victims and survivors in improving the efficiency of the NRS and addressing delays (see the discussion about delays in processing redress applications on pages 61 to 64 above):

Work done by support services helps speed up processing. The Department [of Social Services] said that redress applications from survivors who had help from a redress support service to do their application are easier to process and 'generally' more complete.²⁹⁵

Similarly, the second year review observed that 'the survivor experience with support services is generally positive'²⁹⁶ and that 'appropriate, targeted supports and interventions appear to strengthen a survivor's application, reduce processing times and creates less trauma for survivors'.²⁹⁷

We note that major reviews of the NRS have repeatedly highlighted the importance of suitable legal support for victims and survivors as part of the redress process –²⁹⁸ for example, see the extract from the former Joint Select Committee below.²⁹⁹

²⁹⁵ Previous Joint Standing Committee, p 180, paragraph 11.62.

²⁹⁶ R Kruk AO, *Final report: Second year review of the National Redress Scheme*, p 207.

²⁹⁷ R Kruk AO, *Final report: Second year review of the National Redress Scheme*, p 209.

²⁹⁸ Joint Select Committee on oversight of the implementation of redress related recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse, *Getting the National Redress Scheme right: An overdue step towards justice*, p xvii; Joint Select Committee, *First interim report of the Joint Select Committee on Implementation of the National Redress Scheme*, pp 52–53; Joint Select Committee, *Second interim report of the Joint Select Committee on Implementation of the National Redress Scheme*, pp 67–69 and 74; R Kruk AO, *Final report: Second year review of the National Redress Scheme*, pp 207–208; Previous Joint Standing Committee, p 21, paragraph 1.103 and p 9, recommendation 3.

²⁹⁹ Joint Select Committee, *Second interim report of the Joint Select Committee on Implementation of the National Redress Scheme*, p 67.

Extract from the former Joint Select Committee's second interim report

Survivors require access to personalised and culturally appropriate legal advice that can assist them to understand:

- how the NRS operates and if they are eligible;
- the differences between pursuing redress or civil options;
- which option may be suitable for their circumstances;
- how to complete an application form;
- the obligations of accepting an offer;
- considering any offer received.

We emphasise the importance of access to legal advice about a survivor's different redress and justice-making options, which allows survivors to make an informed decision about whether the NRS is right for them. This is particularly important given that accepting an NRS payment means ruling out other options, such as civil claims, that may result in a higher payment.

Access to appropriate legal and related support also helps to address claim farming in the following ways:

- reducing the risk that victims and survivors will be exploited by claim farmers, in part, because it makes claim farmers redundant
- assisting clients to identify 'red flags' that may indicate claim farming and consider their legal options (see the further discussion about claim farming in relation to the NRS on pages 130 to 138).

Given the importance of appropriate support services for victims and survivors navigating the NRS (see pages 138 to 151), Knowmore is concerned by the indication from the previous Joint Standing Committee that about two-thirds of redress applicants may have been unsupported in completing their application for redress.³⁰⁰ We make comments about the challenges for support services below.

³⁰⁰ Previous Joint Standing Committee, p 166, paragraph 11.7.

Challenges for support services

Support services are experiencing significant and increasing challenges in assisting victims and survivors to navigate the NRS. The previous Joint Standing Committee made the following comments, which highlight the challenges for support services, and the impact on victims and survivors.³⁰¹

Extract from the previous Joint Standing Committee's report

Unfortunately, it can be hard for survivors to access redress support services. This can be for reasons including:

- Demand for redress support services simply exceeds available resources. Greater awareness of the Scheme is likely contributing to increased demand and longer waiting times to get support.
- Survivors present with complex issues. It is not always possible to offer individual attention and face-to-face contact.
- The Australian Government funds redress support services for two-year periods, which means clients cannot be promised continuity of support.
- Services are limited outside major cities. Specialised services for people with disability and First Nations people, for example, are relatively fewer in number.
- Services seeking to promote the Scheme risk overlapping their efforts because there is limited central coordination.

While the specific challenges may vary between situations and organisations, the comments above broadly align with concerns raised with us by victims, survivors and other support services.

Knowmore is particularly concerned that, despite the increasing number of applications to the NRS and ongoing problems with delays (see pages 58 to 65), funding for survivor support services remains inadequate and insecure. The previous Joint Standing Committee estimated that, with 45

³⁰¹ Previous Joint Standing Committee, p 24, paragraph 1.123.

Redress Support Services across Australia, the funding for each Redress Support Service was about \$368,000 each year on average.³⁰² This is not sufficient to meet the significant and increasing costs of service delivery at the required scale in relation to the complex and sensitive matter of redress for institutional child sexual abuse.

The second year review recognised that it 'takes time, effort and skill' to provide trauma-informed and culturally safe support to survivors.³⁰³ Support services need adequate funding to recruit, train and retain staff with appropriate skills, and to allow staff adequate time with each victim/survivor to provide appropriate support. In doing this work, there is a heightened risk of vicarious trauma and burnout for staff, which organisations must be resourced to managed.³⁰⁴ We make further comments about the funding of survivor support services on pages 146–151.

Knowmore as a multidisciplinary support service

As detailed on page 197, Knowmore uses a multidisciplinary model to provide trauma-informed, client-centred and culturally safe legal assistance to clients. We have a unique service delivery model, bringing together lawyers, social workers and counsellors, Aboriginal and Torres Strait Islander engagement advisors and financial counsellors to provide coordinated support to clients. This is recognised as a best practice approach to assisting clients who have experienced trauma.

In his 2022 book, *Monetary redress for abuse in state care*, Dr Stephen Winter commented that:

Survivors need support when preparing and submitting redress applications; they need help through (often protracted) assessment processes, assistance when they receive payments, and afterwards. Large numbers of survivors will have 'low levels of education and varying literacy skills, high levels of mental health issues and a reduced capacity to cope with delays and frustrations' ... The resulting difficulties make good support necessary to survivors and

³⁰² Previous Joint Standing Committee, p 167, paragraph 11.13.

³⁰³ R Kruk AO, *Final report: Second year review of the National Redress Scheme*, p 208.

³⁰⁴ See R Kruk AO, *Final report: Second year review of the National Redress Scheme*, pp 174–178.

*to the effectiveness of any redress programme. Support work is not ancillary, it is part of redress.*³⁰⁵

Dr Winter noted the effectiveness of Knowmore's service model in meeting these needs:

A community law initiative in Australia offers a promising model for holistic practice. Originally developed to help survivors work with the McClellan Commission (2013–2017), knowmore was well-positioned to support applicants when the NRS began in 2018. Services are free to survivors because knowmore receives block funding from Australian governments. Block funding limits cost-building incentives: because knowmore staff are salaried (and not fee-for-service), they do not profit from individual claims. More importantly, knowmore trains legal professionals to work with survivors. That includes training in Indigenous cultures and workshops on trauma-informed practices (AU Interview 5). As a result, knowmore's lawyers are redress experts with a personal and professional ethos that prioritises the survivors' well-being. And, of course, knowmore's funding structure and ethos limits the prospect of gross malpractice.

*knowmore's holistic practice offers counselling and financial advice alongside legal services. It can be difficult to talk about injurious experiences with a lawyer. Some survivors will be difficult clients – they will miss meetings, fail to provide evidence, or have problems managing their emotions. Trauma-informed training can help lawyers learn how to get information from clients effectively in ways that make survivors feel safe and supported (AU Interview 10). At knowmore, lawyers and counsellors collaborate to promote survivor-focussed practice.*³⁰⁶

The previous Joint Standing Committee recognised that Knowmore 'is highly regarded for the quality of their work'.³⁰⁷

³⁰⁵ S Winter, *Monetary Redress for Abuse in State Care*, Cambridge University Press, part III, 18 November 2022, section 12.1, <www.cambridge.org/core/books/monetary-redress-for-abuse-in-state-care/2670958350A4774D9D38A92D1171DD0A>.

³⁰⁶ S Winter, *Monetary Redress for Abuse in State Care*, section 12.3.

³⁰⁷ Previous Joint Standing Committee, p 21, paragraph 1.102.

A funding model based on incorrect assumptions

The original funding model for Knowmore's NRS-related legal support service was determined in 2018. Under this model, funding reduced each financial year from 2020–21, based on modelling that client demand would reduce each year after the second year of the NRS (the 2019–20 financial year).³⁰⁸

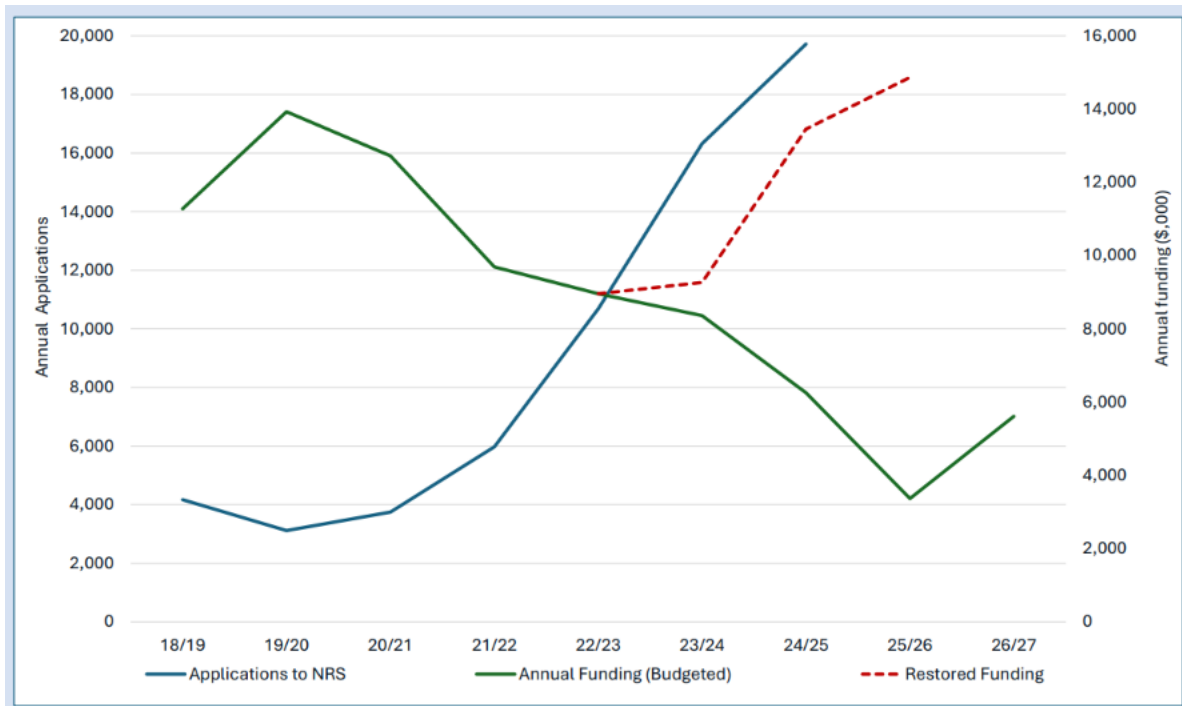
This modelling has proved to be incorrect, and although the Australian Government has made some welcome adjustments to Knowmore's funding in recent years (see the discussion on pages 147 to 148), the incorrect modelling continues to negatively impact Knowmore's funding and service delivery. This, in turn, negatively impacts victims' and survivors' experience of seeking redress.

Contrary to the original modelling, demand for our services has increased significantly since the start of the NRS and particularly since June 2021. Despite this, and except for the 2024–25 financial year and the 2025–26 financial year, we have experienced year-on-year funding reductions.³⁰⁹ The chart below depicts Knowmore's funding levels for our NRS-related legal support service compared to the number of applications to the NRS.

³⁰⁸ See Finity Consulting, *National Redress Scheme participant and cost estimates*, p 58, Figure 10.2.

³⁰⁹ See generally Knowmore, Primary Submission to the Joint Standing Committee, pp 55–56.

Chart depicting Knowmore’s funding levels for our NRS-related legal support service compared to the number of applications to the National Redress Scheme



We are continuing to experience high demand for our NRS-related legal support services, and we expect this to continue as record numbers of victims and survivors apply to the NRS (see the discussion on pages 58 to 59 about the consistent, year-on-year growth in redress applications). As noted on page 65, the experience of other redress schemes suggests that there will be a surge in redress applications just before the legislated deadline for applications on 30 June 2027.³¹⁰ This surge is likely to be exacerbated if Knowmore is not sufficiently funded to assist with the efficient processing of NRS applications at-scale in the lead-up to June 2027, with flow-on effects for the final year of the NRS in 2027–28 (see our comments about the capacity of the NRS to deliver redress to eligible victims and survivors on pages 58 to 65).

Current status of funding for the redress support system

As noted on page 148, we welcome the commitment of additional funding for the redress support system by the 2024–25 federal budget and 2025–

³¹⁰ See, for example, Finity Consulting, *National Redress Scheme participant and cost estimates*, p 30.

26 federal budget.³¹¹ The 2024–25 federal budget committed an additional \$33.3 million over 4 years ‘to support applicants of the [NRS] who submit incomplete applications to improve the efficiency of the Scheme and to better support survivors of institutional child sexual abuse through the application process’.³¹² Of this \$33.3 million:

- The 2024–25 federal budget committed \$26.1 million over 4 years for Redress Support Services.³¹³ The then Minister for Social Services, the Hon. Amanda Rishworth MP, stated that the additional \$26.1 million would provide ‘a new targeted support service that will assist survivors to submit complete applications to the National Redress Scheme’.³¹⁴
- The 2024–25 federal budget committed an additional \$7.2 million to Knowmore’s NRS-related legal support services funding for the 2024–25 financial year.³¹⁵ This reversed an anticipated 25% reduction in our NRS-related legal support services funding and provided a temporary increase to that funding for the 2024–25 financial year.³¹⁶

The 2025–26 federal budget has committed an additional \$11.5 million to Knowmore’s NRS-related legal support services funding for the 2025–26 financial year.³¹⁷ This will reverse an anticipated 75% reduction in our NRS-related legal support services funding and provide a further, temporary increase to that funding for the 2025–26 financial year.

³¹¹ Australian Government, *Budget 2024–25: budget paper no. 2, budget measures*, p 174; Attorney-General’s Department, *Budget 2024–25 Portfolio Budget Statements – Entity resources and planned performance*, p 22; Attorney-General’s Department, *Budget 2025–26 Portfolio Budget Statements – Entity resources and planned performance*, p 21.

³¹² Australian Government, *Budget 2024–25: budget paper no. 2, budget measures*, p 174.

³¹³ Australian Government, *Budget 2024–25: budget paper no. 2, budget measures*, p 174.

³¹⁴ Hon. Amanda Rishworth MP, *Strengthening support for redress applicants*, 24 May 2024, <ministers.dss.gov.au/media-releases/14791>.

³¹⁵ Australian Government, *Budget 2024–25: budget paper no. 2, budget measures*, p 174.

³¹⁶ Minister Rishworth also referred to ‘a further \$2.16 million ... to support applicants in gaol and for dedicated and culturally safe support services, particularly for regional and remote applicants’. See Hon. Amanda Rishworth MP, *Strengthening support for redress applicants*.

³¹⁷ Attorney-General’s Department, *Budget 2024–25 Portfolio Budget Statements – Entity resources and planned performance*, p 22; Attorney-General’s Department, *Budget 2025–26 Portfolio Budget Statements – Entity resources and planned performance*, p 21.

The additional funding allocated by the 2025–26 federal budget will enable us to maintain current service levels for the 2025–26 financial year.

Unfortunately, the 2025–26 federal budget has not allocated Knowmore any additional NRS-related legal support services funding beyond what was previously allocated for the following 2 financial years (2026–27 and 2027–28). This means that Knowmore now faces a reduction in our NRS-related legal support services funding of more than \$9.2 million or about 62% in less than 5 months' time.³¹⁸

Knowmore also has NRS-related funding agreements, administered by the Department of Social Services, to provide financial counselling to victims and survivors engaging with the NRS, and to support Redress Support Services. These funding agreements conclude at the end of the 2026–27 financial year. Further funding will obviously be required for Knowmore to continue to deliver these services.

Impacts of funding issues on victims and survivors

Our ongoing funding issues mean that we are required to undertake significant funding advocacy each year to maintain current service levels for victims and survivors, and avoid devastating reductions in funding. This diverts our already limited resources and has further negative impacts on our ability to deliver client services.

As demand for Knowmore's services continues to increase, wait times for survivors to obtain legal advice about their redress and justice-making options have remained high despite the increase to our NRS-related legal support services funding for the 2024–25 financial year. This steady increase in demand means that we have not been able to substantially increase our ongoing casework assistance to clients. Consequently, we are continuing to refer many clients to Redress Support Services to draft their applications and support them through the process. Other victims and survivors are submitting their applications without assistance, or having to find alternative, non-specialist or fee-for-service support.

³¹⁸ Attorney-General's Department, *Budget 2024-25 Portfolio Budget Statements - Entity resources and planned performance*, p 22; Attorney-General's Department, *Budget 2025-26 Portfolio Budget Statements - Entity resources and planned performance*, p 21.

A 62% reduction in Knowmore's NRS-related legal support services funding will result in more than 2,200 victims and survivors being referred out in the 2026–27 financial year – victims and survivors of child sexual abuse who previously would have been able to access the help they need from Knowmore. In the context of a broader service system that is already stretched to its limit, a 62% reduction in Knowmore's NRS-related legal support services funding means that many victims and survivors will not receive appropriate help anywhere.

Recommendations relevant to the funding of survivor support services

The previous Joint Standing Committee made multiple recommendations for the Australian Government to provide additional funding to Knowmore and Redress Support Services.³¹⁹ These recommendations focus on the following matters:

- ensuring 'all redress applications can be finalised on time'³²⁰
- providing dedicated support to victims and survivors who experience intersectional marginalisation³²¹
- extending the funding term until 2 years following an extended expiration date for the NRS.³²²

These matters link to the discussion about the capacity of the NRS to deliver redress to all eligible victims and survivors (see pages 58 to 65). As the legislated deadline for applications and the legislated end of the NRS approach, appropriate legal and related support for victims and survivors will only become more important.

We consider that the Australian Government should provide secure and adequate funding for survivor support services, including Knowmore and the Redress Support Services, so that we can continue to provide victims and survivors with the support they need. In particular, Knowmore's NRS-related funding agreements must match the demand for our services, and

³¹⁹ Previous Joint Standing Committee, pp 9 and 25, recommendations 3, 22 and 23.

³²⁰ Previous Joint Standing Committee, p ,9 recommendation 3.

³²¹ Previous Joint Standing Committee, p 25, recommendation 22.

³²² Previous Joint Standing Committee, p 25, recommendation 23.

ensure that victims and survivors have access to free and independent legal and related support until the conclusion of their redress matters.

Recommendation 34

The Australian Government should provide secure and adequate funding for survivor support services, including Knowmore and the Redress Support Services, so that we can continue to provide victims and survivors with the support they need. In particular, Knowmore's funding agreements related to the National Redress Scheme must match the demand for our services, and ensure that victims and survivors have access to free and independent legal and related support until the conclusion of their redress matters.

As highlighted by our comments on pages 185 to 188, planning for the legislated end of the NRS must also include planning to ensure that victims and survivors have ongoing access to meaningful redress and justice-making options (see recommendation 44 on page 191 about the need to develop a national framework for redress and/or reparation schemes). This must include ongoing access to the legal and related support needed to effectively navigate redress and justice-making options.

Recommendation 35

As part of planning for the legislated end of the National Redress Scheme, the Australian Government must ensure that victims and survivors have ongoing access to meaningful redress and justice-making options (see recommendation 42). This must include ongoing access to the legal and related support needed to effectively navigate redress and justice-making options.

Part 4: the impacts of changes to the National Redress Scheme in 2024

We note that the terms of reference ask about ‘access to justice by vulnerable cohorts following changes to the Scheme access in 2024’.³²³ The discussion paper for the inquiry refers to various changes made by the *National Redress Scheme for Institutional Child Sexual Abuse Amendment Act 2024* (NRS Amendment Act), adding that:

As part of this inquiry, the Committee will consider the impact of these changes, with a view to assessing how these reforms have been implemented and their impact on applicants, support services, and overall Scheme administration ...

*In the context of this term of reference, ‘vulnerable cohorts’ primarily relates to individuals applying for redress from correctional facilities. However, it remains broad enough to include other groups or individuals whose specific issues may emerge during the course of the inquiry.*³²⁴

We make relevant comments about victims and survivors who experience intersectional marginalisation on pages 44 to 55. Our comments below address the following matters, reflecting the focus highlighted by the discussion paper for the inquiry:

- allowing victims and survivors in prison to apply for redress, without having to demonstrate exceptional circumstances
- changes to the redress application process for victims and survivors with serious criminal convictions
- changes to the review process for redress decisions

³²³ Joint Standing Committee, *Terms of Reference*.

³²⁴ Joint Standing Committee, *Discussion Paper, Inquiry into the continuing operations of the National Redress Scheme*, pp 4–5.

- changes to when protected information under the NRS Act can be disclosed
- changes to allow some finalised redress decisions to be reassessed (the reassessment process).

Allowing victims and survivors in prison to apply for redress

Knowmore has extensive experience assisting victims and survivors in prison to navigate their redress and justice-making options. In our Royal Commission-related work, we assisted many victims and survivors in prison. We have continued to assist victims and survivors in prison in our redress-related work since 1 July 2018, and seen a significant increase in the demand for this work since.

Knowmore welcomed the change to allow victims and survivors in prison to apply for redress, without having to demonstrate exceptional circumstances. This change addressed a significant injustice,³²⁵ in light of the over-representation of victims and survivors of child sexual abuse in prison,³²⁶ and the importance of equal access to redress.³²⁷ First Nations survivors and survivors with disability are particularly over-represented in prison (see the discussion about victims and survivors who experience intersectional marginalisation on pages 44 to 55).³²⁸

Knowmore made detailed comments about the experiences of victims and survivors in prison in our supplementary submissions to the previous Joint

³²⁵ Knowmore, *Proposed new law for the National Redress Scheme*, 18 December 2023, <<https://knowmore.org.au/proposed-new-law-for-the-national-redress-scheme/>>; Knowmore, *Urgent funding needed for services supporting child sexual abuse survivors*, 22 March 2024, <<https://knowmore.org.au/media-release-urgent-funding-needed-for-services-supporting-child-sexual-abuse-survivors/>>; Knowmore, *A new law for the National Redress Scheme*, 12 April 2024, <<https://knowmore.org.au/a-new-law-for-the-national-redress-scheme/>>.

³²⁶ R Kruk AO, *Final report: Second year review of the National Redress Scheme*, p 67; Royal Commission, *Final report: volume 3, impacts*, p 144.

³²⁷ Royal Commission, *Redress and civil litigation report*, p 4, recommendation 1.

³²⁸ Knowmore, Primary Submission to the Joint Standing Committee, pp 45–46.

Standing Committee in July 2023 and July 2024.³²⁹ We do not repeat those comments in full. Our comments below address the following matters:

- the significant and increasing demand for redress and support from victims and survivors in prison
- ongoing barriers to accessing redress and support for victims and survivors in prison.

Demand for redress and support from victims and survivors in prison

Knowmore is not aware of data that indicates precisely how many victims and survivors there are in Australian prisons, or how many victims and survivors in prison are eligible for the NRS. In our supplementary submission to the previous Joint Standing Committee in July 2023, we estimated as a ‘useful starting point’ that there would be about 6,000 eligible victims and survivors in prison, based on an analysis of data from the Royal Commission.³³⁰ We noted that this was likely to be a conservative estimate, as victims and survivors in prison experience additional barriers to disclosing that they have experienced abuse, and to exercising their redress and justice-making options (see pages 156 to 171 below).³³¹ Our recent experience, detailed below, reinforces that this was a conservative estimate. It is also likely that the number of eligible victims and survivors in prison has increased, and will continue to increase, proportionate to the increasing number of people in Australian prisons.³³²

³²⁹ Knowmore, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme: Seventh year of the National Redress Scheme*, pp 19–30; Knowmore, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme: Resourcing of knowmore and other support services*, pp 9–13.

³³⁰ Knowmore, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme: Resourcing of knowmore and other support services*, pp 9–10.

³³¹ Knowmore, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme: Resourcing of knowmore and other support services*, p 10.

³³² Knowmore, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme: Resourcing of knowmore and other*

The previous Joint Standing Committee recognised that ‘a large proportion of redress applications from prison are being processed or assessed’.³³³

This is reflected in the demand for Knowmore’s NRS-related services from victims and survivors in prison, which has grown significantly since the change to allow victims and survivors in prison to apply for redress.

In the period of less than 2 years since the change commenced,³³⁴ Knowmore’s NRS-related services to people in prison have more than doubled (a 117% increase). In this period, we provided more than 3,738 NRS-related services to 1,724 people in 94 different prisons across Australia. This has included:

- 1,955 legal services
- 438 social work or counselling support services
- 556 cultural support services
- 789 financial counselling services.

Of these clients:

- more than half (54%) identified as Aboriginal and/or Torres Strait Islander peoples
- almost 2 in 5 (39%) identified as people with disability.

In our experience, victims and survivors in prison include some of the most marginalised people in Australia, who often have multiple and complex support needs.³³⁵ The prison environment also presents many unique barriers to providing support that require additional resources to overcome

support services, p 11. In the September quarter 2025, there were 46,936 persons in custody in Australia, up 6% from 44,316 in the September quarter 2024, see Australian Bureau of Statistics, *Corrective Services, Australia*, 27 November 2025, <<https://www.abs.gov.au/statistics/people/crime-and-justice/corrective-services-australia/sep-quarter-2025>>.

³³³ Previous Joint Standing Committee, p 175, paragraph 11.44.

³³⁴ From 4 April 2024 (when the change commenced) to 31 January 2026.

³³⁵ Knowmore, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme: Resourcing of knowmore and other support services*, pp 11–13.

(see pages 159 to 160 below).³³⁶ We often need 2 or 3 appointments with a survivor in prison to deliver complete legal advice that could otherwise be delivered in a single appointment.

Legal and related support is essential for the effective implementation of the change to allow victims and survivors in prison to apply for redress. However, Knowmore has not received an increase in our NRS-related funding commensurate to the increasing demand for support from victims and survivors in prison. On the contrary, we are facing significant cuts to our NRS-related funding at the end of the financial year. In addition to the problems outlined on pages 146 to 151, the inadequate funding of the redress support system risks significantly undermining the implementation of the legislative change to allow victims and survivors in prison to apply for redress. The change cannot be fully and effectively implemented without adequate funding for legal and related support.

Ongoing barriers to accessing redress and support for victims and survivors in prison

We make comments about the following ongoing barriers to accessing redress and support for victims and survivors in prison:

- the limited time to apply for the NRS
- inconsistencies between prisons
- inadequate processes for facilitating victims' and survivors' access to support services
- inadequate counselling and psychological support
- barriers to confidentiality
- claim farming and related practices in prisons
- issues with identity requirements
- issues with bank accounts
- the heightened risk of experiencing financial abuse

³³⁶ Knowmore, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme: seventh year of the National Redress Scheme*, p 19.

- inadequate support for victims and survivors in prison upon release.

In addition, we note that the serious criminal convictions provisions of the NRS Act remain a significant barrier to redress, and continue to disproportionately affect victims and survivors in prison (see discussion on pages 169 to 170).

The cumulative impact of these barriers to accessing redress and support for victims and survivors in prison is immense, and illustrated by a case study of our experience providing NRS-related legal assistance to victims and survivors in a particular prison (see pages 167 to 168).

We note that the Australian Government said, in its final response to the second year review, that it was ‘working with state and territory partners to ensure that people in gaol are adequately supported in applying to the Scheme’.³³⁷ In our view, it remains appropriate for the Australian Government to lead this work. It has significant implications for the fairness, consistency and effectiveness of the NRS as a national scheme, governed by federal law.

We acknowledge that progress has been made to implement a free and direct contact phone number to the NRS within all prisons, and to raise awareness of the NRS in prisons. We recommend that the Australian Government continue to lead work with state and territory governments to remove ongoing barriers to accessing redress and support for victims and survivors in prison (discussed below).

Recommendation 36

The Australian Government should continue to lead work with state and territory governments to remove ongoing barriers to accessing redress and support for victims and survivors in prison.

Limited time to apply

As noted on pages 155 to 156, we are experiencing significant and growing demand for our NRS-related services from victims and survivors in prison.

³³⁷ Australian Government, *The Australian Government response to the Final Report of the Second Year Review of the National Redress Scheme*, p 6.

This not only reflects the over-representation of victims and survivors in prison (see page 153), but also the pressure imposed by the limited time that victims and survivors in prison have been allowed to apply for the NRS.

Most victims and survivors who are not in prison have been allowed to apply for redress for almost 8 years (since 1 July 2018). They will have a total of 9 years (until 30 June 2027) to apply for redress under the current law. Although this, in itself, is inadequate (see the discussion on pages 68 to 70), victims and survivors in prison have been allowed even less time to apply for redress. Most victims and survivors in prison have only been allowed to apply for redress for less than 2 years (since 4 April 2024). They will have only a little more than 3 years in total to apply for redress under the current law.

This links to the broader concerns that we have about the growing pressure on the NRS and survivor support services as we approach the legislated deadline for redress applications and the legislated end of the NRS (see the discussion on pages 111 to 117). We are seeing particularly significant delays in the processing of redress applications for victims and survivors in prison, with the NRS taking up to 7 months to complete outbound acknowledgements call after survivors make an application for redress. Victims and survivors in prison have a particularly significant risk of missing out on the redress to which they are legally entitled and experiencing retraumatisation with the approaching crunch point for the NRS.

Inconsistencies between prisons

A striking feature of Australian prisons, from a nation-wide perspective, is the significant inconsistencies between prisons. These inconsistencies are apparent across jurisdictions and even between different prisons within the one jurisdiction. There are differences in almost every aspect of how prisons work, including whether they are publicly or privately managed, the process for booking appointments (see page 159), the support available to victims and survivors in prison (see pages 159 to 160), the degree of confidentiality available (see page 161-162) and the process for accessing a bank account (see page 163-164).

The significant inconsistencies between prisons can result in vastly different experiences for victims and survivors in prison, and create

challenges and uncertainty for services in providing support. There is no one process that will work for all prisons within any one state or territory, let alone nation-wide.

Inadequate processes for accessing support services

Australian prisons generally have inadequate processes for facilitating victims' and survivors' access to support services, including Knowmore and Redress Support Services. In our experience, these are some of the most significant barriers to accessing redress and support for survivors in prison, with significant resourcing implications for Knowmore and other support services.³³⁸

It remains the case that we are generally unable to 'simply and confidentially call a survivor in prison on the phone, communicate by email or hold an in-person appointment without significant planning and engaging the co-operation of relevant prison authorities'.³³⁹ The wide range of variation in processes for booking appointments substantially adds to the planning and resources required, limiting the scale and speed with which support services can provide assistance to survivors in prison.

There are some prison processes and practices that no amount of planning by support services can overcome. For example, we experience difficulties and delays linked to prison lockdowns, which may lead to appointments being cancelled without notice and needing to be rebooked.³⁴⁰ Some prisons go into lockdown frequently, requiring the one appointment with a client to be rebooked many times over. This can lead to significant delays in providing legal advice and related support to victims and survivors in prison.

³³⁸ Knowmore, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme: Resourcing of knowmore and other support services*, pp 9–13.

³³⁹ Knowmore, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme: Resourcing of knowmore and other support services*, p 13.

³⁴⁰ Knowmore, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme: Resourcing of knowmore and other support services*, p 13.

In addition, our clients in prison are often moved from one prison to another, without us being informed. We sometimes only learn on the day of an appointment that an appointment cannot proceed because the client is no longer at the prison we booked the appointment with. We often then experience further difficulties in locating clients who have been moved from one prison to another. Prisons will often not tell us where the client has been moved to, or in some cases, that the client has been moved at all. We are often given no way to contact a client in prison when they are released, causing us to lose contact with the client, unless and until the client contacts us themselves. All of this leads to further risks and delays for victims and survivors who have been in prison.

Inadequate counselling and psychological support

The prison environment is not conducive to healing from trauma, and is itself often retraumatising for victims and survivors.³⁴¹ The Royal Commission noted that many victims and survivors in prison received inadequate counselling and psychological support.³⁴² This is consistent with what victims and survivors tell us about their experience of counselling and psychological support in prison. The inadequate counselling and psychological support in prison impacts the welfare and safety of survivors in prison, as well as their prospects for meaningful access to the counselling and psychological care component of redress.

Within many prisoners, there are additional and more complex steps for professionals who are not lawyers to register to make appointments and provide services to victims and survivors in prison. This can be an additional barrier to providing victims and survivors in prison with counselling and social work support during and after legal appointments (a core component of our multidisciplinary service).

After an appointment with us, clients are usually returned to their prison cell without any support, or in some cases, placed in solitary confinement.

³⁴¹ Royal Commission, *Final report: volume 9, advocacy, support and therapeutic treatment services*, December 2017, p 129, <www.childabuseroyalcommission.gov.au/advocacy-support-and-therapeutic-treatment-services>.

³⁴² Royal Commission, *Final report: volume 5, private sessions*, pp 276–277; Royal Commission, *Final report: volume 9, advocacy, support and therapeutic treatment services*, pp 126–130.

We are alert to the risks of suicidality for victims and survivors in prison, especially when unsupported or isolated. In this context, we share the UN Committee against Torture's concerns about suicide as an ongoing cause of deaths in custody in Australia.³⁴³ We note that these matters are broadly relevant to the Australian Parliament's current inquiry into the relationship between domestic, family and sexual violence and suicide, which was established following a referral from the Minister for Social Services.³⁴⁴

Our comments above are also broadly relevant to cultural support for First Nations victims and survivors. In particular, deaths in custody remain an appalling injustice against First Nations peoples in Australia. More First Nations peoples died in custody in 2024-25 than in any year since 1989-90, when the National Deaths in Custody program began.³⁴⁵

Barriers to confidentiality

Victims and survivors in prison experience significant barriers to communicating confidentially with support services, including Knowmore and Redress Support Services. For example:

- Many Australian prisons have limited or no confidential space for a survivor to attend an appointment, and limited staff resources for facilitating a survivor's access to any confidential spaces. On many occasions, prisons have placed our clients in non-confidential places (such as hallways) for appointments with Knowmore, with the result that we are unable to proceed with the appointment and need to re-schedule.
- Many Australian jurisdictions have inadequate protections for the confidentiality of mail for victims and survivors in prison, including an

³⁴³ United Nations Committee against Torture, *Concluding observations on the sixth periodic report of Australia*, 5 December 2022, p 11, paragraph 35, <<https://www.ohchr.org/en/documents/concluding-observations/catcausco6-concluding-observations-sixth-periodic-report>>.

³⁴⁴ Standing Committee on Social Policy and Legal Affairs, *Inquiry into the relationship between domestic, family and sexual violence and suicide*, accessed 18 February 2026, <https://www.aph.gov.au/Parliamentary_Business/Committees/House/Social_Policy_and_Legal_Affairs/DFSVSuicidedata>.

³⁴⁵ Australian Institute of Criminology, *Deaths in custody in Australia 2024-25*, 2025, pp viii and 9, <https://www.aic.gov.au/sites/default/files/2025-12/sr57_deaths_in_custody_in_australia_2024-25.pdf>.

absence of clear legislative protections in some jurisdictions to prevent prison staff from opening legal correspondence.³⁴⁶

- Victims and survivors in prison often have no secure, confidential place to store confidential documents, such as a legal advice letter from Knowmore or a redress application.
- While some communications between clients and lawyers have particular confidentiality protections,³⁴⁷ these protections generally do not apply to all communications with Knowmore and generally do not apply to communications with Redress Support Services.

Claim farming and related practices in prisons

As noted on page 131, claim farmers particularly target victims and survivors who experience intersectional marginalisation, including victims and survivors in prison.

Claim farming and related practices were widespread in Australian prisons, even before the change to allow victims and survivors in prison to apply to the NRS. Since the change, we have continued to hear from survivors and Redress Support Services that claim farming and related practices remain common in many Australian prisons. We are particularly concerned about prisons in states and territories that have not yet passed laws to address claim farming or where these laws have not yet commenced (see the broader discussion about claim farming and related practices on pages 130 to 138).

Noting that appropriate support is a powerful measure to combat claim farming and related practices (see page 138), we are also particularly concerned about the impacts of these practices on victims and survivors

³⁴⁶ See generally Murray Buchanan, *Censorship of Mail in Australia Prisons*, 15 July 2020, p 12–14, <https://law.uq.edu.au/files/60202/REP_PBC_MsP_Censorship_Mail_FIN_20200715.pdf>; Knowmore, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme: resourcing of knowmore and other support services*, p 13.

³⁴⁷ These confidentiality protections are called ‘legal professional privilege’ under common law and ‘client legal privilege’ under the uniform evidence law. See *Model Uniform Evidence Bill* (Cth), sections 118–119.

in prison who are not receiving assistance from Knowmore or a Redress Support Service.

Issues with identity requirements

In our supplementary submission to the previous Joint Standing Committee in July 2024, we commented that the NRS had strict requirements in relation to proof of identity. Since then, there have been improvements in the relevant practices of the NRS. However, issues with identity requirements continue to impact victims and survivors in prison when requesting documents from institutions to support a redress application. Many victims and survivors in prison do not have the required identity documents or at least do not have ready access to these documents in prison. This can lead to significant logistical difficulties and delays in progressing a redress application for a survivor in prison. It can also lead to issues with bank accounts (see further discussion below).

Issues with bank accounts

In February 2025, changes to the Banking Code of Practice came into effect.³⁴⁸ These changes included participating banks specifically recognising, and committing to take extra care with, people in prison as ‘customers who are experiencing vulnerability’.³⁴⁹ Despite this change, we have seen limited improvement in the conduct of banks, with many victims and survivors in prison continuing to experience issues with bank accounts that impact their experience of seeking redress.

Many victims and survivors in prison do not have a bank account and so cannot receive a redress payment, as payments can only be deposited in a person’s own bank account. Further, many victims and survivors in prison experience significant barriers to opening a bank account or keeping a bank account open. As noted above, many victims and survivors in prison do not have ready access to identity documents. As with redress applications, this can lead to significant logistical difficulties and delays for

³⁴⁸ Australian Banking Association, *Banking Code of Practice, Setting the standards of practice for banks, their staff and their representatives*, 28 February 2025, <<https://www.ausbanking.org.au/wp-content/uploads/2021/06/Banking-Code-of-Practice-28.02.25.pdf>>.

³⁴⁹ Australian Banking Association, *Banking Code of Practice, Setting the standards of practice for banks, their staff and their representatives*, pp 16-17, clause 52.

victims and survivors attempting to open a bank account.³⁵⁰ We have also assisted victims and survivors in prison who have had their banks close their accounts without their consent and, in some cases, without their knowledge.

Even when a survivor in prison has a current bank account, there can be significant barriers to accessing money in the account, including a redress payment. There are significant inconsistencies between prisons as to the process for accessing money in a bank account, how much money a survivor in prison can access at any one point in time and how often a survivor in prison can make transfers. The effect of this is that many survivors in prison experience significant barriers to accessing their redress payment and do not receive the full benefit of the payment.

The heightened risk of experiencing financial abuse

As noted above, many victims and survivors in prison experience significant barriers to accessing and controlling their own money. In order to overcome these barriers, or otherwise to manage their financial affairs while in prison, many victims and survivors in prison provide trusted people outside prison with access to and control over their finances. This may be done formally (for example, through powers of attorney) or informally (for example, by giving a trusted person direct access to their bank account). Perpetrators of financial abuse may exploit this situation.

We have assisted clients in circumstances where people close to them have perceived the redress payment as a windfall, failing to appropriately recognise the purpose of the payment and feeling an inappropriate sense of entitlement to a share of the payment. In our experience, these circumstances carry a heightened risk of financial abuse, particularly for victims and survivors in prison.

³⁵⁰ For more information about opening a bank account in prison, see Australian Banking Association, *Assisting customers in prison with their banking*, 10 April 2024, p 1, <www.ausbanking.org.au/wp-content/uploads/2024/06/ABA-Customers-in-Prison-factsheet.pdf>.

Inadequate support for victims and survivors in prison upon release

The Royal Commission highlighted that there is often inadequate support for victims and survivors in prison upon release.³⁵¹ This is consistent with our experience assisting victims and survivors who have been in prison. While this is a broad problem, related to the inadequate support for victims and survivors in Australian society in general, we particularly see the following impacts in our work assisting victims and survivors who have been in prison:

- Victims and survivors in prison are often released into insecure housing and homelessness.³⁵² This undermines an important basis of healing for victims and survivors,³⁵³ creates further barriers to accessing redress and support, and places victims and survivors who have been in prison at increased risk of recriminalisation³⁵⁴ and reimprisonment.³⁵⁵
- Due to the liquid assets waiting period for social security payments, many victims and survivors who have received a redress payment in prison must wait 13 weeks after release to receive certain social security payments (such as JobSeeker).³⁵⁶ As a result, these victims

³⁵¹ Royal Commission, *Final report: volume 5, private sessions*, p 277; Royal Commission, *Final report: volume 9, advocacy, support and therapeutic treatment services*, pp 130–131.

³⁵² Royal Commission, *Final report: volume 5, private sessions*, p 277. See also Royal Commission, *Final report: volume 3, impacts*, pp 155–156.

³⁵³ See generally Royal Commission, *Redress and civil litigation report*, p 93; Australian Senate (Community Affairs References Committee), *The worsening rental crisis in Australia: final report*, December 2023, p 162, paragraph 5.100, <www.aph.gov.au/Parliamentary_Business/Committees/Senate/Community_Affairs/Worseningrentalcrisis/Final_Report>.

³⁵⁴ The National Network of Formerly Incarcerated Women and Girls recommends using the term ‘recriminalisation’, rather than ‘recidivism’, recognising the impact of systemic factors. See National Network of Formerly Incarcerated Women and Girls, *Language Guide*, April 2025, p 7, <https://issuu.com/sistersinside/docs/language_guide_v2_2025>.

³⁵⁵ See, for example, Law Council of Australia, *The justice project: final report, part 1, people who are homeless*, August 2018, pp 21–22, <<https://lawcouncil.au/files/web-pdf/Justice%20Project/Final%20Report/People%20who%20are%20Homeless%20%28Part%201%29.pdf>>.

³⁵⁶ See generally Australian Government, *Social security guide: liquid assets test waiting period*, 20 March 2024, accessed 16 July 2024, <<https://guides.dss.gov.au/social-security-guide/3/1/2/20>>.

and survivors are forced to use their redress payment for their basic needs, rather than healing, which also undermines the recognition and justice-making purposes of the redress payment.³⁵⁷

- There is generally inadequate support for victims and survivors in prison to remain connected with services upon release. As noted on page 160, we are often given no way to contact a client in prison when they are released, causing us to lose contact with the client, unless and until the client contacts us themselves. Victims and survivors who have been released from prison may not have a fixed address or phone number, creating further challenges for services in providing ongoing support.

The cumulative impact of barriers for victims and survivors in prison

As noted on page 157, the cumulative impact of the barriers to accessing redress and support for victims and survivors in prison is immense. This is illustrated by the following case study of our experience providing NRS-related legal assistance to victims and survivors in a particular prison. While the case study reflects our experience of one particular prison, many of the issues highlighted by this case study are widespread across many Australian prisons.

³⁵⁷ Royal Commission, *Redress and civil litigation report*, pp 224–225.

Knowmore's experience providing legal assistance to victims and survivors in a particular prison

Knowmore provides NRS-related legal assistance to many victims and survivors in a particular prison.

Different prisons have different requirements that Knowmore staff must meet before the staff member can make a phone call to a client in prison. This prison requires each Knowmore staff member to provide a formal letter outlining their qualifications, providing their reason for wanting to speak with people in prison and providing a copy of current photo ID. Prison staff will sometimes ask a Knowmore staff member who has already provided this letter to provide the same letter multiple times.

Prison staff do not always reply to requests to book appointments with our clients in prison, causing delays in booking appointments and requiring us to follow up on the requests.

The prison requires us to call the duty officer just before the appointment and generally will not move the client to a meeting room until this call has happened. However, when we attempt to call the duty officer before the appointment, the phone line is often engaged, delaying the start of the appointment.

The prison goes into lockdown at least several times a week at the time of day when legal appointments are scheduled. When this happens, we experience further delays, sometimes having to re-schedule the appointment to another day (where we may face the same issues again).

Clients in this prison are sometimes moved to another prison without us being informed in a timely manner or, sometimes, without us being informed at all.

[Continued below]

[Continued from above] Knowmore's experience providing legal assistance to victims and survivors in a particular prison

Clients tell us that there is very little counselling and psychological support available to them in this prison. There is also limited access to rehabilitation programs, delaying clients' release from prison once they become eligible for parole. Aboriginal and/or Torres Strait Islander clients report that the environment is culturally unsafe and that they have experienced racist acts and comments from prison staff.

Clients in this prison have no secure, confidential place to store confidential documents. Prison staff frequently search clients' cells and read their mail, placing the security and confidentiality of documents at further risk.

Many clients in this prison do not have identity documents that meet the NRS's requirements. They generally do not receive assistance from prison staff to obtain standard identity documents, creating further delays and complications in progressing their redress applications.

We are aware of organised claim farming and related practices happening in this prison.

Changes to the application process for victims and survivors with serious criminal convictions

The NRS Amendment Act made changes to the application process for victims and survivors with serious criminal convictions – that is, victims and survivors who have been sentenced to imprisonment for 5 years or longer for an offence.³⁵⁸ Before the amendments, all victims and survivors with serious criminal convictions were required to complete a ‘special assessment process’ if they wished to apply for redress. The special assessment process involves the NRS seeking advice from relevant Attorneys-General and requires that a survivor with a serious criminal conviction can only access redress if the NRS is satisfied that it would not ‘bring the scheme into disrepute’ or ‘adversely affect public confidence in, or support for, the scheme’.³⁵⁹

Following the implementation of the NRS Amendment Act, victims and survivors with serious criminal convictions are only required to go through the special assessment process if the serious criminal conviction was for one of the following types of offences:

- unlawful killing
- a sexual offence
- a terrorism offence.³⁶⁰

In addition, the NRS may require a survivor with a serious criminal conviction to go through the special assessment process if the NRS determines that there are exceptional circumstances that make it likely that providing redress to the survivor may ‘bring the scheme into disrepute or adversely affect public confidence in, or support for, the scheme’.³⁶¹

In our experience, the changes have significantly reduced the number of victims and survivors with a serious criminal conviction who have to undergo a special assessment process before they can be considered for redress. While this is a step forward, it falls significantly short of the Royal

³⁵⁸ NRS Act, section 63(1).

³⁵⁹ Knowmore, Primary Submission to the Joint Standing Committee, p 48.

³⁶⁰ NRS Act, section 63(2)(a).

³⁶¹ NRS Act, sections 63(2)(b) and 63(2B).

Commission's recommendation for equal access to redress.³⁶² It also falls short of the relevant recommendation of the second year review – that is, to provide 'a single application process for all applicants', including applicants with serious criminal convictions.³⁶³

Many victims and survivors are still required to go through the special assessment process. This remains a significant barrier to redress, affecting both victims and survivors who are currently in prison (see pages 153 to 168), and victims and survivors who have been released. We have long held concerns about the disproportionate impact of these provisions on First Nations victims and survivors,³⁶⁴ who are disproportionately imprisoned.³⁶⁵ In addition, the serious criminal convictions provisions contribute to unfairness, inconsistency and lack of transparency with the NRS, with ongoing inconsistencies in how the NRS treats victims and survivors with serious criminal convictions.³⁶⁶

We note that, as part of the special assessment process, the NRS considers 'how long it has been since the person committed the offence' and 'any rehabilitation of the survivor'.³⁶⁷ We are concerned that victims and survivors who receive a serious criminal conviction closer to the end of the NRS will have less time since the offence, and therefore less time for rehabilitation. This problem is worsened by the limited availability and long wait times for rehabilitation programs.

Further, the NRS still requires all victims and survivors with a serious criminal conviction to complete an additional information form if they wish

³⁶² Royal Commission, *Redress and civil litigation report*, p 4, recommendation 1.

³⁶³ R Kruk AO, *Final report: Second year review of the National Redress Scheme*, p 75, recommendation 3.2.

³⁶⁴ Knowmore, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme: Seventh year of the National Redress Scheme*, p 19; Knowmore, *Primary Submission to the Joint Standing Committee*, pp 48–50.

³⁶⁵ Royal Commission, *Final report: volume 3, impacts*, p 144.

³⁶⁶ For more, see Knowmore, *Primary Submission to the Joint Standing Committee*, pp 48–50.

³⁶⁷ Australian Government, *National Redress Guide, Part 2.4 Applying for redress with serious criminal convictions*, accessed 18 February 2026, <<https://guides.dss.gov.au/national-redress-guide/2/4>>.

to apply for redress.³⁶⁸ The form asks survivors to consent to a Nationally Coordinated Criminal History Check and provide information about their serious criminal conviction(s) and their rehabilitation.³⁶⁹ Many of our clients with a serious criminal conviction feel that they are treated with suspicion and judged by the additional information form. This includes many clients who will ultimately not have to undergo the special assessment process and many survivors who will ultimately receive redress.

Knowmore has repeatedly recommended that the Australian Government allow all victims and survivors with serious criminal convictions to apply for redress, without additional requirements such as the special assessment process or the additional information form. We repeat that recommendation here.

Recommendation 37

The Australian Government should allow all survivors with serious criminal convictions to apply for redress, without additional requirements such as the special assessment process or the additional information form (as per recommendation 3.2 of the second year review of the National Redress Scheme).

Changes to the internal review process for redress decisions

The second year review made a significant recommendation to improve the internal review process for redress decisions, which we have extracted below (emphasis added).³⁷⁰

³⁶⁸ National Redress Scheme, *Serious criminal convictions additional information form*, accessed 26 January 2026, p 1, <<https://www.nationalredress.gov.au/sites/default/files/documents/2024-06/serious-criminal-conviction-additional-information-form-fillable.pdf>>.

³⁶⁹ National Redress Scheme, *Serious criminal convictions additional information form*, pp 7–8.

³⁷⁰ R Kruk AO, *Final report: Second year review of the National Redress Scheme* p 159, recommendation 5.1.

Recommendation 5.1 of the second year review

The Australian Government review the process for internal review and amend the legislation to:

- a. allow for the provision of additional information with an internal review request
- b. **ensure all reviews are to be without prejudice to the original determination (i.e. original payment determination cannot be reduced on review)**
- c. publish and make easily accessible an approved mandatory template for review requests.

The Australian Government has said it supports this recommendation.³⁷¹ However, the Australian Government has only implemented the recommendation in part, as we discuss further below.

The NRS Amendment Act made the following changes:

- allowing victims and survivors to provide new information with their review application³⁷²
- allowing the NRS to request new information as part of the review process³⁷³
- providing some protection against the NRS reducing a redress payment as a result of the review.³⁷⁴

Knowmore welcomed the change to allow victims and survivors to provide new information with their review application,³⁷⁵ noting the need for victims

³⁷¹ Australian Government, *The Australian Government response to the Final Report of the Second Year Review of the National Redress Scheme*, p 19.

³⁷² NRS Act, section 73(3).

³⁷³ NRS Act, section 75A.

³⁷⁴ NRS Act, section 75(4).

³⁷⁵ NRS Act, section 73(3), as amended by the *National Redress Scheme for Institutional Child Sexual Abuse Amendment Act 2024* (Cth) (NRS Amendment Act).

and survivors to be able to effectively challenge the NRS's initial redress decisions.³⁷⁶ However, we are concerned that:

- the NRS can still reduce a redress payment as a result of the internal review process in some circumstances, including as a result of new information –³⁷⁷ for example, new information about a prior payment to the survivor³⁷⁸
- there are few limits on the NRS's ability to request new information as part of the internal review process³⁷⁹
- the NRS is not required to complete the internal review process until the requested information is provided³⁸⁰
- the NRS has said it may choose to revoke a redress offer as a result of new information obtained as part of an internal review process, rather than completing the internal review –³⁸¹ we are concerned that this approach denies victims and survivors the right to have their redress offer reviewed by a different decision-maker, is inconsistent with the NRS Act and risks a survivor's redress offer being reduced as a result of challenging the original decision.³⁸²

As a result, the review process continues to include deterrents for victims and survivors who may wish to seek an internal review of their redress

³⁷⁶ Knowmore, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme: Seventh year of the National Redress Scheme*, p 33; Knowmore, *Submission to the Joint Select Committee on Implementation of the National Redress Scheme*, pp 21–23; Knowmore, *Submission to the second anniversary review of the National Redress Scheme*, 30 September 2020, pp 29–32.

³⁷⁷ NRS Act, section 75(4).

³⁷⁸ NRS Rules, rule 17(3).

³⁷⁹ The NRS can request additional information as part of the internal review process if the reviewer 'has reasonable grounds to believe that the person who has applied for review has information that may be relevant to the review'. See NRS Act, section 75A(1).

³⁸⁰ NRS Act, section 75A(4).

³⁸¹ See NRS Rules, rule 17(2).

³⁸² Section 75 of the NRS Act provides that, if a person makes a valid application for internal review of a redress decision, then the NRS 'must' conduct the review. While there are exceptions to this, the fact that new information has been obtained is not a relevant exception. See NRS Act, section 75A(4).

decision.³⁸³ It continues to be a process that is not survivor-focused or trauma-informed.

The NRS has said that victims and survivors can, in most circumstances, withdraw an application for internal review that would otherwise result in a redress payment being reduced.³⁸⁴ While this is welcome, it falls significantly short of what was contemplated by the relevant recommendation of the second year review – namely, a clear legislative protection against a redress payment being reduced as a result of the internal review process in all circumstances.³⁸⁵ We note that the previous Joint Standing Committee reinforced the importance of a clear legislative prohibition, making the following recommendation.³⁸⁶

Recommendation 15 of the previous Joint Standing Committee

The Committee recommends that legislation be amended to expressly provide that review of a redress determination cannot result in:

- A redress offer being reduced.
- Eligibility for redress being reversed.

We recommend that the Australian Government amend the NRS Act to ensure that:

- a survivor's redress payment cannot be reduced and as a result of an internal review
- a survivor who has been found eligible for redress cannot have that finding reversed as a result of an internal review

³⁸³ For further discussion, see Knowmore, *Submission to the second anniversary review of the National Redress Scheme*, p 31.

³⁸⁴ See NRS Act, section 74.

³⁸⁵ For further comments about the necessary legislative protection, see Knowmore, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme: Seventh year of the National Redress Scheme*, pp 34-35, recommendation 8.

³⁸⁶ Previous Joint Standing Committee, p 20, paragraph 1.93, recommendation 15.

- there is no adverse impact for victims and survivors if they choose not to provide new information in response to a request from the NRS as part of the internal review process.

Recommendation 38

The Australian Government should amend the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth) to ensure that:

- a survivor's redress payment cannot be reduced as a result of an internal review
- there is no adverse impact for victims and survivors if they choose not to provide new information in response to a request from the National Redress Scheme as part of the internal review process.

Changes to when protected information can be disclosed

As noted on page 80, the NRS Amendment Act made some changes to when protected information can be disclosed. Generally speaking, the amendments:

- clarified that the NRS can provide applicants with certain information about non-participating institutions³⁸⁷
- clarified that the NRS can disclose protected information to public trustees for certain purposes in relation to financial management orders³⁸⁸
- allowed the broader disclosure of protected information for the purpose of institutions undertaking investigation and disciplinary procedures.³⁸⁹

³⁸⁷ NRS Act, section 95B.

³⁸⁸ NRS Act, section 96A.

³⁸⁹ NRS Act, section 98(2)(d).

Knowmore supported the clarification that the NRS can provide applicants with certain information about non-participating institutions.³⁹⁰ In our view, this was a step towards addressing survivors' concerns (noted on page 78 above) that the protected information provisions enable secrecy by the NRS and institutions.

Knowmore expressed concern about the limited safeguards in relation to the changes to allow the broader disclosure of protected information for the purpose of institutions undertaking investigation and disciplinary procedures.³⁹¹ While we recognise the importance of such procedures, we remain concerned that there are not adequate safeguards in place to protect victims and survivors from the inappropriate disclosure of their information to institutions, perpetrators and other people. These include inappropriate disclosures by both the NRS and institutions, and relate both to what information is disclosed and how the disclosure is handled. For example, we continue to see cases in which:

- victims' and survivors' information is disclosed without a clear reason for the disclosure
- more information than necessary is disclosed
- information is disclosed without consulting with the survivor, or without seeking the survivor's genuine and informed consent
- victims and survivors are not given clear or timely information about who their information has been shared with or why.

These ongoing issues illustrate inadequate protections for victims' and survivors' information under the NRS Act, and in the practices of the NRS and institutions. The second year review highlighted some of our key concerns about the inadequate protections for victims' and survivors' information:

While the NRS Act provides that before disclosing protected information the institution must have regard to the impact the disclosure may have on the survivor, there is no legislative requirement that the survivor be consulted or provide consent

³⁹⁰ Knowmore, *Proposed new law for the National Redress Scheme*; Knowmore, *A new law for the National Redress Scheme*.

³⁹¹ Knowmore, *Proposed new law for the National Redress Scheme*; Knowmore, *A new law for the National Redress Scheme*.

*before the institution can use and/or disclose their personal information as part of these processes.*³⁹²

Knowmore is very concerned that institutions may disclose a survivor's personal information to a perpetrator without the survivor's informed consent. There are many reasons why victims and survivors of institutional child sexual abuse may not want their identity or other personal information to be disclosed to the perpetrator, including that it may put them at further risk of harm from the perpetrator. It is also likely to be re-traumatising for victims and survivors, who may be reminded of the feelings of powerlessness they experienced as children towards the perpetrator or the institution,³⁹³ and it is likely to worsen the difficulties that many victims and survivors have in trusting institutions.³⁹⁴

Our recommendations to improve the protected information provisions are discussed on pages 78 to 79 and in Appendix 2 on pages 199–203.

Changes to allow some finalised applications to be reassessed

The NRS Amendment Act established a new process to allow some finalised applications to be reassessed (the reassessment process). The reassessment process commenced in late September 2024.³⁹⁵

The reassessment process may be relevant to a survivor where:

- more than one institution was identified by the survivor in their redress application (or identified by the NRS while processing the survivor's redress application)
- the survivor had their redress application finalised with an offer of redress and with at least one non-participating institution, and

³⁹² R Kruk AO, *Final report: Second year review of the National Redress Scheme*, p 99.

³⁹³ R Kruk AO, *Final report: Second year review of the National Redress Scheme*, p 99; Knowmore, *Submission to the Joint Select Committee on Implementation of the National Redress Scheme*, p 33.

³⁹⁴ Royal Commission, *Final report: volume 3, impacts*, pp 138–140.

³⁹⁵ NRS Amendment Act, section 2(1).

- at least one of the non-participating institutions later joined the NRS or was later covered by a government under the NRS's funder of last resort arrangements.³⁹⁶

The reassessment process may allow a survivor to receive a higher redress payment and a DPR from the institution(s) that later came to participate in the NRS.³⁹⁷

Knowmore welcomed the establishment of the reassessment process,³⁹⁸ noting its potential to mitigate the injustice to victims and survivors who accepted a redress payment with a non-participating institution (see the discussion about non-participating institutions and inadequate funder of last resort arrangements on pages 117 to 128 above).³⁹⁹ As we stated in our supplementary submission to the previous Joint Standing Committee in July 2024:

*We are keen to see that the re-assessment process is implemented in a way that is survivor-focused, trauma-informed and culturally safe, noting that the process represents an important legal right for survivors, while also recognising that it will be distressing for many survivors to be contacted out-of-the-blue about finalised matters. This risk will be heightened for survivors who do not have adequate support.*⁴⁰⁰

While Knowmore has assisted some victims and survivors in relation to the reassessment process, we have limited information about how the reassessment process is being implemented systemically. For example, the NRS has said it 'will try to notify' victims and survivors who are eligible

³⁹⁶ NRS Amendment Act, section 71B.

³⁹⁷ NRS Amendment Act, sections 71G–71L.

³⁹⁸ Knowmore, *Proposed new law for the National Redress Scheme*; Knowmore, *A new law for the National Redress Scheme*.

³⁹⁹ Knowmore, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme: Seventh year of the National Redress Scheme*, p 38.

⁴⁰⁰ Knowmore, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme: seventh year of the National Redress Scheme*, p 38.

for the reassessment process.⁴⁰¹ However, we do not know what process the NRS is using to identify which victims and survivors are eligible for the reassessment, and whether this process is comprehensive. We are also not aware of any publicly available data that addresses the following matters relevant to the implementation of the reassessment process:

- how many victims and survivors the NRS has identified as eligible for the reassessment process
- how many eligible victims and survivors the NRS has tried to notify about the reassessment process
- how many eligible victims and survivors have asked or agreed to have their redress outcome reassessed
- how many reassessment decisions the NRS has made
- how many victims and survivors have accepted a new offer of redress following a reassessment decision
- how many victims and survivors have applied for a review of a reassessment decision
- how many reviews of reassessment decisions have led to a new reassessment decision.

In our view, information of this nature is important for transparency about how the NRS is implementing the reassessment process. Information of this nature is also important for assessing the impacts of non-participating institutions and inadequate funder of last resort arrangements (see pages 117 to 128), and the capacity of the NRS to deliver redress to victims and survivors (see pages 58 to 65). We recommend that the NRS make publicly available more information about how it is implementing the changes to allow some finalised applications to be reassessed, including relevant data.

⁴⁰¹ National Redress Scheme, *What happens after applying*, accessed 26 January 2026, <<https://www.nationalredress.gov.au/apply/what-happens-after-applying>>.

Recommendation 39

The National Redress Scheme should make publicly available more information about how it is implementing the changes to allow some finalised applications to be reassessed, including relevant data.

We note that the reassessment process will not address the injustice to victims and survivors who:

- did not identify all relevant institutions in their application – for example, because they were not ready to disclose all of the abuse that they experienced (see the discussion on page 68 about the time needed to disclose child sexual abuse)
- received an ineligible outcome – for example, because the NRS could not identify a participating institution that it considered to be responsible for the abuse (see the discussion about non-participating institutions and inadequate funder of last resort arrangements on pages 117 to 128).

In relation to this, we note the comments from the second year review about the restriction preventing victims and survivors from making more than one application to the NRS:

The single application restriction ... fails to acknowledge the manner in which traumatic memory can be recovered by applicants ... It may also be punitive if a mistake is discovered after acceptance of the offer or if there is a policy change that would have favoured the applicant.

...

The inability to submit a second or supplementary application places restrictions on survivors and inhibits the flexibility of the Scheme. The Review understands that the justification for allowing one single application is to avoid the practical difficulty of dealing with subsequent applications where redress payments have already been made and may need to be adjusted. However, the Review is of the view that the focus

*should be on the applicants, not the institutions' benefit, and there is merit in the Scheme reconsidering this restriction ...*⁴⁰²

The second year review recommended that the Australian Government 'review the current restriction on survivors making a single application, and assess this requirement to ensure fairness to the survivor and to acknowledge any changes in their circumstances or additional available information'.⁴⁰³

In Knowmore's view, further reform is required to ensure that victims and survivors are not unfairly disadvantaged by the single application restriction. In particular, we consider that the Australian Government should make further amendments to the NRS Act to ensure that the reassessment process applies to all victims and survivors who are affected by a change in circumstances after their redress application is finalised.

Recommendation 40

The Australian Government should implement further reform to the National Redress Scheme to ensure that survivors are not unfairly disadvantaged by the single application restriction. In particular, the Australian Government should make further amendments to the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth) to ensure that the reassessment process applies to all survivors who are affected by a change in circumstances after their redress application is finalised.

We make a further recommendation below about mitigating the injustice and harm to victims and survivors who have received an ineligible outcome due to an institution not being covered by the NRS.

⁴⁰² R Kruk AO, *Final report: Second year review of the National Redress Scheme*, pp 70–71.

⁴⁰³ R Kruk AO, *Final report: Second year review of the National Redress Scheme*, p 75, recommendation 3.1.

Victims and survivors who have received an ineligible outcome due to an institution not being covered by the National Redress Scheme

As noted on page 180, the reassessment process does not address the injustice to victims and survivors who received an ineligible outcome.

We note that the NRS Act includes a process for the NRS to revoke a redress decision,⁴⁰⁴ which can provide a pathway for victims and survivors who have received an ineligible outcome to have their redress application reconsidered.⁴⁰⁵ We consider that the NRS should adopt a formal practice of revoking a redress decision when requested by a survivor who received an ineligible outcome where at least one relevant non-participating institution later joins the NRS or is later covered by a government under the NRS's funder of last resort arrangements. We note that this practice may be possible under the current legislative framework, which allows the NRS to revoke a redress decision if the NRS receives new information that would have changed the decision.⁴⁰⁶ We would welcome a clear commitment to this approach via an amendment to the National Redress Guide and/or the NRS Rules, pending legislative reform to broaden the application of the reassessment process.

⁴⁰⁴ NRS Act, section 29(4)–(7).

⁴⁰⁵ See generally Australian Government, *National Redress Guide, Part 1.1.R.65 Revocation*, accessed 18 February 2026, <<https://guides.dss.gov.au/national-redress-guide/1/1/r/65>>.

⁴⁰⁶ NRS Rules, rule 17(2).

Recommendation 41

The National Redress Scheme should adopt a formal practice of revoking a redress decision when requested by a survivor who received an ineligible outcome in circumstances where at least one relevant non-participating institution later joins the National Redress Scheme or is later covered by a government under the National Redress Scheme's funder of last resort arrangements.

The Australian Government should provide a clear commitment to this approach via an amendment to the National Redress Guide and/or the *National Redress Scheme for Institutional Child Sexual Abuse Rules 2018* (Cth), pending legislative reform to broaden the application of the reassessment process.

Part 5: the future of redress for victims and survivors of child sexual abuse beyond the National Redress Scheme

Victims should be treated with compassion and respect for their dignity. They are entitled to access to the mechanisms of justice and to prompt redress, as provided for by national legislation, for the harm that they have suffered.

Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, article 4

We note that the discussion paper for the inquiry asks several questions about what arrangements should be put in place after the NRS ends.⁴⁰⁷ As highlighted by our comments on pages 70 to 73, there is currently significant uncertainty about how the NRS will end, or what redress and justice-making options will be available to victims and survivors after it ends.

In Knowmore's view, it is critical that all Australian governments begin planning not only for the end of the NRS, but also for the future of redress and justice-making in Australia for victims and survivors of child sexual abuse, including children experiencing abuse today. We consider that information about the future of redress should be provided as soon as possible. This will help victims and survivors who are not yet ready to come forward to know what their options will be.

We consider that victims and survivors should also have certainty that legal and related support will be available to assist them to effectively

⁴⁰⁷ Joint Standing Committee, *Discussion Paper, Inquiry into the continuing operations of the National Redress Scheme*, p 4.

navigate their redress and justice-making options. This requires the Australian Government to commit to ongoing funding of Knowmore and Redress Support Services beyond the end of the NRS.

We address the following matters below:

- the importance of ongoing access to meaningful redress and justice-making options for victims and survivors after the end of the NRS, including access to the legal and related support needed to effectively navigate redress and justice-making options
- the benefits of establishing a national framework for redress and/or reparation schemes, and key considerations that should inform the development of the framework
- the significant potential of the NRS to contribute to ongoing, national truth-telling about institutional child sexual abuse in Australia.

The importance of ongoing access to meaningful redress and justice-making options

Child sexual abuse remains a widespread problem in Australian society, including in Australian institutions. Although Australian governments have made considerable reforms to better protect children from child sexual abuse, many recommendations from the Royal Commission and other inquiries remain unimplemented. The growing role of the internet, mobile phones and generative artificial intelligence (AI) is also worsening many existing problems and contributing to the emergence of new problems.⁴⁰⁸

The Australian Child Maltreatment Study reported, in 2023, that more than a quarter (28.5%) of the Australian population had experienced child

⁴⁰⁸ See, for example, Australian eSafety Commissioner, *Generative AI and child safety: a convergence of innovation and exploitation*, 11 June 2025, <www.esafety.gov.au/newsroom/blogs/generative-ai-and-child-safety-a-convergence-of-innovation-and-exploitation>.

sexual abuse.⁴⁰⁹ This suggests that more than 7.8 million people in Australia have experienced child sexual abuse.⁴¹⁰

We particularly note the systemic failure to protect young children from child sexual abuse in early childhood education and care centres, highlighted by recent media reports and inquiries.⁴¹¹ As a result of this failure, which former Royal Commissioner Robert Fitzgerald described as ‘shameful’,⁴¹² children continue to experience abuse in these institutional settings. But we know that this problem is not isolated to one industry, and that ‘the failure to prioritise child safety and wellbeing and implement child safeguarding measures affects all children everywhere’.⁴¹³

While Knowmore welcomes the recent attention of many Australian governments to child sexual abuse in early childhood education and care centres, their responses to date have largely focused on better industry

⁴⁰⁹ Australian Child Maltreatment Study, *The prevalence and impact of child maltreatment in Australia: findings from the Australian Child Maltreatment Study. brief report*, 2023, p 17, <<http://www.acms.au/resources/the-prevalence-and-impact-of-child-maltreatment-in-australia-findings-from-the-australian-child-maltreatment-study-2023-brief-report/>>.

⁴¹⁰ Australia’s population was 27,614,411 people at 30 June 2025, see Australian Bureau of Statistics, *National, state and territory population*, 18 December 2025, <<https://www.abs.gov.au/statistics/people/population/national-state-and-territory-population/latest-release>>.

⁴¹¹ See, for example, J Weatherill AO and P White PSM, *Rapid Child Safety Review*, 15 August 2025, <<https://www.vic.gov.au/sites/default/files/2025-09/Rapid-Child-Safety-Review-2025.pdf>>; Parliament of New South Wales, *Early childhood education and care sector in New South Wales*, accessed 18 February 2026, <<https://www.parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=3098#tab-reportsandgovernmentresponses>>; Parliament of Australia, *Quality and safety of Australia’s early childhood education and care system*, accessed 18 February 2026, <https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Education_and_Employment/ECECqualitysafety>.

⁴¹² ABC News, Josie Taylor, *Australia at a ‘turning point’ for broken Working with Children Check system*, 10 July 2025, <<https://www.abc.net.au/news/2025-07-10/fix-needed-australias-broken-working-with-children-check-system/105514886>>; Anne Hollonds AO, *Child safety and wellbeing must be made a national priority*, Op-ed published in the Canberra Times, 7 July 2025, republished at <<https://humanrights.gov.au/about-us/media-centre/opinion-pieces/opinion-pieces/child-safety-and-wellbeing-must-be-made-national-priority>>.

⁴¹³ Anne Hollonds AO, *Child safety and wellbeing must be made a national priority*.

regulation and strengthening Working With Children Check schemes.⁴¹⁴ In our view, this has left unresolved the issue of redress and justice-making for victims and survivors who experience child sexual abuse today.

The Royal Commission recognised the significant and often insurmountable barriers faced by victims and survivors across Australia in accessing redress and justice before the NRS.⁴¹⁵ We welcome the progress made since the Royal Commission to improve many of the legal options for victims and survivors, including civil litigation and many of the redress schemes provided by institutions. While these are important options, they are inconsistent and often inadequate for victims and survivors of child sexual abuse.⁴¹⁶

The Royal Commission highlighted the importance of providing meaningful redress and justice-making options for victims and survivors, stating:

Although the primary responsibility for the sexual abuse of an individual lies with the abuser and the institution they were part of, we cannot avoid the conclusion that the problems faced by many people who have been abused are the responsibility of our entire society.

*We are satisfied that our society's failure to protect children across a number of generations makes clear the pressing need to provide avenues through which survivors can obtain appropriate redress for past abuse.*⁴¹⁷

In relation to governments, the Royal Commission added:

Governments may also have an additional level of responsibility because of their roles as regulators of institutions and government

⁴¹⁴ See for example, Hon. Michelle Rowland MP, *Media release: Bright Futures National Symposium*, 8 August 2025, <<https://ministers.ag.gov.au/media-centre/speeches/bright-futures-national-symposium-08-08-2025>>.

⁴¹⁵ See for example, Royal Commission, *Redress and civil litigation report*, p 5.

⁴¹⁶ See Knowmore, *Submission to the Australian Law Reform Commission's inquiry into justice responses to sexual violence*, 7 June 2024, p 47, <https://knowmore.org.au/wp-content/uploads/2024/06/submission-justice-responses-to-sexual-violence-cth.pdf?trk=public_post_comment-text>.

⁴¹⁷ Royal Commission, *Redress and civil litigation report*, p 5.

*policies that encouraged or required the placement of children in institutions.*⁴¹⁸

In our view, there is a pressing need for Australian governments to ensure ongoing access to meaningful redress and justice-making options for victims and survivors while ever child sexual abuse continues to occur.

However, on the current trajectory, victims and survivors who are not eligible for the NRS, or who come forward after the legislated deadline for applications, will not have access to an important option. We note, in particular that victims and survivors who experience institutional child sexual abuse after 30 June 2018 are not eligible to apply for the NRS,⁴¹⁹ highlighting a significant gap in the redress and justice-making options for a growing number of victims and survivors.⁴²⁰

As noted on page 67, the Australian Government must immediately prioritise planning for the legislated end of the NRS. As part of this planning, the Australian Government must ensure that victims and survivors have ongoing access to meaningful redress and justice-making options. This must include ongoing funding for Knowmore and Redress Support Services to provide the legal and related support needed to effectively navigate redress and justice-making options.

Recommendation 42

As part of this planning for the end of the National Redress Scheme (see recommendation 6), the Australian Government must ensure that victims and survivors have ongoing access to meaningful redress and justice-making options. This must include ongoing funding for Knowmore and Redress Support Services to provide the legal and related support needed to effectively navigate redress and justice-making options.

⁴¹⁸ Royal Commission, *Redress and civil litigation report*, p 248.

⁴¹⁹ NRS Act, section 14(1)(c).

⁴²⁰ We also recognise that many victims and survivors are eligible to apply for redress under the NRS, but have not been able to access redress, for example, due to a non-participating institution.

Establishing a national framework for redress and/or reparation schemes

We note the comments of the previous Joint Standing Committee about redress and reparation schemes generally:

There are a growing number of redress or reparation schemes around Australia. Their scope, eligibility and design have variations (or possibly overlap). Each is administered separately. This adds complexity to options available to survivors.⁴²¹

This is consistent with our experience assisting victims and survivors of child abuse. Many of our clients are eligible to apply for multiple redress schemes, which may include the NRS, a Stolen Generations redress scheme, a forced adoptions redress scheme, or a redress scheme provided by an institution. We frequently see significant inconsistencies and complex interactions between various redress, reparation and support options for victims and survivors.⁴²²

These inconsistencies and complexities are often confusing and distressing for our clients, who feel that their redress, reparation and support options do not adequately recognise the harm they experienced as children or meet their healing needs. These problems are often compounded by a lack of clarity about how different schemes interact, and what information is relevant or should be disclosed to a particular scheme.

These problems disproportionately impact victims and survivors who experience intersectional marginalisation. For example, we make comments about the impacts of the NRS's approach to prior payments to Stolen Generations survivors on pages 50 to 51.

⁴²¹ Previous Joint Standing Committee, p 27, paragraph 1.141.

⁴²² See Knowmore, Knowmore, *Submission to the Australian Law Reform Commission's inquiry into justice responses to sexual violence*, p 47.

The previous Joint Standing Committee made the following recommendation relevant to improving the consistency, coherence and effectiveness of redress and reparation schemes across Australia.⁴²³

Recommendation 29 of the previous Joint Standing Committee

The Committee recommends that the Australian Government work with state and territory governments on a national framework for redress and/or reparation schemes. This could include developing knowledge around best practices, scheme design and administration.

Knowmore supports this recommendation. In our view, the national framework should apply not only to redress and/or reparation schemes provided by Australian governments, but also to redress schemes provided by institutions. These redress schemes are already an important option for many victims and survivors. They are likely to take on an even greater significance beyond the end of the NRS. In light of this, the Australian Government must play an ongoing role in maintaining nation-wide standards for redress, including redress provided by institutions responsible for child sexual abuse.

We consider that developing a national framework for redress and/or reparation schemes should form part of planning for the legislated end of the NRS (see recommendation 6 on page 68). As with planning for the end of the NRS broadly, we consider that developing a national framework for redress and/or reparation schemes should take place via a transparent process and should be in partnership with victims, survivors and support services, including Knowmore and the Redress Support Services.

⁴²³ Previous Joint Standing Committee, p 27, recommendation 29.

Recommendation 43

The Australian Government should lead work with state and territory governments on a national framework for redress and/or reparation schemes. This should include developing knowledge around best practices, scheme design and administration (consistent with recommendation 29 of the previous Joint Standing Committee on Implementation of the National Redress Scheme).

Developing a national framework for redress and/or reparation schemes should form part of planning for the legislated end of the National Redress Scheme (see recommendation 6). As with planning for the end of the National Redress Scheme broadly, developing a national framework for redress and/or reparation schemes should take place via a transparent process and should be in partnership with victims, survivors and support services, including Knowmore and the Redress Support Services.

We make comments below about key considerations that should inform the development of a national framework.

Informing the development of the national framework

As a national community legal centre dedicated to supporting victims and survivors of child abuse, Knowmore has valuable insights into the diverse legal and support needs of victims and survivors. We also have extensive experience assisting victims and survivors to navigate their redress and justice-making options. This equips us well to inform the development of a national framework for redress and/or reparation schemes.

We have recommended that a national framework be developed in partnership with victims, survivors and support services. We do not wish to pre-empt this important process. It is complex, sensitive and should be afforded time, care and appropriate funding.

However, we would like to provide some initial guidance to inform the process of developing a national framework for redress and/or reparation schemes. In our view, the following considerations should be prioritised.

Priorities for a national framework for redress and/or reparation schemes

- All stages of the development, implementation and evaluation of redress and/or reparation schemes should be survivor-led, taking into account the diversity of victims' and survivors' experiences and needs.
- Redress and/or reparation schemes should be trauma-informed, and do no further harm to victims, survivors and their communities.
- Redress and/or reparation schemes should be accessible and responsive to the diverse needs of victims and survivors, including victims and survivors experiencing intersectional marginalisation.
- Redress and/or reparation schemes should be culturally safe for First Nations victims and survivors, and provided in a manner that upholds the human right to self-determination.

[Continued below]

[Continued from above] Priorities for a national framework for redress and/or reparation schemes

- Redress and/or reparation schemes should provide fair and adequate redress for victims and survivors in recognition of their experiences of harm and the ongoing impacts of that harm. At a minimum, the components of redress should include an adequate redress payment, counselling and psychological support and a direct personal response. Guidance as to what constitutes an adequate redress payment must be indexed to ensure that redress payments do not diminish in value.
- Redress and/or reparation schemes should provide collective redress and transformational justice for communities impacted by harm. This might include, for example, truth-telling processes, support for community-based programs led by lived experience and systemic reforms to prevent further harm.
- Redress and/or reparation schemes should demonstrate best practice standards in decision-making, with clear and transparent criteria applied in a fair and consistent way. There should be fair and adequate pathways to seek review of a redress decision.
- Redress and/or reparation schemes should ensure that victims and survivors receive the full benefit of their redress payment, including by ensuring that redress payments do not reduce access to government support (such as social security) and that redress payments are protected from debt enforcement.
- Redress and/or reparation schemes should be accompanied by free and independent multidisciplinary support to assist victims and survivors to navigate their redress and justice-making options. This should include legal advice, social work and counselling support, cultural support and financial counselling.
- Redress and/or reparation schemes should ensure that victims and survivors are protected from exploitation when exploring their redress and justice-making options. This should include protection against claim farming and related practices.

Contributing to national truth-telling about institutional child sexual abuse

In Knowmore's view, the NRS has significant potential to build on the groundbreaking work of the Royal Commission, contributing to further truth-telling about institutional child sexual abuse in Australian society. Before discussing this matter in more detail, we emphasise the paramount importance of safety, choice and confidentiality for victims and survivors in this context.

One of the most significant legacies of the Royal Commission is how it has reshaped our national understanding of the nature, prevalence and impact of institutional child sexual abuse in Australia. For too long, this abuse had been ignored, denied and concealed by powerful institutions that prioritised their own interests over the safety and wellbeing of children.

This legacy is a testament to the bravery, determination and resilience of thousands of victims and survivors from across Australia who came forward to share their personal stories of abuse. This includes over 8000 survivors who participated in private sessions and almost 1000 survivors who shared their stories in written accounts.⁴²⁴

Throughout the Royal Commission, Knowmore walked alongside thousands of victims and survivors while they shared their stories, often for the first time, and navigated the next steps on their healing and justice-making journey. Many of the victims and survivors we supported were motivated to come forward in the hope that contributing to a truth-telling process would help to ensure that what happened to them will never happen again.

As noted on page 40, there have been considerable reforms since the Royal Commission to better protect children from child sexual abuse, yet many recommendations remain unimplemented and child sexual abuse remains a widespread problem. In Knowmore's view, truth-telling must be an ongoing process while ever child sexual abuse continues to occur.

The Royal Commission made a detailed recommendation about the data that it considered should be published, at least annually, by the redress

⁴²⁴ Royal Commission, *Final report, volume 5: Private sessions*, pp 10 and 49.

scheme. This included data about the institutions to which redress applications relate and the periods of alleged abuse.⁴²⁵ The Royal Commission considered that publishing data of this nature was important for transparency and accountability.

Knowmore agrees. We would add that publishing data of this nature is important for ongoing, national truth-telling about the nature and prevalence of institutional child sexual abuse in Australia. It is also helpful for informing appropriate legal and policy responses to institutional child sexual abuse, including future redress and/or reparation schemes (see the discussion on pages 189 to 193).

We consider that, as part of planning for the end of the NRS, the Australian Government should consider what additional information it can appropriately publish to better inform our national understanding of institutional child sexual abuse in Australia – for example, data about the institutions to which redress applications relate and the periods of alleged abuse (consistent with recommendation 69 of the Royal Commission’s *Redress and civil litigation report*).⁴²⁶ In doing this, the safety, choice and confidentiality of victims and survivors must be paramount. For example, there must be meaningful consultation with victims and survivors about which data is published and how. Further, data relating to institutions with a small number of applications must be appropriately aggregated if it is to be published.

⁴²⁵ Royal Commission, *Redress and civil litigation report*, recommendation 69, p 395.

⁴²⁶ Royal Commission, *Redress and civil litigation report*, recommendation, p 395.

Recommendation 44

As part of planning for the end of the National Redress Scheme, the Australian Government should consider what additional information it can appropriately publish to better inform our national understanding of institutional child sexual abuse in Australia – for example, data about the institutions to which redress applications relate and the periods of alleged abuse (consistent with recommendation 69 of the Royal Commission’s *Redress and civil litigation report*). In doing this, the safety, choice and confidentiality of victims and survivors must be paramount. For example, there must be meaningful consultation with victims and survivors about which data is published and how. Further, data relating to institutions with a small number of applications must be appropriately aggregated if it is to be published.

Appendix 1: about Knowmore

Our service

Knowmore legal service (Knowmore) is a nation-wide, free and independent community legal centre providing legal information, advice, representation and referrals, education and systemic advocacy for victims and survivors of child abuse. Our vision is a community that is accountable to survivors and free of child abuse. Our aim is to facilitate access to justice for victims and survivors of child abuse and to work with survivors and their supporters to stop child abuse.

From 2013 to 2018, our service assisted people who were engaging with or considering engaging with the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission). From 1 July 2018, Knowmore has delivered legal support services to assist survivors of institutional child sexual abuse to access their redress options, including under the National Redress Scheme (NRS). Knowmore also delivers financial counselling services to people participating in the NRS, and works with other services in the NRS support network to support and build their capability. Since 2022, Knowmore has also been assisting survivors who experienced child sexual abuse in non-institutional settings, and providing legal and financial counselling support to people engaging with the Territories Stolen Generations Redress Scheme (Territories Redress Scheme).

Knowmore uses a multidisciplinary model to provide trauma-informed, client-centred and culturally safe legal assistance to clients. Knowmore has offices in Sydney, Melbourne, Brisbane, Perth, Adelaide and Darwin. Our service model brings together lawyers, social workers and counsellors, Aboriginal and Torres Strait Islander engagement advisors and financial counsellors to provide coordinated support to clients.

Knowmore is funded by the Commonwealth Government, represented by the Departments of Attorney-General and Social Services and the National Indigenous Australians Agency.

Our clients

In our Royal Commission-related work, from July 2013 to the end of March 2018, Knowmore assisted 8,954 individual clients. The majority of those clients were survivors of institutional child sexual abuse. Almost a quarter (24%) of the clients assisted during our Royal Commission work identified as Aboriginal and/or Torres Strait Islander peoples.

Since the commencement of the National Redress Scheme for survivors of institutional child sexual abuse on 1 July 2018 to 31 December 2025, Knowmore has received 240,405 calls to its 1800 telephone line and has completed intake processes for, and has assisted or is currently assisting, 25,055 clients. Almost 2 in 5 clients (39%) identify as Aboriginal and/or Torres Strait Islander peoples. About 1 in 10 clients (9%) are classified as priority clients due to advanced age and/or immediate and serious health concerns including terminal cancer or other life-limiting illness.

Appendix 2: information about the protected information provisions

Outline of the protected information provisions

'Protected information' is defined by section 92 of the NRS Act and summarised as follows by the Australian Government's National Redress Guide.⁴²⁷

Extract from the Australian Government's National Redress Guide

Broadly speaking, protected information is any information about a person or institution obtained by the Scheme for the purposes of the Scheme and that is, or was, held in the Scheme's records. Protected information includes:

- a person's application for redress
- a person's offer for redress
- a response from a participating institution for a request for information.

If the Scheme does not hold information about a person or institution this fact in itself is protected information under the legislation.

Under section 99 of the NRS Act, it is an offence to access, record, disclose or use protected information unless authorised or required by the NRS Act.⁴²⁸ The main authorisations are set out in section 93 of the NRS Act and summarised as follows by the National Redress Guide.⁴²⁹

⁴²⁷ Australian Government, *National Redress Guide, Part 6.1 Protected information*, accessed 16 February 2026, <<https://guides.dss.gov.au/national-redress-guide/6/1>>.

⁴²⁸ Sections 100 and 101 of the NRS Act provide for 2 related offences: soliciting disclosure of protected information and offering to disclose protected information.

⁴²⁹ Australian Government, *National Redress Guide, Part 6.1 Protected information*. Additional authorisations are set out in sections 94 to 98, 102 to 103 and 105 to 106 of the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth) (NRS Act).

Extract from the Australian Government's National Redress Guide

A person is authorised to obtain, make a record of, disclose or use protected information:

- if it is for the purposes of the scheme
- if the person believes on reasonable grounds that it is necessary to prevent or lessen a serious threat to an individual's life, health or safety
- if there is expressed or implied consent of the person or institution to which the information relates, or
- to produce information in an aggregated form that does not disclose, either directly or indirectly, information about a person or institution.

It is also an offence under section 104 of the NRS Act to obtain, record, disclose or use information contained in the NRS's Assessment Framework Policy Guidelines.

Recommendations relevant to the protected information provisions from our submission to the previous Joint Standing Committee in February 2023

Recommendation 26

The NRS should make greater use of existing authorisations within the protected information provisions in the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* to provide significantly more information to survivors, including adequate reasons for the withholding of information if there remains some information that cannot be disclosed.

Recommendation 27

The Australian Government should introduce a legislative requirement for the NRS to give reasons when the NRS withholds information from survivors and provide a right for survivors to seek review of that decision, similar to provisions of the *Freedom of Information Act 1982* (Cth).

In the interim, the NRS should provide reasons for a decision to withhold information from a survivor and a process for survivors to seek review of such decisions, as an operational measure to improve transparency of the NRS's approach to protected information provisions.

Recommendation 28

The Australian Government should limit the information about institutions that is protected to what is reasonable and necessary to maintain the integrity of the NRS, and specifically identify this information in the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (as per the conclusion expressed in the second year review).

Recommendation 29

The NRS should make greater use of existing authorisations within the protected information provisions to better comply with its obligation to give reasons for its redress decisions.

Recommendation 30

The Australian Government should amend the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* to clarify that the NRS's obligation to provide adequate reasons to survivors for its redress decisions prevails over protected information provisions in the NRS Act to the extent of any inconsistency.

Recommendation 31

The Australian Government should remove the protected status of the Assessment Framework Policy Guidelines and make this document publicly available as a matter of priority (as per Recommendation 3.13 of the second year review).

Recommendation 32

The Australian Government should amend the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* to require that:

- the NRS does not share Part 3 of the redress application form with the institution unless and until the survivor requests a direct personal response
- the NRS informs survivors of what specific information it is providing to institutions in the survivor's specific case
- institutions provide minimal protected information to insurers and, where possible, only provide de-identified information to their insurers (consistent with the conclusions expressed in the second year review).

Recommendation 33

The Australian Government should amend the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* to implement a general requirement for the NRS and institutions to consult with survivors, and to obtain survivors' genuine and informed consent before disclosing survivors' information. In exceptional circumstances where the law requires information to be disclosed, the NRS Act should require the NRS and institutions to handle the disclosure in a trauma-informed way that minimises the impacts on the survivor. For example, the NRS Act should require the NRS and institutions to take reasonable steps to:

- inform the survivor of what information must be disclosed, who it must be disclosed to and why
- allow the survivor to disclose the information themselves, if this is practicable and the survivor wishes to do so.

Appendix 3: specific areas where greater transparency would be valuable

In Knowmore’s view, greater transparency would be valuable in relation to the following documents or information. Due to ongoing problems with the transparency of the NRS, the list of documents and information is substantial.

We also highlight the conclusion of the previous Joint Standing Committee, relevant to the protected information provisions and parliamentary privilege:

Statutory secrecy does not prevent information being provided to the Committee unless there is an express provision in legislation stating that parliamentary privilege is affected. There is no such express provision in the National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (Cth) (Redress Act).⁴³⁰

Table of documents or information

Document or information	Knowmore’s comments
The Assessment Framework Policy Guidelines	These are guidelines made by the Minister for Social Services for the purposes of applying the National Redress Scheme’s Assessment Framework, which ‘helps the Scheme’s decision makers work out how much redress an eligible

⁴³⁰ Joint Standing Committee on Implementation of the National Redress Scheme, *Redress: journey to justice* (Previous Joint Standing Committee), November 2024, p 226, paragraph 15.19, <https://parlinfo.aph.gov.au/parlInfo/download/committees/reportjnt/RB000213/toc_pdf/RedressJourneytoJustice.pdf>.

	<p>survivor should be paid'.⁴³¹ Despite their significant role in the National Redress Scheme's decision-making,⁴³² the Assessment Framework Policy Guidelines are protected information.⁴³³ We note that the previous Committee inspected a copy of the Assessment Framework Policy Guidelines on a confidential basis, but decided by majority not to make the document publicly available.⁴³⁴</p>
<p>Any guidance material provided to Independent Decision Makers about the 'reasonable likelihood' standard of proof for deciding that a person is eligible for redress</p>	<p>Knowmore has been concerned by recent redress decisions that do not reflect an understanding of the legal standard of proof for deciding that a person is eligible for redress – namely, that it is reasonably likely that the person is eligible. We have also seen recent redress decisions that do not reflect an understanding of the nature or context of institutional child sexual abuse.⁴³⁵ We struggle to reconcile</p>

⁴³¹ Previous Joint Standing Committee, p 90, paragraph 4.63.

⁴³² See generally Previous Joint Standing Committee, p 90, paragraph 4.63; R Kruk AO, *Final report: second year review of the National Redress Scheme*, March 2021, pp 94–95, <www.nationalredress.gov.au/sites/default/files/documents/2024-08/final-report-second-year-review-national-redress-scheme.pdf>.

⁴³³ *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth) (NRS Act), section 104. See also Knowmore, *Submission to the Australian National Audit Office on the Department of Social Services' management of the National Redress Scheme*, June 2025, pp 43–45, <<https://knowmore.org.au/wp-content/uploads/2025/06/submission-dss-management-national-redress-scheme-cth.pdf>>.

⁴³⁴ Previous Joint Standing Committee, pp 90–91, paragraphs 4.69–4.72.

⁴³⁵ Knowmore, *Submission to the Australian National Audit Office on the Department of Social Services' management of the National Redress Scheme*, pp 49–50.

	these decisions with the relevant law or the publicly available policy guide. ⁴³⁶
Any guidance material provided to Independent Decision Makers about what constitutes sexual abuse of a child	Knowmore is concerned by persistent unfairness, inconsistency and lack of transparency in how the National Redress Scheme assesses what constitutes sexual abuse of a child. We remain particularly concerned about the National Redress Scheme’s approach to assessing child sexual abuse in medical settings and the abusive, non-medical practice of virginity testing. We have also experienced significant difficulties in getting the National Redress Scheme to recognise grooming as a form of child sexual abuse. ⁴³⁷
Any guidance material provided to Independent Decision Makers about assessing when an institution is responsible for abuse	Knowmore is concerned by persistent unfairness, inconsistency and lack of transparency in how the National Redress Scheme assesses when an institution is responsible for abuse. ⁴³⁸ We often struggle to reconcile the National Redress Scheme’s approach with

⁴³⁶ See NRS Act, section 6, definition of ‘reasonable likelihood’; Australian Government, *National Redress Guide*, version 1.26, released 2 January 2026, section 3.2.1, <<https://guides.dss.gov.au/national-redress-guide>>.

⁴³⁷ Knowmore, *Submission to the Australian National Audit Office on the Department of Social Services’ management of the National Redress Scheme*, pp 50–54.

⁴³⁸ Knowmore, *Submission to the second anniversary review of the National Redress Scheme*, September 2020, pp 40–41, <<https://knowmore.org.au/wp-content/uploads/2020/11/submission-second-anniversary-review-of-the-national-redress-scheme-cth.pdf>>.

	the relevant law or the publicly available policy guide. ⁴³⁹
Any guidance material provided to Independent Decision Makers about assessing extreme circumstances	The assessment of extreme circumstances has significant implications for the amount of the redress payment, and whether the victim/survivor feels that the National Redress Scheme has recognised and understood their experience. Despite this, the National Redress Scheme’s approach to assessing extreme circumstances remains an area in which unfairness, inconsistency and lack of transparency continue to have significant, adverse impacts on our clients. ⁴⁴⁰
Any policy, process or practice material about advance payments	We have been concerned to see the National Redress Scheme not offering the advance payment to an increasing number of elderly or terminally ill clients who, in our experience, would previously have been offered the advance payment as a matter of course. This is linked to an increasing degree of inconsistency as to which elderly or terminally clients are offered the advance payment. We often struggle to reconcile these inconsistencies with the

⁴³⁹ See NRS Act, section 15; Australian Government, *National Redress Guide, Part 3.3 When is an institution responsible for a person’s abuse?*, accessed 18 February 2026, <<https://guides.dss.gov.au/national-redress-guide/3/3>>.

⁴⁴⁰ Knowmore, *Submission to the Australian National Audit Office on the Department of Social Services’ management of the National Redress Scheme*, pp 54-56.

	criteria for advance payments in the relevant legislation. ⁴⁴¹
Current and previous versions of policy guidance material provided to Independent Decision Makers about child sexual abuse in medical settings and virginity testing	In October 2025, the Minister for Social Services and the Attorney-General announced that the Australian Government had ‘taken further steps to strengthen decisions of the National Redress Scheme relating to abuse in medical settings – often referred to by victims and survivors as virginity testing’ and ‘updated how the Scheme considers abuse in medical settings to classify virginity testing as sexual abuse’. ⁴⁴² However, there is limited publicly available information about the National Redress Scheme’s current or previous approach to assessing child sexual abuse in medical settings or virginity testing. We are particularly concerned that the announcement from October 2025 conflates child sexual abuse in medical settings with the abusive, non-medical practice of virginity testing. ⁴⁴³
The medical ethicist’s report relevant to abuse in a medical	The previous Committee noted that the Department of Social Services

⁴⁴¹ NRS Act, section 56. See also Knowmore, *Submission to the Australian National Audit Office on the Department of Social Services’ management of the National Redress Scheme*, pp 47-48.

⁴⁴² Hon. Tanya Plibersek MP and Hon. Michelle Rowland MP, *New initiatives underscore commitments to victim survivors of institutional child sexual abuse*, 22 October 2025, <<https://ministers.dss.gov.au/media-releases/18476>>.

⁴⁴³ See Knowmore, *Submission to the Australian National Audit Office on the Department of Social Services’ management of the National Redress Scheme*, pp 45-47 and 51-52.

<p>setting, received by the Department of Social Services around February 2022</p>	<p>contracted a medical ethicist to write a report, which was received around February 2022 and ‘used to update the policy that IDMs use in their assessment of abuse in a medical setting’ by September 2022.⁴⁴⁴ The Department refused to provide a copy of the medical ethicist’s report to the previous Committee, instead offering to allow the Committee to inspect the report on a confidential basis. The inspection did not go ahead.⁴⁴⁵</p>
<p>Information about any steps taken to implement the priority improvements, committed to by the Department of Social Services, in response to the previous Committee’s concerns about virginity testing</p>	<p>In response to the previous Committee’s concerns about the National Redress Scheme’s approach to virginity testing, the Department of Social Services committed to implementing ‘a range of priority improvements’, outlined in the previous Committee’s report.⁴⁴⁶ There is limited publicly available information about any steps taken to implement these priority improvements, beyond the announcement of the Minister and the Attorney-General in October 2025, referred to above.</p>
<p>The Independent Decision-making Quality Framework established in 2021</p>	<p>In November 2025, the Australian National Audit Office reported that ‘an Independent Decision-making Quality Framework, established in 2021 to ensure consistency of</p>

⁴⁴⁴ Previous Joint Standing Committee, pp 86–87, paragraphs 4.47–4.48.

⁴⁴⁵ Previous Joint Standing Committee, pp 87–88, paragraphs 4.53–4.54.

⁴⁴⁶ Previous Joint Standing Committee, p 89, paragraph 4.61.

	<p>[redress] decision-making was not implemented as intended’,⁴⁴⁷ recommending that the Department of Social Services should ‘review and implement the Scheme’s Independent Decision-making Quality Framework’.⁴⁴⁸ The Department agreed with this recommendation.⁴⁴⁹ However, the Independent Decision-making Quality Framework is not publicly available,⁴⁵⁰ and it is unclear what the Department’s commitment means in a practical sense for victims and survivors with applications before the National Redress Scheme.⁴⁵¹</p>
<p>Any policy, process or practice material about how the National Redress Scheme identifies concerns about fraud in a redress application and how the effectiveness of the National</p>	<p>Knowmore has been concerned to see the National Redress Scheme telling an increasing number of our clients that concerns about fraud (or ‘assurance concerns’) have been identified in relation to their</p>

⁴⁴⁷ Australian National Audit Office (ANAO), *Department of Social Services’ management of the National Redress Scheme*, 24 November 2025, p 46, <https://www.aph.gov.au/Parliamentary_Business/Tabled_Documents/13919>.

⁴⁴⁸ The Department also reports that there has been an endorsement for the Framework ‘to define clear expectations for IDMs and assign clear roles to Redress Officers with work ongoing to implement’ and that ‘dedicated resources have been assigned to the immediate implementation of the Framework’. See ANAO, *Department of Social Services’ management of the National Redress Scheme*, p 60.

⁴⁴⁹ ANAO, *Department of Social Services’ management of the National Redress Scheme*, p 60.

⁴⁵⁰ See Knowmore, *Submission to the Australian National Audit Office on the Department of Social Services’ management of the National Redress Scheme*, pp 68-70.

⁴⁵¹ For more information about the persistent unfairness, inconsistency and lack of transparency in redress decisions, see Knowmore, *Submission to the Australian National Audit Office on the Department of Social Services’ management of the National Redress Scheme*, pp 34-36.

<p>Redress Scheme’s fraud prevention processes is assessed</p>	<p>redress application. In relation to this, we emphasise that victims and survivors face significant barriers to disclosing that they have experienced child sexual abuse,⁴⁵² and false allegations of child sexual abuse are rare.⁴⁵³ Allegations of fraud are devastating for our clients, many of whom already fear that they will not be believed when disclosing the child sexual abuse perpetrated against them.⁴⁵⁴</p>
<p>Any policy, process or practice material about how the National Redress Scheme assesses serious criminal convictions</p>	<p>Knowmore has long held concerns about unfairness, inconsistency and lack of transparency in how the National Redress Scheme assesses serious criminal convictions, and the disproportionate impact of these issues on First Nations victims and survivors.⁴⁵⁵ These issues have not been fully resolved by the legislative changes to the special</p>

⁴⁵² Royal Commission, *Final report: volume 4, identifying and disclosing child sexual abuse*, December 2017, p 77, <www.childabuseroyalcommission.gov.au/identifying-and-disclosing-child-sexual-abuse>.

⁴⁵³ Royal Commission, *Final report: volume 7, improving institutional responding and reporting*, December 2017, pp 136-137, <www.childabuseroyalcommission.gov.au/improving-institutional-responding-and-reporting>.

⁴⁵⁴ See Royal Commission, *Final report: volume 4, identifying and disclosing child sexual abuse*, pp 80-81; Knowmore, *Submission to the Australian National Audit Office on the Department of Social Services’ management of the National Redress Scheme*, pp 57-59.

⁴⁵⁵ Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, February 2023, pp 48-50.

	assessment process that commenced in April 2024. ⁴⁵⁶
Current and previous versions of any guidance provided to institutions about the ‘direct personal response’ component of redress (an apology or other recognition from the institution responsible for the relevant abuse)	The previous Joint Standing Committee reported that only ‘a small percentage of survivors who accept a DPR have their DPR completed’, ⁴⁵⁷ noting stakeholder concerns that parts of the process are not trauma-informed. ⁴⁵⁸ The publicly available information about the direct personal response component of redress is limited and general in nature. ⁴⁵⁹ In particular, we query whether there are any consequences for institutions that refuse to provide a direct personal response to a victim or survivor who has accepted a relevant offer of redress.
Any briefing to the Secretary of the Department of Social Services or the Minister for Social Services about the high-rated risk of not finalising applications by the end of the National Redress Scheme	In November 2025, the Australian National Audit Office reported that ‘a high-rated risk of not finalising applications by 30 June 2028 was not reported to the Secretary [of the Department of Social

⁴⁵⁶ Knowmore, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme: seventh year of the National Redress Scheme*, July 2024, pp 31-32, <knowmore.org.au/wp-content/uploads/2024/08/submission-joint-standing-committee-on-implementation-of-the-national-redress-scheme-seventh-year-cth.pdf>.

⁴⁵⁷ Previous Joint Standing Committee, pp 65-66, paragraph 3.109.

⁴⁵⁸ Previous Joint Standing Committee, pp 65-66, paragraphs 3.110-3.114.

⁴⁵⁹ See, for example, Australian Government, *National Redress Guide, Part 5.3 Direct personal response*, accessed 18 February 2026, <<https://guides.dss.gov.au/national-redress-guide/5/3>>.

	<p>Services]’.⁴⁶⁰ This risk was highlighted in the report of the previous Committee in November 2024,⁴⁶¹ Knowmore’s supplementary submission to the previous Committee in July 2024⁴⁶² and the report of the Commission of Inquiry into the Tasmanian Government’s Responses to Child Sexual Abuse in Institutional Settings in August 2023.⁴⁶³ The risk had also received media attention.⁴⁶⁴ It remains unclear to us whether the Department of Social Services has provided the Secretary or the Minister with a briefing about this risk, and what the Australian Government’s plan is to ensure the National Redress Scheme’s capacity to provide redress to all eligible victims and survivors.</p>
<p>Information about any planning for the deadline for redress applications on 30 June 2027 and</p>	<p>In November 2025, the Australian National Audit Office reported that end-of-Scheme planning did not</p>

⁴⁶⁰ ANAO, *Department of Social Services’ management of the National Redress Scheme*, p 10, paragraph 15.

⁴⁶¹ Previous Joint Standing Committee, pp 4–9.

⁴⁶² Knowmore, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme: seventh year of the National Redress Scheme*, pp 41–44.

⁴⁶³ Commission of Inquiry into the Tasmanian Government’s Responses to Child Sexual Abuse in Institutional Settings, *Report: volume 7, chapter 17, redress, civil litigation and support*, August 2023, p 148, <www.commissionofinquiry.tas.gov.au/report>.

⁴⁶⁴ See, for example, Christopher Knaus, ‘Dangerous crunch point’: risk abuse survivors will be denied justice due to delays in Australia’s redress scheme, *The Guardian*, 27 November 2024, <www.theguardian.com/australia-news/2024/nov/27/dangerous-crunch-point-abuse-survivors-risk-being-denied-justice-due-to-delays-in-australias-redress-scheme>.

the legislated end of the National Redress Scheme on 1 July 2028

begin until mid-2025, and ‘there was no detailed planning for communications about the end of the Scheme, or risk treatments identified’.⁴⁶⁵ There is limited publicly available information about any planning that may have taken place –⁴⁶⁶ for example:

- to ensure all eligible victims and survivors are aware of the National Redress Scheme and the deadline for applications
- to address the high-rated risk of not finalising applications by 30 June 2028⁴⁶⁷
- to ensure that support services have adequate funding to support victims and survivors until the end of their redress matters
- to ensure victims and survivors who accept an offer of redress can access all the components of redress beyond the legislated end of the National Redress Scheme.

⁴⁶⁵ ANAO, *Department of Social Services’ management of the National Redress Scheme*, p 10, paragraph 16.

⁴⁶⁶ We note the limited information about communications planning in the report of the Australian National Audit Office. See ANAO, *Department of Social Services’ management of the National Redress Scheme*, p 45, paragraphs 2.76-2.79.

⁴⁶⁷ See ANAO, *Department of Social Services’ management of the National Redress Scheme*, p 10, paragraph 15.

Any analysis underpinning the Department of Social Services' assessment of the implementation status of recommendations from previous major reviews of the National Redress Scheme

Due to ongoing issues with the transparency of the National Redress Scheme, it is often difficult to determine the implementation status of recommendations from previous major reviews of the National Redress Scheme.⁴⁶⁸ We note the Department of Social Services' view that '88 per cent of the agreed actions across the first five reports [on the National Redress Scheme] have been completed'.⁴⁶⁹ However, it is unclear to us precisely which recommendations the Department considers to be fully implemented or what further steps are planned to fully implement the remaining recommendations. We note the previous Committee's observation that 'in general, improvements to the Scheme are happening too slowly to be of greatest benefit to survivors'.⁴⁷⁰ We are also concerned that 'there is no single reporting framework for monitoring the implementation of all agreed report recommendations',⁴⁷¹ although we welcome the Department's commitment to

⁴⁶⁸ Knowmore, *Submission to the Australian National Audit Office on the Department of Social Services' management of the National Redress Scheme*, pp 28-31.

⁴⁶⁹ ANAO, *Department of Social Services' management of the National Redress Scheme*, p 83, paragraph 4.39.

⁴⁷⁰ Previous Joint Standing Committee, p 6, paragraph 1.22.

⁴⁷¹ ANAO, *Department of Social Services' management of the National Redress Scheme*, p 83, paragraph 4.40.

	develop a framework of this nature. ⁴⁷²
The final report of the independent review of the funding and operations of the National Redress Scheme issued in February 2024	The Australian National Audit Office refers to an ‘independent review of the funding and operations of the National Redress Scheme’, which was initiated by the Minister for Social Services, authored by Liza Carroll and issued in February 2024. This report is not publicly available, although the Australian National Audit Office states that it ‘made 11 recommendations to improve the performance of the Scheme and ensure its suitability and sustainability through to the Scheme’s end in 2028’, and the Minister accepted all of these recommendations. ⁴⁷³
Any policy, practice or process material about the National Redress Scheme’s use of artificial intelligence (AI)	As a community legal centre, Knowmore notes the guidance of relevant regulatory bodies about the importance of understanding how our clients may be ‘adversely affected by a third party’s use of AI’. ⁴⁷⁴ As the Human Rights Law Centre has highlighted, Australia lacks a comprehensive regulatory framework for AI, leaving us

⁴⁷² ANAO, *Department of Social Services’ management of the National Redress Scheme*, p 84.

⁴⁷³ ANAO, *Department of Social Services’ management of the National Redress Scheme*, p 55, paragraph 3.35.

⁴⁷⁴ Law Society of New South Wales, Legal Practice Board of Western Australia and Victorian Legal Services Board and Commissioner, *Statement on the use of artificial intelligence in legal practice*, accessed 7 January 2026, <https://www.lawsociety.com.au/sites/default/files/2024-12/LS4590_PSP_Statement_AI_LawSocietyVersion121224.pdf>.

	<p>vulnerable to significant risks, particularly in relation to public decision-making processes.⁴⁷⁵ We note the statement by the Department of Social Services that it has adopted ‘a whole of Australian Government approach to use AI safely and responsibly while embracing the opportunities AI provides’.⁴⁷⁶</p>
<p>Information about a change of practice requiring survivor support services to do significant additional work within pressing and unreasonable timeframes</p>	<p>In the second half of 2025, the National Redress Scheme adopted a practice of:</p> <ul style="list-style-type: none"> • providing material provided by institutions responsible for child sexual abuse directly to victims and survivors, often in an unfiltered form, and • asking victims and survivors to respond to potentially unfavourable information in the material within a timeframe of 4 to 8 weeks, often with limited guidance about which specific parts of the material the National Redress Scheme considers to require a response. <p>The National Redress Scheme’s change of practice requires</p>

⁴⁷⁵ Human Rights Law Centre, *Inquiry on adopting artificial intelligence*, May 2024, p 4, <www.hrlc.org.au/app/uploads/2025/04/SUB_AdoptingAI_HRLC_FINAL.pdf>.

⁴⁷⁶ Australian Government, Department of Social Services, *Artificial intelligence (AI) transparency statement*, 28 August 2025, accessed 7 January 2026, <www.dss.gov.au/doing-business-us/corporate-policies/artificial-intelligence-ai-transparency-statement>.

	<p>survivor support services to do significant additional work in a context where many survivor support services are already stretched to their limit. The additional work includes reviewing, analysing and responding to a significant amount of additional material within short time frames, and providing support to victims and survivors who are experiencing additional distress from this process.</p>
<p>Information about the implementation of the change to allow victims and survivors to apply for redress from prison – for example, information about the number of redress applications received from victims and survivors in prison, any analysis of the support needs of victims and survivors in prison, etc.</p>	<p>In April 2024, a change to the National Redress Scheme commenced, removing the previous restriction on victims and survivors applying for redress from prison.⁴⁷⁷ This change addressed a significant injustice in light of the overrepresentation of victims and survivors of child sexual abuse in prison.⁴⁷⁸</p> <p>Knowmore supports the change.⁴⁷⁹ However, we are now experiencing extremely high demand for our NRS-related support services from victims and survivors in prison, without a commensurate increase</p>

⁴⁷⁷ NRS Act, section 20(1), as amended by *National Redress Scheme for Institutional Child Sexual Abuse Amendment Act 2024* (Cth), section 6.

⁴⁷⁸ Royal Commission, *Final report: volume 3, impacts*, December 2017, p 144, <www.childabuseroyalcommission.gov.au/impacts>.

⁴⁷⁹ Knowmore, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme: seventh year of the National Redress Scheme*, p 19.

	<p>in funding. In fact, we are facing significant cuts to our NRS-related support services funding at the end of the financial year (30 June 2026).</p> <p>In our experience, victims and survivors in prison include some of the most marginalised people in Australia, who often have additional or more complex support needs. The prison environment also presents many unique barriers to providing support that require additional resources to overcome.⁴⁸⁰</p>
<p>Information about the implementation and systemic impacts of the change to allow some finalised redress applications to be reassessed – for example, how many affected applicants the National Redress Scheme has identified, how many affected applicants the National Redress Scheme has contacted, how many applicants have asked or agreed to have their redress outcome reassessed, how many reassessment decisions have been made and how many applicants</p>	<p>In September 2024, a change to the National Redress Scheme commenced, allowing some finalised redress applications to be reassessed if a non-participating institution later joins the National Redress Scheme.⁴⁸¹</p> <p>While Knowmore has assisted victims and survivors in relation to the reassessment process, we have limited information about its systemic impacts. As we stated in our supplementary submission to</p>

⁴⁸⁰ Knowmore, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme: seventh year of the National Redress Scheme*, p 19.

⁴⁸¹ For more information about the change, see Knowmore, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme: seventh year of the National Redress Scheme*, pp 37-39.

<p>have accepted a new offer of redress</p>	<p>the previous Committee in July 2024:</p> <p><i>We are keen to see that the re-assessment process is implemented in a way that is survivor-focused, trauma-informed and culturally safe, noting that the process represents an important legal right for survivors, while also recognising that it will be distressing for many survivors to be contacted out-of-the-blue about finalised matters. This risk will be heightened for survivors who do not have adequate support.</i>⁴⁸²</p>
<p>Updated data about reviews and revocations of redress decisions</p>	<p>We note that the previous Committee requested and received updated data about reviews and revocations of redress decisions over the course of its inquiry.⁴⁸³ This information is valuable for a range of reasons, including oversight of the quality of redress decision at first instance, and ensuring that redress</p>

⁴⁸² Knowmore, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme: seventh year of the National Redress Scheme*, p 38.

⁴⁸³ See, for example, Department of Social Services, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme* (Submission 9, supplementary submission 24), September 2024, pp 1-2, <https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/National_Redress_Scheme_Standing/Redress47/Submissions>.

	payments are not reduced upon review. ⁴⁸⁴
Information about why the National Redress Scheme takes longer to process high-priority redress applications and any steps taken to address the problem	The Australian National Audit Office reported that high-priority redress applications had a longer processing time on average than normal priority applications – 18.6 months compared to 10.4 months, as at 30 June 2025. ⁴⁸⁵ This problem is not new – in 2021, the second year review reported that the National Redress Scheme took longer than average to process priority applications. ⁴⁸⁶
Information about how the National Redress Scheme ensures that all staff are equipped to provide services in a way that is survivor-focused, trauma-informed and culturally appropriate – for example, induction and training material, a list of Independent Decision Makers with information about their relevant qualifications and experience, etc.	While many of Knowmore’s clients have had positive experiences with the National Redress Scheme, many have also experienced approaches that are not survivor-focused, trauma-informed or culturally appropriate. This includes redress decisions by Independent Decision Makers that do not reflect an understanding of the legal standard of proof for deciding that a person is eligible for redress, and redress decisions that do not reflect an understanding of the nature or context of institutional

⁴⁸⁴ For more information, see Knowmore, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme: seventh year of the National Redress Scheme*, pp 33–35.

⁴⁸⁵ ANAO, *Department of Social Services’ Management of the National Redress Scheme*, p 50, paragraph 3.14.

⁴⁸⁶ R Kruk AO, *Final report: second year review of the National Redress Scheme*, pp 43 and 115.

	<p>child sexual abuse.⁴⁸⁷ We note that the National Redress Scheme has, in the past, published a list of Independent Decision Makers with information about their relevant qualifications and experience. This list is no longer publicly available. The publicly available information about Independent Decision Makers is limited and general in nature.⁴⁸⁸</p>
<p>Information about how the National Redress Scheme ensures that the panel of Chief Independent Decision Makers is equipped to effectively provide a systemic focus on Scheme integrity, quality assurance and consistency in decision-making</p>	<p>The second year review of the National Redress Scheme recommended ‘creating the position of a Chief independent decision maker to provide a systemic focus on Scheme integrity, quality assurance and consistency in decision-making’.⁴⁸⁹ The Australian Government said it supports this recommendation.⁴⁹⁰ However, our understanding is that the position of Chief Independent Decision Maker has not been created. Instead, ‘there is a group or panel of five chief IDMS, which was formed in April 2022 ... selected</p>

⁴⁸⁷ Knowmore, *Submission to the Australian National Audit Office on the Department of Social Services’ management of the National Redress Scheme*, pp 49-50.

⁴⁸⁸ See National Redress Scheme, *About the role of an Independent Decision Maker*, accessed 13 January 2026, <www.nationalredress.gov.au/apply/what-happens-after-applying/independent-decision-makers>.

⁴⁸⁹ R Kruk AO, *Final report: second year review of the National Redress Scheme*, p 90, recommendation 3.9.

⁴⁹⁰ Australian Government, *Response to the final report of the second year review of the National Redress Scheme*, May 2023, p 10, <www.nationalredress.gov.au/sites/default/files/documents/2024-08/australian-government-response-second-year-review-national-redress-scheme_0.pdf>.

	<p>by “expression of interest” from among all existing IDMs’.⁴⁹¹ Beyond this, we have very little information about the panel of Chief Independent Decision Makers.⁴⁹² For example, we do not know who the 5 Chief Independent Decision Makers are. The Australian National Audit Office has reported that the Department of Social Services ‘did not evaluate the consistency or integrity of the Scheme’s decision making before or after the introduction of the Chief IDMs panel’.⁴⁹³</p>
<p>Information about non-participating institutions</p>	<p>Knowmore has long held concerns about victims and survivors not receiving redress due to institutions that are not participating in the National Redress Scheme. These include concerns about a lack of transparency about where many institutions stand with respect to joining the National Redress Scheme.⁴⁹⁴ For example, the Australian National Audit Office</p>

⁴⁹¹ Previous Joint Standing Committee, p 79, paragraph 4.10. See also Australian Government, *Response to the final report of the second year review of the National Redress Scheme*, p 10. We note that the Australian Government’s response to the second year review states that the panel of Chief Independent Decision Makers was established in March 2022.

⁴⁹² We note the limited information about the panel of Chief Independent Decision Makers in the report of the Australian National Audit Office. See ANAO, *Department of Social Services’ management of the National Redress Scheme*, p 59, paragraph 3.45.

⁴⁹³ ANAO, *Department of Social Services’ management of the National Redress Scheme*, p 59, paragraph 3.45.

⁴⁹⁴ Knowmore, *Submission to the Australian National Audit Office on the Department of Social Services’ management of the National Redress Scheme*, pp 63–68.

	<p>reported that, as at 30 June 2025, 41 institutions had declined to join the National Redress Scheme, yet only 13 of these were publicly disclosed.⁴⁹⁵ The Australian National Audit Office also reported that, over the life of the National Redress Scheme, it took 316 days on average from the Department's initial approach to a non-government institution to the institution being declared as joined.⁴⁹⁶ During this time, our clients often receive very limited information about where the institution(s) identified in their redress application stand with respect to joining the National Redress Scheme.</p>
--	---

⁴⁹⁵ ANAO, *Department of Social Services' management of the National Redress Scheme*, pp 51–52, paragraph 3.18.

⁴⁹⁶ ANAO, *Department of Social Services' management of the National Redress Scheme*, p 52, paragraph 3.19.

Knowmore

Legal Service

Free advice line: 1800 605 762 **Email:** info@knowmore.org.au **Web:** www.knowmore.org.au

ADELAIDE SA

Level 1, 99 Gawler Place
Adelaide SA 5000
GPO Box 1305
Adelaide SA 5001
t: 08 7092 2740

DARWIN NT

Level 2, 13 Cavengh Street
Darwin City NT 0800
GPO Box 413
Darwin NT 0801
t: 08 7918 8455

PERTH WA

12 Newcastle Street
Perth WA 6000
PO Box 277
Perth WA 6849
t: 08 6117 7244

BRISBANE QLD

Level 20, 144 Edward Street
Brisbane QLD 4000
PO Box 2151
Brisbane QLD 4001
t: 07 3218 4500

MELBOURNE VIC

Level 7, 607 Bourke Street
Melbourne VIC 3000
PO Box 504
Collins Street West VIC 8007
t: 03 8663 7400

SYDNEY NSW

Level 15, 175 Liverpool Street
Sydney NSW 2000
PO Box 267
Darlinghurst NSW 1300
t: 02 8267 7400
