



Submission to the eighth year review of the National Redress Scheme

7 August 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

Knowmore provides legal help and related support for victims and survivors of child sexual abuse. You can call Knowmore on 1800 605 762.

Summary of Knowmore's submission

- The National Redress Scheme (NRS) remains an important justice-making 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 life-changing. The importance of the NRS is precisely why the Australian Government must get these final years right.
- Knowmore has been warning for many years that the NRS is not on-track to deliver redress to all eligible victims and survivors by 1 July 2028. There is limited publicly available information about any planning that may have taken place in relation to the end of the NRS.
- 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. Ensuring victims and survivors know about the NRS and can access the application process must be among the highest priorities until the deadline for lodging applications on 30 June 2027.
- Improving the timeliness and quality of redress decisions are both important objectives and closely related. Improving the quality of redress decisions will – in many cases – contribute to improving timeliness, as it will enable the NRS to redirect resources from conducting internal reviews and responding to complaints towards the processing of applications.
- Child sexual abuse remains widespread in Australia. The Australian Government must ensure that victims and survivors have ongoing access to meaningful justice-making options beyond the end of the NRS. This must include ongoing access to the legal and related support needed to effectively navigate their justice-making options.

Table of Contents

Acknowledgement of Country	2
Content note	2
Summary of Knowmore's submission	3
Reflections of Chris Coombes and Barbara Charan (Fernandez)	7
<i>Healing on govvy dime</i> – a poem by Chris Coombes	8
Introduction	12
List of recommendations	15
Part 1: general comments relevant to the review as a whole	27
Terms used in this submission	27
The importance of the National Redress Scheme for victims and survivors	29
Previous reviews of the National Redress Scheme	33
The importance of the eighth year review	36
Improving redress for victims and survivors who experience intersectional marginalisation	39
The importance of legal and related support in relation to the National Redress Scheme	45
Part 2: the National Redress Scheme's timeline	58
Legal aspects of the National Redress Scheme's timeline	58
Concern about the capacity of the National Redress Scheme to deliver redress to all eligible victims and survivors	60
Knowmore submission to the eighth year review of the National Redress Scheme	4

Planning in relation to the deadline for redress applications and the end of the National Redress Scheme	67
Extending the National Redress Scheme	70
Matters for consideration beyond the end of the National Redress Scheme	72

Part 3: ensuring survivors know about the National Redress Scheme and can access the application process 75

Improving awareness of the National Redress Scheme	75
Implementing engagement strategies tailored to victims and survivors who experience intersectional marginalisation	79
Ensuring the initial application process is survivor-focused, trauma-informed and culturally appropriate	82
Adopting a broad view of what constitutes exceptional circumstances	85

Part 4: delivering timely and quality application outcomes in the time remaining 87

Addressing persistent unfairness, inconsistency and lack of transparency in redress decisions	88
Addressing the impact of non-participating institutions and inadequate funder of last resort arrangements	96
Improving practices in relation to information request letters	105
Improving practices in relation to fraud prevention	111

Part 5: informing future support and services for survivors 114

The importance of ongoing consultation with victims, survivors and support services	115
The importance of ongoing access to meaningful justice-making options	119
Establishing a national framework for redress schemes	123
Strengthening legal and related support for victims and survivors of child abuse	128

Improving support for victims and survivors in relation to civil litigation	136
Improving victims' support schemes	138
Utilising organisational and workforce capability	142
Contributing to national truth-telling about institutional child sexual abuse	148
Appendix 1: about Knowmore	151
Our service	151
Our clients	152
Appendix 2: legal issues experienced by victims and survivors	153

Reflections of Chris Coombes and Barbara Charan (Fernandez)

We are grateful for the insights of victims and survivors, whose lived experience has informed this submission. This includes reflections from:

- Chris Coombes, Lived Experience Lead at Knowmore Legal Service
- Barbara Charan (Fernandez), Victim-Survivor of Familial Abuse, Communications Manager at Knowmore Legal Service.

A series of short videos featuring Chris' and Barbara's reflections are available on [Knowmore's website](#).¹

The perspectives expressed by this submission are Knowmore's.



Photo of Barbara Charan (Fernandez) and Chris Coombes

¹ See Knowmore, *Stories*, accessed 22 July 2026, <knowmore.org.au/knowmore-stories/>.

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

As a nation-wide service assisting victims and survivors of child abuse, Knowmore has a deep appreciation of the importance of the National Redress Scheme (NRS), as well as a keen understanding of the challenges facing victims and survivors during the final years of the NRS and beyond.

Knowmore advocated for the establishment of an independent, national redress scheme during the Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission), noting the inadequacies of other legal options for many victims and survivors.² When the Australian Government proposed laws to establish a redress scheme in 2017 and 2018, Knowmore made detailed submissions to inform the design of the scheme.³

Since the start of the NRS on 1 July 2018, we have consistently advocated for improvements to the NRS, including through 6 major reviews (see the discussion on pages 33 to 36). This includes the current inquiry of the Australian Parliament's Joint Standing Committee on Implementation of the National Redress Scheme (Joint Standing Committee).⁴

² See, for example, Knowmore, *Submission to the Royal Commission into Institutional Responses to Child Sexual Abuse: Issues Paper 6: Redress*, June 2014, p 1, <www.knowmore.org.au/wp-content/uploads/2020/11/submission-issues-paper-6-redress-schemes-royal-commission.pdf>; Knowmore, *Submission to the Royal Commission into Institutional Responses to Child Sexual Abuse: Issues Paper 7: Statutory Victims of Crime Schemes*, August 2014, p 2, <www.knowmore.org.au/wp-content/uploads/2020/11/submission-issues-paper-7-statutory-victims-of-crime-compensation-schemes-royal-commission.pdf>.

³ Knowmore, *Submission on the National Redress Scheme for Institutional Child Sexual Abuse Bill 2018 and related bill*, 31 May 2018, p 1, <www.knowmore.org.au/wp-content/uploads/2020/11/submission-national-redress-scheme-for-institutional-child-sexual-abuse-bill-2018-cth.pdf>; Knowmore, *Submission on the Commonwealth Redress Scheme for Institutional Child Sexual Abuse Bill 2017 and related bill*, 2 February 2018, p 3, <www.knowmore.org.au/wp-content/uploads/2018/06/Commonwealth-Redress-Scheme-for-institutional-Child-Sexual-Abuse-Bill-and-other-bill-Submission.pdf>

⁴ Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 20 February 2026, <<https://knowmore.org.au/wp-content/uploads/2026/03/submission-joint-standing-committee-on-implementation-of-the-national-redress-scheme.pdf>>.

We are now in the ninth year of the NRS (1 July 2026 to 30 June 2027). At this point, the NRS has provided redress to more than 23,214 victims and survivors.⁵ For many victims and survivors, this has been life-changing. Knowmore continues to recognise the importance of the NRS as part of the legacy of the Royal Commission, and a key justice-making option for victims and survivors.

The importance of the NRS is precisely why the Australian Government must get these final years right. We have been warning for many years that the NRS is not on-track to deliver redress to all eligible victims and survivors before the end of the NRS on 1 July 2028.⁶ We anticipate a surge in applications just before the deadline for lodging applications on 30 June 2027, with a dangerous crunch point during the final year of the NRS (30 June 2027 to 1 July 2028). This is likely to be accompanied by increased pressure on the NRS and an already overwhelmed system of survivor support services, contributing to an extension of the already lengthy delays in processing redress applications.

Issues in relation to the end of the NRS have received parliamentary⁷ and media attention,⁸ but remain unresolved, with limited communication from

⁵ National Redress Schemes, *July 2026 update*, 29 July 2026, accessed 6 August 2026, <www.nationalredress.gov.au/news/july-2026>.

⁶ See, for example, 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 41–44, <knowmore.org.au/wp-content/uploads/2024/08/submission-joint-standing-committee-on-implementation-of-the-national-redress-scheme-seventh-year-cth.pdf>.

⁷ See, for example, Australian Parliament, Joint Standing Committee on Implementation of the National Redress Scheme, *Redress: journey to justice* (Previous Joint Standing Committee), November 2024, pp 4–9, paragraphs 1.17–1.33, <https://parlinfo.aph.gov.au/parlInfo/download/committees/reportjnt/RB000213/toc_pdf/RedressJourneytoJustice.pdf>.

⁸ See, for example, Christopher Knaus, ‘Dangerous crunch point’: risk abuse survivors will be delayed 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>; Claudia Long, *Redress scheme will not clear backlog before closure at current processing rate*, ABC News, 2 July 2026, <www.abc.net.au/news/2026-07-02/redress-scheme-sexual-abuse-survivor-backlog-extension/106864394>.

the Australian Government about any planning that may have taken place. We are particularly concerned by the recent evidence provided by the Department of Social Services (Department) to the Joint Standing Committee that ‘there are no statutory powers available to the Scheme Operator to process applications or make redress determinations after 1 July 2028’.⁹

The Department’s evidence reinforces the urgency of these issues. Victims and survivors who have unprocessed applications or who are applying for redress today must have certainty that the NRS will process their applications – and process their applications in a survivor-focused, trauma-informed and culturally appropriate way.

Victims and survivors must have certainty about what their justice-making options will be beyond the deadline for lodging applications with the NRS. This is especially important for victims and survivors who are not eligible for the NRS, and victims and survivors who are not yet ready to come forward, including many children experiencing abuse today.

Victims and survivors must also have certainty that legal and related support will be available, on an ongoing basis, to assist them to effectively navigate their justice-making options. While ever child abuse continues to occur, victims and survivors must be able to have confidence that Knowmore will be here to support them.

These issues are interconnected. The Australian Government needs to provide adequate funding to enable the effective implementation of decisions about the end of the NRS, and the future of justice-making for victims and survivors in Australia. For this reason, we consider that the Australian Government needs to make the relevant decisions before the next Mid-Year Economic and Fiscal Outlook (MYEFO), noting that MYEFO is typically released in December.¹⁰

⁹ Department of Social Services, *Answers to written Questions on Notice*, 27 May 2026 (updated 23 June 2026), p 13, <<https://www.aph.gov.au/DocumentStore.ashx?id=ce96bac4-ee0a-4cb3-a185-968e84faeaf5>>.

¹⁰ Australian Government, *Budget 2026–27*, accessed 2 August 2026, <budget.gov.au/content/myefo/index.htm>.

We intend to publish this submission and have no concerns about the eighth year review publishing this submission.

Our submission proceeds in 5 parts:

- First, we make general comments, relevant to the review as a whole.
- Second, we make comments about the NRS's timeline, including transitional matters.
- Third, we make comments about ensuring victims and survivors know about the NRS and can access the application process.
- Fourth, we make comments about delivering timely and quality application outcomes in the time remaining.
- Fifth, we make comments about lessons learned from the NRS that can inform future support and services for survivors.

List of recommendations

Recommendations relevant to the review 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 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.

Recommendations relevant to the National Redress Scheme's timeline

Recommendation 3

The Australian Government should immediately prioritise greater planning in relation to the deadline for lodging redress applications and the 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, survivor-focused, trauma-informed, culturally appropriate, and provided in forms that are accessible to victims and survivors who experience intersectional marginalisation.

Recommendation 4

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 end of the NRS should be extended to reflect the time needed to process all of the redress applications that it is anticipated to receive, noting that an optimistic estimate suggests that the NRS will need until at least 2032
- the deadline for institutions to join the NRS should be extended until the end of the NRS.

Recommendation 5

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 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 end of the National Redress Scheme. It must also include appropriate legal and related support for victims and survivors to access any accrued rights and effectively navigate any issues that may arise.

Recommendations relevant to ensuring survivors know about the National Redress Scheme and can access the application process

Recommendation 6

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’.

A campaign of this nature should be periodically refreshed to assist in reaching new audiences. It should take place through a variety of media, including tv, radio, print media and social media. It should also connect with broader engagement strategies tailored to victims and survivors who experience intersectional marginalisation.

Recommendation 7

The Department of Social Services should ensure the full and ongoing implementation of recommendations 5 and 6 of the previous Joint Standing Committee on Implementation of the National Redress Scheme, underpinned by recognition of the importance of adjusting communication styles and processes to meet the individual needs of victims and survivors. This recognition should also inform the development and implementation of engagement strategies tailored to victims and survivors who experience intersectional marginalisation (see recommendation 2).

Recommendation 8

The National Redress Scheme should reverse the change made to the online application form in December 2025, requiring victims and survivors to provide a minimum of 750 characters when describing the abuse they experienced.

Recommendation 9

The National Redress Scheme should adopt a broad view of what constitutes exceptional circumstances justifying an application being made after 30 June 2027 and require minimal evidence of the relevant exceptional circumstances. The National Redress Scheme should also make publicly available clear, formal guidance about its approach to exceptional circumstances.

Recommendations relevant to delivering timely and quality application outcomes

Recommendation 10

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 11

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 12

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 13

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 14

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 15

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 16

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.

Recommendations relevant to informing future support and services for survivors

Recommendation 17

The Department should ensure that there is meaningful, ongoing consultation with victims, survivors and support services through the final years of the NRS and beyond, including by continuing to hold survivor roundtable and by establishing an expert advisory group.

Any consultation process with victims and survivors should be survivor-focused, trauma-informed and culturally appropriate, consistent with the legislated principles for redress. We also consider that victims and survivors should be appropriately remunerated for sharing their lived expertise.

Recommendation 18

As part of this planning in relation to the deadline for redress applications and the end of the National Redress Scheme (see recommendation 6), the Australian Government should ensure that victims and survivors have ongoing access to meaningful 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 justice-making options.

Recommendation 19

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 in relation to the end of the National Redress Scheme (see recommendation 3). As with planning in relation to 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 20

The Australian Government should fund Knowmore as a nation-wide legal and related support service for victims and survivors of child abuse, including child sexual abuse.

Recommendation 21

The Australian Government should fund Knowmore to provide social work, counselling, cultural support and financial counselling for victims and survivors of child abuse in relation to civil litigation.

Recommendation 22

The Australian Government should lead work with state and territory governments to improve consistency between victims' support schemes, based on national best practice.

Recommendation 23

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 24

As part of planning in relation to the 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 3). This must include ongoing access to the legal and related support needed to effectively navigate their justice-making options.

Recommendation 25

In planning how to maintain and improve support for victims and survivors of child sexual abuse beyond the end of the National Redress Scheme, the Department of Social Services should consider Knowmore's capability development service as a model that has significant potential to further strengthen the relevant organisational and workforce capability.

Recommendation 26

As part of planning in relation to 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 review as a whole

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

- terms used in this submission
- the importance of the National Redress Scheme for victims and survivors
- previous reviews of the National Redress Scheme
- the importance of the eighth year review
- improving redress for victims and survivors who experience intersectional marginalisation
- the importance of legal and related support in relation to the NRS.

Terms used in this submission

Knowmore recognises that people who have experienced child abuse have diverse perspectives about the most appropriate terms to use. Our comments below outline the approach we have taken to some of the terms used in this submission.

Eighth year review

We use the term ‘eighth year review’ for plain language and for consistency with the report of the second year review.¹¹ We recognise that the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (NRS Act) and the terms of reference use the term ‘eighth anniversary review’.

¹¹ 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>.

Support services and Redress Support Services

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’.¹²

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.

Victims and survivors

We have generally 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 (National Centre).¹³

Victims’ support schemes

Each Australian state and territory has a government-based scheme that provides support to victims and survivors of crime. We use victims’ support as a general term for these schemes, although the name varies between states and territories. For example, in Western Australia, the victims’ support scheme is called Criminal Injuries Compensation.

¹² R Kruk AO, *Final report: Second year review of the National Redress Scheme*, p 144.

¹³ National Centre for Action on Child Sexual Abuse, *The child sexual abuse language guide*, 2025, p 19, <nationalcentre.org.au/wp-content/uploads/2025/08/1.-NC-Language-Guide_FINAL.pdf>.

The importance of the National Redress Scheme for victims and survivors

I got a call and I was informed about the successful outcome and I just wept.

It was recognition from the government and the institution that what happened to me wasn't okay.

Reflections of Chris Coombes, Lived Experience Lead at Knowmore Legal Service

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.¹⁴

Despite this, there remain significant problems with the NRS that are preventing it from consistently delivering redress in accordance with its statutory objects and consistently supporting survivors.¹⁵ The governing legislation for the NRS is the *National Redress Scheme for Institutional Child*

¹⁴ 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>.

¹⁵ See Department of Social Services, *National Redress Scheme Eighth Anniversary Review Terms of Reference*, (Terms of Reference), accessed 6 August 2026, p 1, <<https://engage.dss.gov.au/wp-content/uploads/2026/06/Attachment-A-Review-Terms-of-Reference.pdf>>.

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’.¹⁶

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 retraumatisation
- 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).¹⁷ 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’
- 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’

¹⁶ *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth) (NRS Act), section 3(1).

¹⁷ 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>.

- Transparent and accountable: ‘We are open and honest about what you can expect from us and whether we are meeting our commitments’¹⁸

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 eighth year review (terms of reference).

We will summarise this by saying that providing justice to victims and survivors must be the paramount consideration in relation to the matters raised by the terms of reference. This is especially important in relation to matters such as the performance, effectiveness, fairness and efficiency of the NRS.¹⁹ In relation to such matters, the paramount consideration must be the performance, effectiveness, fairness and efficiency of the NRS in delivering justice to survivors.

Due to significant, ongoing problems with the transparency of the NRS, (see pages 88 to 96), 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.

Similarly, protected information provisions of the NRS Act limit what information we can provide to the eighth year review, even with the consent of our clients. We note the adverse effect of these provisions on advocacy to improve the NRS.²⁰

¹⁸ 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%206052023.pdf>.

¹⁹ See Terms of Reference, pp 1–2.

²⁰ For more information about the protected information provisions, see Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 20 February 2026, p 199.

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 retraumatisation 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 marginalisation (also called intersectional marginalisation – see pages 79 to 81).

Many of the problems highlighted by our submission to the eighth year review 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 33 to 36). 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 end of the NRS (see pages 82 to 85). For a further illustration of the importance of the NRS for victims and survivors, we refer to our submission to the Joint Standing Committee in February 2026, which shares relevant experiences of one of our clients.²¹

²¹ See, Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 20 February 2026, pp 34–35.

Previous reviews of the National Redress Scheme

We welcome that the objectives of the eighth year review include for the review to consider ‘the results of any other review or evaluation conducted in relation to the operation of the Scheme’. There have been 6 major reviews of the NRS in the past 8 years. This is illustrated by the table below.

Table: Major reviews of the National Redress Scheme in the past 8 years

Review	Report(s)
Inquiry of the former Joint Select Committee on oversight of the implementation of redress related recommendations of the Royal Commission	Report published in April 2019 ²²
Inquiry of the former Joint Select Committee on Implementation of the NRS (the former Joint Select Committee)	First interim report published in May 2020 ²³ and second interim report published in November 2021 ²⁴

²² 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>.

²³ 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>.

²⁴ Joint Select Committee, *Second interim report of the Joint Select Committee on Implementation of the National Redress Scheme*, November 2021, <www.aph.gov.au/Parliamentary_Business/Committees/Joint/Former_Committees/National_Redress_Scheme/NationalRedressScheme/Second_Interim_Report>.

Review	Report(s)
Second year review of the NRS conducted by independent reviewer Ms Robyn Kruk AO (the second year review)	Report published in June 2021 ²⁵
Inquiry of the Joint Standing Committee on Implementation of the NRS (the previous Joint Standing Committee)	Report published in November 2024 ²⁶
Australian National Audit Office's audit into the Department of Social Services' management of the NRS	Report published in November 2025 ²⁷
Inquiry of the Joint Standing Committee on Implementation of the NRS (the Joint Standing Committee)	Report yet to be released

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'.²⁸ 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.

²⁵ 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>.

²⁶ 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>.

²⁷ Australian National Audit Office (ANAO), *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>>.

²⁸ ANAO, *Department of Social Services' Management of the National Redress Scheme*, p 83, paragraph 4.39.

From our perspective, there are many recommendations outstanding from previous major reviews of the NRS. If implemented, these would result in significant improvements to the NRS, including improvements relevant to the focus areas of the eighth year review.²⁹

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.

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:

- the report of the previous Joint Standing Committee, published in November 2024
- 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.³⁰ One of the previous Joint Standing Committee's most significant findings was that the NRS 'is running out of time'.³¹ We make further comments about this on pages 60 to 67 below.

²⁹ Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 20 February 2026, pp 40–43.

³⁰ 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>.

³¹ Previous Joint Standing Committee, p 4.

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 88 to 96 below).³² The overarching conclusion of the ANAO's report was that the Department's administration of the NRS was only 'partly effective'.³³ 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.³⁴

The importance of the eighth year review

The eighth year review of the NRS comes at a critical point in time for the NRS. As highlighted by our comments on page 13, as we are now in the ninth year of a 10-year scheme, with the deadline for lodging applications in less than 12 months' time and the end of the NRS in less than 2 years' time. Knowmore shares the views of the Chair of the Joint Standing Committee, Ms Jodie Belyea MP, that the eighth year review 'provides a valuable opportunity to examine the Scheme's effectiveness and ensure it delivers the best possible outcomes for survivors'.³⁵

We make comments below about:

- the consultation period for the eighth year review
- matters for the eighth year review to consider.

³² Previous Joint Standing Committee, pp 19–21, paragraphs 1.91–1.100.

³³ ANAO, *Department of Social Services' Management of the National Redress Scheme*, p 8, paragraph 10.

³⁴ 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/>>.

³⁵ Joint Standing Committee on Implementation of the National Redress Scheme, *Committee Examines National Redress Scheme as Eight-Year Review Approaches*, 23 June 2026, accessed 28 July 2026, <https://www.aph.gov.au/About_Parliament/House_of_Representatives/About_the_House_News/Media_Releases/Committee_Examines_National_Redress_Scheme_as_Eight-Year_Review_Approaches>.

The consultation period for the eighth year review

The NRS Act requires 2 reviews of the NRS to be conducted – the eighth year review is the second and last of these.³⁶ While we welcome the ongoing oversight of the NRS provided by the Joint Standing Committee, we are concerned that the eighth year review may be one of the last formal opportunities for victims, survivors and support services to share their experiences and perspectives regarding the NRS, and contribute to constructive reforms.

We are therefore concerned that the short public consultation period for the eighth year review (one month),³⁷ coinciding with other major consultations about child sexual abuse and violence against children,³⁸ does not allow victims, survivors and support services an adequate opportunity to contribute. We are particularly concerned about the impact of the short consultation period on victims and survivors who experience intersectional marginalisation (see pages 79 to 81). By way of contrast, we note that the second year review had a public consultation period of almost 5 months (July 2020 to December 2020).³⁹

We recognise the importance of the eighth year review informing decisions that the Australian Government needs to make before the next MYEFO (see page 14). We do not wish to derail this process. In our view, the short consultation period for the eighth year review reinforces the importance of ongoing consultation with victims, survivors and support services through the final years of the NRS and beyond. We make further comments about this on pages 115 to 118.

³⁶ NRS Act, section 192.

³⁷ Department of Social Services, *National Redress Scheme Eighth year review*, accessed 5 August 2026, <<https://engage.dss.gov.au/national-redress-scheme-eighth-anniversary-review/>>.

³⁸ See, Department of Social Services, *Consultation on the Second Action Plan (National Plan to End Violence against Women and Children 2022–2032)*, accessed 6 August 2026, <<https://engage.dss.gov.au/second-action-plan/>>.

³⁹ Department of Social Services, *National Redress Scheme second anniversary review*, accessed 6 August 2026, <<https://engage.dss.gov.au/national-redress-scheme-second-anniversary-review/>>.

Matters for the eighth year review to consider

As the terms of reference note, the eighth year review is required to consider the matters outlined in section 192 of the NRS Act.⁴⁰ These are a broad range of matters, amounting to a requirement for a comprehensive review of the NRS. In addition, the previous Joint Standing Committee recommended that the eighth year review consider a broad range of matters relating to the end of the NRS and laws to address claim farming.⁴¹

In recent years, the Australian Government has repeatedly deferred matters for consideration until the eighth year review. For example, in October 2023, the previous Joint Standing Committee asked the Department questions about how it would complete the work of processing redress applications within the time available. In response, the Department stated that the matter would be considered as part of the eighth year review.⁴² In November, the previous Joint Standing Committee's report raised matters of this nature again.⁴³ The Australian Government did not provide a formal response to the report until March 2026 – more than a year after the response was due.⁴⁴ In March 2026, the Australian Government again deferred these matters for the eighth year review.⁴⁵

⁴⁰ Terms of reference, p 1.

⁴¹ Previous Joint Standing Committee, pp 26–27, paragraphs 1.137–1.139, recommendations 26 and 27 and p 16, paragraph 1.76, recommendation 13.

⁴² Parliament of Australia, Joint Standing Committee on Implementation of the National Redress Scheme, *Hansard*, 20 October 2023, p 39, <https://parlinfo.aph.gov.au/parlInfo/download/committees/commjnt/27453/toc_pdf/Implementation%20of%20the%20National%20Redress%20Scheme%E2%80%9494Joint%20Committee%202023%2010%20Official.pdf;fileType=application%2Fpdf#search=%22committees/commjnt/27453/0005%22>.

⁴³ Previous Joint Standing Committee, pp 4–9, paragraphs 1.17–1.33.

⁴⁴ 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>.

⁴⁵ Australian Government, *Australian Government response to the Joint Standing Committee on Implementation of the National Redress Scheme inquiry into the operation of the National Redress Scheme Report – Redress: Journey to Justice – November 2024*, 4 March 2026, p 4, <<https://www.dss.gov.au/system/files/documents/2026-03/australian-government-response-joint-standing-committee-report-february-2026-final.pdf>>.

As a result of this, many reforms to address these issues have been unnecessarily delayed. It will be particularly disappointing if, having deferred these matters for years, the Australian Government now says that there is not enough time left to address them. We make further comments about planning in relation to the deadline for lodging applications and the end of the NRS on pages 67–70.

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.⁴⁶

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.⁴⁷ 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

⁴⁶ Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 20 February 2026, pp 44–45.

⁴⁷ 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.

- are often disproportionately and cumulatively impacted by existing problems with the NRS that affect victims and survivors in general (see our comments on page 32 above).⁴⁸

These observations remain relevant in August 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 we draw closer to the deadline for lodging applications and the end of NRS.

As noted on page 30, 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.⁴⁹ We also note the Royal Commission’s recommendation that there must be equal access to redress.⁵⁰

Consistent with these principles and recommendations, 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 148 to 150).⁵¹ We also note the importance of engagement strategies tailored to specific communities and informed by lived experience, recognising the

⁴⁸ See for example Knowmore, *Submission to the Australian National Audit Office*, 3 June 2025, pp 75–78, <<https://knowmore.org.au/wp-content/uploads/2025/06/submission-dss-management-national-redress-scheme-cth.pdf>>; Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 27 February 2023, pp 25–50, <<https://knowmore.org.au/wp-content/uploads/2023/03/submission-joint-standing-committee-on-implementation-of-the-national-redress-scheme-cth.pdf>>; 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>>.

⁴⁹ See especially Royal Commission, *Redress and civil litigation report*, p 10, recommendation 4.

⁵⁰ See Royal Commission, *Redress and civil litigation report*, p 4, recommendation 1.

⁵¹ See Previous Joint Standing Committee, p 13, paragraph 1.55, recommendation 8.

diversity of people who experience intersectional marginalisation and the additional barriers to redress they face.⁵²

Recommendation 2

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.

We refer to our submissions to previous reviews of the NRS for detailed comments about improving redress for victims and survivors who experience intersectional marginalisation.⁵³ Reflecting the focus of previous reviews,⁵⁴ and our experience assisting victims and survivors, our detailed comments include a focus on the experiences of:

- First Nations victims and survivors⁵⁵

⁵² See Previous Joint Standing Committee, p 14, paragraphs 1.59–1.64.

⁵³ See, for example, Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 20 February 2026, pp 44–55; Knowmore, *Submission to the Australian National Audit Office*, pp 75–78; Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 27 February 2023, pp 25–50; Knowmore, *Submission to the second anniversary review of the National Redress Scheme*, pp 37–56.

⁵⁴ 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.

⁵⁵ See, Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 20 February 2026, pp 47–53; Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 27 February 2023, pp 34–45.

- victims and survivors with disability⁵⁶
- victims and survivors in prison.⁵⁷

We particularly wish to highlight that most victims and survivors in prison have only been allowed to apply for redress for about 2 years and 4 months (since 4 April 2024).⁵⁸ They will only have a little more than 3 years in total to apply for redress before 30 June 2027. This will disproportionately affect First Nations victims and survivors and victims and survivors with disability, given their significant over-representation in Australian prisons.⁵⁹

The following case study illustrates the cumulative impact of the barriers to accessing redress and support for victims and survivors in 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.

⁵⁶ See, Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 20 February 2026, pp 53–55; Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 27 February 2023, pp 26–34.

⁵⁷ See, Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 20 February 2026, pp 153–168; Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 27 February 2023, pp 45–48.

⁵⁸ For further discussion on the limited time for victims and survivors in prison to apply for the National Redress Scheme, see Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 20 February 2026, pp 157–158.

⁵⁹ Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 27 February 2023, pp 45–46.

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.

The importance of legal and related support in relation to the National Redress Scheme

I googled Knowmore and it brought me to a number that I called, and I decided that it was probably time that I speak up about what happened to me as a child.

Talking about your hardest, darkest days is scary. I was fearful that I was going to have to share it all in one go. That wasn't the case. I got chatting to some lovely humans who made me feel really safe and made me feel I could go at my own pace as well. I think that really, really set the tone. The way that they provided me with a sense of control and autonomy throughout the process really took the edge off the anxiety that I was feeling about having to share the hard bits.

I felt a sense of relief once I did speak up. It was a gift to myself.

Reflections of Chris Coombes, Lived Experience Lead at Knowmore Legal Service

Access to appropriate support services is important for victims and survivors to effectively navigate and access their justice-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 effectiveness of the NRS. It also has significant implications for the focus areas of the eighth year review that we have addressed in parts 3, 4 and 5 of this submission.

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
- reflections from Knowmore's staff.

General comments about the importance of appropriate support services for victims and survivors

As the Joint Standing Committee recognises, the NRS is ‘extremely complex’.⁶⁰ Victims and survivors experience significant barriers to accessing redress, which are compounded for victims and survivors who experience intersectional marginalisation (see the discussion on pages 79 to 81).

The Royal Commission recognised that victims and survivors face significant barriers to disclosing that they have experienced child sexual abuse.⁶¹ It takes victims and survivors almost 24 years on average to disclose to another person that they have experienced child sexual abuse. Some victims and survivors never disclose.⁶² Further, disclosure is generally a process, rather than a single event. Many victims and survivors need time and support between their first disclosure and their decision to pursue a justice-making process, such as compensation or redress.⁶³

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 retraumatisation.

The previous Joint Standing Committee observed that access to appropriate support services can have a significant impact on victims’ and

⁶⁰ Joint Standing Committee on Implementation of the National Redress Scheme, *Discussion Paper, Inquiry into the continuing operations of the National Redress Scheme*, December 2025, p 4, <[https://static.aph.gov.au/-/media/02_Parliamentary_Business/24_Committees/244_Joint_Committees/Redress/JSCINRS_Discussion_paper_\(1\).pdf?rev=0efca4b3310740c39b96352f6772ae2e&hash=FB4DD55047276D62A041A4512DD66771](https://static.aph.gov.au/-/media/02_Parliamentary_Business/24_Committees/244_Joint_Committees/Redress/JSCINRS_Discussion_paper_(1).pdf?rev=0efca4b3310740c39b96352f6772ae2e&hash=FB4DD55047276D62A041A4512DD66771)>.

⁶¹ Royal Commission, *Final Report: Volume 4, Identifying and disclosing child sexual abuse*, December 2017, p 77, <https://www.childabuseroyalcommission.gov.au/sites/default/files/final_report_-_volume_4_identifying_and_disclosing_child_sexual_abuse.pdf>.

⁶² Royal Commission, *Final Report: Volume 4, Identifying and disclosing child sexual abuse*, p 30.

⁶³ See Royal Commission, *Final Report: Volume 4, Identifying and disclosing child sexual abuse*, p 30.

survivors' redress outcomes.⁶⁴ 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.⁶⁵

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

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 62 to 66):

Work done by support services helps speed up processing. The Department 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.⁶⁶

Similarly, the second year review observed that 'the survivor experience with support services is generally positive'⁶⁷ and that 'appropriate, targeted

⁶⁴ Previous Joint Standing Committee, p 166, paragraph 11.8.

⁶⁵ 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), accessed 26 July 2024, p 31, <<https://www.aph.gov.au/DocumentStore.ashx?id=de17b49a-1b9d-416d-b0aa-f6f6e21ff514&subId=734158>>; Previous Joint Standing Committee, p 166, paragraph 11.8.

⁶⁶ Previous Joint Standing Committee, p 180, paragraph 11.62.

⁶⁷ R Kruk AO, *Final report: Second year review of the National Redress Scheme*, p 207.

supports and interventions appear to strengthen a survivor's application, reduce processing times and creates less trauma for survivors'.⁶⁸

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 –⁶⁹ for example, see the extract from the former Joint Select Committee below.⁷⁰

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 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 some other options, such as civil claims, that may result in a higher payment.

⁶⁸ R Kruk AO, *Final report: Second year review of the National Redress Scheme*, p 209.

⁶⁹ 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.

⁷⁰ Joint Select Committee, *Second interim report of the Joint Select Committee on Implementation of the National Redress Scheme*, p 67.

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.⁷¹

Access to appropriate support services will remain important during the final year of the NRS (2027–28) and beyond. As an integrated, multidisciplinary service (see pages 53 to 57), Knowmore is well-equipped to assist victims and survivors with the challenges that will arise after 30 June 2027.

We note that an application can be made after 30 June 2027 if the NRS ‘determines there are exceptional circumstances justifying the application being made’ (see pages 85 to 86).⁷² It will be important for victims and survivors who have not applied to the NRS before 30 June 2027 to receive legal advice about whether their individual circumstances fit within the exceptional circumstances, and legal assistance to make an application (if they wish to do this).

We anticipate that many victims and survivors who have lodged their applications before 30 June 2027 will be required provide further information to the NRS in order for their application to be processed. From our extensive experience assisting victims and survivors to respond to information request letters (see pages 105 to 110), we know that victims and survivors often do not know why they have received the letter and what information they should provide. Legal advice and assistance in providing further information will mean that all the necessary information can be provided, thus setting up survivors for the best possible outcome, and increasing efficiency in processing times for the NRS.

⁷¹ 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. For detailed comments about claim farming, see Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 20 February 2026, pp 130–138.

⁷² NRS Act, section 20(1)(2).

Victims and survivors with lodged applications will continue to need legal advice about their outcomes until the last outcome is delivered. It is essential that survivors have the opportunity to receive legal advice about all of the options available to them, and that they understand that if they accept a redress offer, they will sign away their right to certain other options. Significantly, survivors may receive a much higher monetary amount in a civil claim, and accepting redress will preclude them from pursuing that. For survivors who are found ineligible for redress, or who are unhappy with the monetary amount outcome that they are offered, legal advice on their review options and assistance in seeking a review process if they choose to do so, will be extremely important. This is particularly relevant to survivors who have not had support in making their applications. It is our experience that survivors who are assisted by a Redress Support Service or Knowmore in their review process often receive greatly improved outcomes after review.

In navigating the legal processes outlined above, it will be important for victims and survivors to have access to specialist counselling and social work support. Our Support Services Team has been supporting clients from the start of the NRS to be psychologically ready to make an application and navigate the application process. Lengthy delays in processing applications have meant that many victims and survivors have experienced increased distress during their waiting time. Victims and survivors who receive outcomes, even positive ones, will often find they experience increased levels of distress. Support during that process is imperative, including when applying for an internal review of a redress determination and waiting for the outcome of the review. This specialist support can also assist victims and survivors who have received a redress outcome to seek a Direct Personal Response (an apology or other recognition from the institution responsible for the abuse) and access the psychological and counselling care component of their outcome.

For Aboriginal and Torres Strait Islander survivors, cultural support to understand and access their legal options at the end of their redress journey can mean the difference between pursuing those options with full understanding or disengaging with the process entirely. The Aboriginal and Torres Strait Islander Engagement Team at Knowmore has walked

alongside many Aboriginal and Torres Strait Islander survivors who, without that support, would not have started or completed the process.

For survivors who are offered and accept a redress payment, financial counselling means that they will know how to keep their payment safe and be empowered to use their payment in the best way for them. Our financial counsellors also assist victims and survivors to reduce their debts before they receive a payment in order to maximise their payment. All victims and survivors should be able to access this financial counselling assistance, regardless of when they lodged their application and when their outcome is delivered.

Given the importance of appropriate support services for victims and survivors navigating the NRS (see pages 46 to 51), 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.⁷³ We make comments about the challenges for support services below.

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.⁷⁴

⁷³ Previous Joint Standing Committee, p 166, paragraph 11.7.

⁷⁴ Previous Joint Standing Committee, p 24, paragraph 1.123.

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.

The second year review recognised that it 'takes time, effort and skill' to provide trauma-informed and culturally safe support to survivors.⁷⁵ 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.⁷⁶ We make further comments about the funding of survivor support services on pages 144–147.

⁷⁵ R Kruk AO, *Final report: Second year review of the National Redress Scheme*, p 208.

⁷⁶ See R Kruk AO, *Final report: Second year review of the National Redress Scheme*, pp 174–178.

Knowmore as a multidisciplinary support service

Knowmore uses an integrated, 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 (see appendix 1 for more information about Knowmore's service). 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 provided the following outline of the support needs of victims and survivors of child sexual abuse:

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 to the effectiveness of any redress programme. Support work is not ancillary, it is part of redress.⁷⁷

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-

⁷⁷ Stephen 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/monetary-redress-for-abuse-in-state-care/2670958350A4774D9D38A92D1171DD0A>.

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.⁷⁸

The previous Joint Standing Committee also recognised that Knowmore 'is highly regarded for the quality of their work'.⁷⁹

The following reflections from Knowmore's staff illustrate the importance of a multidisciplinary model when assisting victims and survivors of child sexual abuse. They also demonstrate the diverse and sophisticated skills required to provide appropriate support to victims and survivors of child sexual abuse, and the organisational capability of Knowmore developed over 13 years of providing legal and related support to survivors. This, in turn, highlights the importance of long-term investment in appropriate support services.

⁷⁸ Stephen Winter, *Monetary Redress for Abuse in State Care*, section 12.3.

⁷⁹ Previous Joint Standing Committee, p 21, paragraph 1.102.

Reflections from Knowmore's staff

There's been a lot of news lately that's reminded the community that child sexual abuse isn't something that's rare, nor is it something that's just of the past. It's got a lot of survivors asking questions like, 'What are my legal options?' 'What are my support options?'

For a lot of people, it can feel really overwhelming. They might not know where to start or who they can call to ask these questions.

Some people may have heard of the National Redress Scheme, which has helped many survivors, but it only covers people who have experienced institutional child sexual abuse after 30 June 2018. It's also ending – you have to have your application in by 30 June 2027.

This leaves many survivors feeling really uncertain about what options are actually out there for them. These systems are really complex and too many survivors fall through the gaps.

Understanding your options really is the starting point. Knowmore is here to help with that. Our lawyers not only provide legal advice, but also community legal education to make the information more widely available.

Reflections of Mary Nguyen, Senior Lawyer at Knowmore Legal Service

The Support Services team at Knowmore is itself a multidisciplinary team of social workers, counsellors and therapists.

We support clients in legal appointments, and provide a triage response to clients presenting with imminent safety, risk and wellbeing concerns. We also provide short-term and long-term ongoing support to clients navigating the National Redress Scheme or victims of crime schemes.

The Support Services team provides trauma-informed debriefing, consultation and training for our colleagues. This ensures staff at Knowmore are equipped to navigate situations where clients present with distress and dysregulation in a way that is safe for both clients and staff. It also equips staff to identify and respond appropriately to safety and wellbeing concerns.

Reflections of Yvonne Urry, Manager Trauma Informed Practice at Knowmore Legal Service

Our service model has Aboriginal and Torres Strait Islander staff lead our engagement in urban, regional and remote areas. We have gender specific roles identified through the service methodology; clients have the choice of male or female Aboriginal and Torres Strait Islander engagement advisors. The role of these advisors is to work with all disciplines in Knowmore and services provided to clients across the footprint of our country.

An important part of our service delivery is the cultural lens which we share across all disciplines, this has been an important factor in focusing the work we do by building a platform which is the foundation of Indigenous intellect based on the values and lore that are evident in Indigenous society across the contemporary landscape that captures and embraces the oldest living culture in the world.

Reflections of Gary Oliver, Executive Director Strategy and First Nations Engagement at Knowmore Legal Service

Redress and other significant payments can bring complex emotional responses. For some, they are a powerful acknowledgement of harm. For others, they can trigger feelings of anger or distress that the money is not enough to recognise the harm. Survivors may spend quickly to cope with trauma or repair lost connections. At Knowmore, we respond with compassion, understanding the link between money and trauma, so that payments support justice, healing and recovery.

Knowmore's financial counsellors help survivors prepare for and manage lump sum payments, addressing issues such as debts, impacts on Centrelink, housing, or aged care, and ensuring protections promised by government and banks are applied.

We help survivors in assessing their financial circumstances and prioritising debts. We provide survivors with advice about their options and advocate for our clients in dealings with debtors, governments and banks.

We help survivors to feel empowered in decision-making and to understand their rights. Our work helps to ensure that survivors receive the full benefit of their payments, and improves survivors' financial capability and wellbeing.

We were fortunate enough to be granted funding from the Financial Counselling Industry Fund to expand our service to all survivors of child sexual abuse. This is an area where we need increased funding. Survivors who we support under this funding stream do not have the same protections as survivors who receive a payment from the National Redress Scheme. However, they often have the same limited experience with lump sum payments and often have unmanaged debt.

I love that my role includes coordinating a program and supporting a team of people who are creating this justice pathway.

Reflections of Jenna Conway-Jones, Manager Financial Counselling at Knowmore Legal Service

Part 2: the National Redress Scheme's timeline

We note that the terms of reference include a focus on 'the effective and efficient closure' of the NRS.⁸⁰ As highlighted by our comments on pages 30 to 31 above, the paramount consideration in relation to the effective and efficient closure of the NRS must be effectively and efficiently providing justice to victims and survivors during the final years of the NRS and beyond.

Our comments below address the following matters:

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

This part of the submission focuses on the NRS's timeline, including transitional matters. We make comments about lessons learned from the NRS that can inform future support and services for survivors in part 5 of the submission.

Legal aspects of the National Redress Scheme's timeline

The NRS started on 1 July 2018.⁸¹ As noted on page 13, the deadline for lodging applications is 30 June 2027 and the end of the NRS is 1 July 2028.⁸²

⁸⁰ Terms of Reference, p 2.

⁸¹ NRS Act, section 2.

⁸² 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*, accessed 6 August 2026, <<https://guides.dss.gov.au/national-redress-guide>>.

We have received limited information from any source about the intended arrangements for the final year of the NRS (30 June 2027 to 1 July 2028). The relevant law provides some indications, but with significant complexity and uncertainty.

We note the following relevant aspects of the legal framework:

- An application can be made after the deadline for lodging applications if the NRS ‘determines there are exceptional circumstances justifying the application being made’.⁸³ We are not aware of any formal guidance as to what the NRS considers to be relevant exceptional circumstances (see pages 85 to 86).
- The NRS Rules prevent institutions from joining the NRS after 31 January 2028.⁸⁴ The Minister for Social Services (Minister) can extend this deadline by amending the NRS Rules.⁸⁵
- The NRS Act provides the Minister with the legal power to extend the NRS by amending the NRS Rules before 1 July 2028.⁸⁶ As the deadline for lodging applications is determined by reference to the end date for the NRS,⁸⁷ the same legal power would enable the Minister to extend the deadline for lodging 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 70 to 71 below).⁸⁸
- The NRS Act also empowers the Minister to make transitional arrangements for up to a year beyond the end date for the NRS.⁸⁹

⁸³ NRS Act, section 20(1)(2).

⁸⁴ *National Redress Scheme for Institutional Child Sexual Abuse Rules 2018* (Cth) (NRS Rules), section 56A. We have not identified a specific legislative deadline for funding of last resort arrangements to be made for defunct institutions. See NRS Act, section 115(4).

⁸⁵ See NRS Act, section 115(4)(b).

⁸⁶ NRS Act, sections 179(1) and 193(1)(b).

⁸⁷ NRS Act, section 20(e).

⁸⁸ 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>.

⁸⁹ NRS Act, sections 193(4) and 193(6).

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 end of the NRS. This is because of a legal principle that a person's accrued rights generally continue to exist, even if the Act underpinning those rights ceases to have effect.⁹⁰ 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. As noted on page 14, we are particularly concerned by the recent evidence provided by the Department to the Joint Standing Committee that 'there are no statutory powers available to the Scheme Operator to process applications or make redress determinations after 1 July 2028'.⁹¹

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

As noted on page 13, we have been warning for many years that the NRS is not on-track to deliver redress to all eligible victims and survivors before the end of the NRS on 1 July 2028.⁹²

We have not been alone in identifying this issue. As noted on page 35, the previous Joint Standing Committee recognised that the NRS 'is running out of time',⁹³ expressing concern that the NRS might 'be unable to provide redress to all eligible applicants on time'.⁹⁴ Similarly, the ANAO's audit

⁹⁰ *Acts Interpretation Act 1901* (Cth), sub-sections 7(1)–(2).

⁹¹ Department of Social Services, *Answers to written Questions on Notice*, 27 May 2026 (updated 23 June 2026), p 13.

⁹² See, for example, 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 41–44.

⁹³ Previous Joint Standing Committee, p 4.

⁹⁴ Previous Joint Standing Committee, p 8, paragraph 1.27.

identified that, by February 2025, the Department's Redress Group had identified 'a high-rated risk of not finalising applications by 30 June 2028'.⁹⁵

We acknowledge that the NRS has funding constraints that may impact on its capacity. Knowmore nonetheless holds ongoing concerns about the capacity of the NRS to deliver redress to all eligible victims and survivors before the end of the NRS on 1 July 2028. Our comments below address the following matters:

- the time that the NRS is likely to need in order to process all of redress applications that it is anticipated to receive
- 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.

Time needed to process redress applications

The Department has referred to modelling by the Australian Government Actuary, indicating that 'up to 98,400 applications could be submitted to the Scheme by 30 June 2027'.⁹⁶ However, as at 30 June 2026, only 29,478 applicants have had their outcomes advised.⁹⁷ This indicates that, at the start of the ninth year of a 10-year scheme, less than a third (30%) of the total number of applicants who are anticipated to apply to the NRS have had their outcomes advised.

We note that the NRS processed 9,358 applications in the 2025–26 financial year –⁹⁸ a significant increase on the number of applications processed in the previous financial year (5,035 decisions in 2024–25),⁹⁹

⁹⁵ ANAO, *Department of Social Services' management of the National Redress Scheme*, p 10, paragraph 15 and p 32.

⁹⁶ Australian Government, Department of Social Services, *Answers to written questions on notice*, 27 May 2026 (updated 23 June 2026), p 1.

⁹⁷ National Redress Schemes, *July 2026 update*.

⁹⁸ Ministers' Redress Scheme Governance Board, *Communique*, 31 July 2026, <www.dss.gov.au/news/ministers-redress-scheme-governance-board-communique-6>.

⁹⁹ Australian Government, *Australian Government response to the Joint Standing Committee on Implementation of the National Redress Scheme inquiry into the operation of the National Redress Scheme Report – Redress: Journey to Justice – November 2024*, p 2.

and exceeding the NRS's target to process 8,400 applications in 2025–26.¹⁰⁰ If the NRS continues to process 9,358 application each year, then it will finalise a further 18,716 applications between 30 June 2026 and the end of the NRS on 1 July 2028. This remains insufficient to clear the present backlog of applications (47,362 applications as at 30 June 2026),¹⁰¹ let alone to process all of the applications that the NRS is anticipated to receive.

We note that Professor Kathleen Daly has estimated that, even in the most optimistic scenario, the NRS would struggle to process all applications before 2032.¹⁰²

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. Major reviews of the NRS have repeatedly raised concerns about delays in processing redress applications.¹⁰³ 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'.¹⁰⁴ Despite this, there

¹⁰⁰ ANAO, *Department of Social Services' Management of the National Redress Scheme*, p 82, paragraph 4.34.

¹⁰¹ National Redress Scheme, *May 2026 update*, 18 May 2026, accessed 6 August 2026, <<https://www.nationalredress.gov.au/news/may-2026>>.

¹⁰² Claudia Long, *Redress scheme will not clear backlog before closure at current processing rate*.

¹⁰³ 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.

¹⁰⁴ R Kruk AO, *Final report: Second year review of the National Redress Scheme*, pp 43 and 115.

has been little to no improvement in processing times in the years following the second year review.

In fact, the data we are aware of 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.¹⁰⁵ The data that we are aware of for 2024–25 indicates that the NRS was taking an average of 17.6 months to process an application and 16.5 months to process a priority application.¹⁰⁶ After a public hearing with the Joint Standing Committee in March 2026, the Department provided updated data that, for applications processed in previous 12 months, the average processing time was 25 months.¹⁰⁷

This data is likely to provide a conservative indication of average processing times, as the data dates to when an applicant was notified of a redress outcome,¹⁰⁸ not when the application was finalised (the measure used in the second year review).¹⁰⁹ 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.¹¹⁰

It remains common for our clients to experience lengthy delays. 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

¹⁰⁵ 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; Previous Joint Standing Committee, p 5, Table 1.1.

¹⁰⁶ 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.

¹⁰⁷ Department of Social Services, *Answers to Questions on Notice 13 March 2026*, 7 April 2026, p 26, <<https://www.aph.gov.au/DocumentStore.ashx?id=07a46db6-4478-4de2-8219-141cd664bff4>>.

¹⁰⁸ 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.

¹⁰⁹ R Kruk AO, *Final report: Second year review of the National Redress Scheme*, p 44.

¹¹⁰ ANAO, *Department of Social Services' Management of the National Redress Scheme*, p 50, paragraph 3.15.

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 94–95, we refer to the experiences of a current Knowmore client, who has been waiting for more than 5 and a half years to receive a redress outcome.

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.*¹¹¹

Previous reviews of the NRS have also noted the related issue of victims and survivors passing away without receiving a redress payment.¹¹² 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.¹¹³ Many First Nations peoples do not have the luxury of time when it comes to the processing of their redress applications.

¹¹¹ Previous Joint Standing Committee, p 10, paragraph 1.38.

¹¹² 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.

¹¹³ 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-5cee956528/hpf_summary-report-june-2025.pdf>.

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

The causes of delay have been discussed at length by the previous major reviews of the NRS.¹¹⁴ 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 97 to 103).¹¹⁵ Due to significant, ongoing problems with the transparency with the NRS (see page 31),¹¹⁶ 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.¹¹⁷ Improving transparency will also assist

¹¹⁴ 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.

¹¹⁵ 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.

¹¹⁶ Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 27 February 2023, pp 16–19 and 66–72.

¹¹⁷ Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 27 February 2023, pp 8–9, recommendations 4 and 5.

us and other support services to identify and respond effectively to the specific causes of delay, both in particular cases and systemically.¹¹⁸

We note that the Australian Government has, in recent years, committed additional funding to the redress support system.¹¹⁹ 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 144 to 147).

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 anticipate that there will be a significant increase in applications to the NRS as the NRS approaches the deadline for lodging applications on 30 June 2027. This is consistent with modelling shared by the Australian National Audit Office in November 2025 (bold added):

*Modelling done in April 2025 estimated that the volume of eligible applications lodged will start to decline over 2025–26, **with a final increase in 2027 before the Scheme closes to applications on the 30 June 2027.***¹²⁰

The decline in applications in 2025–26 was modest. The average number of applications received each month in 2025–26 (1,534 applications) is the second-highest since the start of the NRS – less than in 2024–25 (1,644 applications), but more than in any other financial year since the start of the NRS.¹²¹

¹¹⁸ Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 27 February 2023, pp 8 and 12–13, recommendations 1 and 26–31.

¹¹⁹ 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>>; Attorney-General's Department, *Budget 2026–27 Portfolio Budget Statements – Entity resources and planned performance*, 12 May 2026, p 19, <<https://www.ag.gov.au/system/files/2026-05/2026-27-ag-pbs-agd.PDF>>.

¹²⁰ ANAO, *Department of Social Services' management of the National Redress Scheme*, p 48, paragraph 3.6.

¹²¹ National Redress Schemes, *July 2026 update*.

The anticipated increase in applications as the NRS approaches the deadline for lodging applications 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.¹²² Redress WA and Queensland Redress also experienced a surge in applications towards the end of the schemes.¹²³

Knowmore recognises and supports victims’ and survivors’ legal right to apply for redress at any time before the deadline. However, as noted on page 13, 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 the NRS and an already overwhelmed system of survivor support services, contributing to an extension of the already lengthy delays in processing redress applications.

Our comments (on page 50) highlighted that lengthy delays in processing redress applications remain common. 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 appropriate.

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 in relation to the deadline for redress applications and the end of the National Redress Scheme

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

¹²² 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>.

¹²³ Stephen Winter, *Monetary redress for abuse in state care*, p 146.

for communications about the end of the Scheme, or risk treatments identified'.¹²⁴ It remains unclear to us to what extent this work has progressed.

There is limited publicly available information about any planning that may have taken place –¹²⁵ for example:

- to ensure all eligible victims and survivors are aware of the NRS and the deadline for lodging applications (see pages 75 to 76)
- 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 60 to 67)¹²⁶
- to ensure that victims and survivors who apply for redress close to the deadline for lodging applications are not disadvantaged by the delays of government departments in providing relevant records (see pages 91 to 92)
- 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 99 to 103)
- to ensure that support services have adequate funding to support victims and survivors until the end of their redress matters (see pages 144 to 147)
- to ensure victims and survivors who accept an offer of redress can access all the components of redress beyond the end of the NRS (see pages 72 to 74)
- to ensure that victims and survivors have ongoing access to meaningful justice-making options beyond the end of the NRS (see pages 119 to 122).

We see increasing anxiety among many of our clients about the approaching end of the NRS, worsened by the limited publicly available information about any planning that may have taken place. This lack of

¹²⁴ ANAO, *Department of Social Services' management of the National Redress Scheme*, p 10, paragraph 16.

¹²⁵ 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.

¹²⁶ See ANAO, *Department of Social Services' management of the National Redress Scheme*, p 10, paragraph 15.

information impacts on the ability of victims and survivors to make informed choices about their justice-making options. It also 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'.¹²⁷ The Department agreed with this recommendation, commenting that 'the Scheme is aware survivors need timely and trauma-informed information regarding Scheme end'.¹²⁸ 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 79 to 81).¹²⁹

Knowmore recommends that the Australian Government immediately prioritise greater planning in relation to the deadline for lodging redress applications and the 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, survivor-focused, trauma-informed, culturally appropriate, and provided in forms that are accessible to victims and survivors who experience intersectional marginalisation.

¹²⁷ ANAO, *Department of Social Services' management of the National Redress Scheme*, p 45, recommendation 1.

¹²⁸ ANAO, *Department of Social Services' management of the National Redress Scheme*, p 45, paragraph 2.77.

¹²⁹ 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 3

The Australian Government should immediately prioritise greater planning in relation to the deadline for lodging redress applications and the 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, survivor-focused, trauma-informed, culturally appropriate, and provided in forms that are accessible to victims and survivors who experience intersectional marginalisation.

As part of planning in relation to the end of the NRS, the Australian Government must also ensure that victims and survivors have ongoing access to meaningful justice-making options. We make comments about this on pages 119 to 122.

Extending the National Redress Scheme

The Royal Commission recommended that the national redress scheme have no fixed closing date.¹³⁰ Various problems with the implementation of the NRS, detailed in our submission to the Joint Standing Committee,¹³¹ have placed substantial pressure on the NRS's timeline, leading to an untenable situation.

As noted on page 59, 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 effectively in relation to the end of the NRS (see pages 67 to 70).

We note that the previous Joint Standing Committee recommended that 'the Australian Government seek agreement from state and territory

¹³⁰ Royal Commission, *Redress and civil litigation report*, p 38.

¹³¹ See especially, Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 20 February 2026, pp 75–117.

governments to extend the National Redress Scheme beyond 2028'.¹³² Knowmore supports this recommendation. In particular, we recommend that:

- the end of the NRS should be extended to reflect the time needed to process all of the redress applications that it is anticipated to receive, noting that an optimistic estimate suggest that the NRS will need until at least 2032 (see the discussion on pages 61 to 62)
- the deadline for institutions to join the NRS should be extended until the end of the NRS.

Recommendation 4

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 end of the NRS should be extended to reflect the time needed to process all of the redress applications that it is anticipated to receive, noting that an optimistic estimate suggests that the NRS will need until at least 2032
- the deadline for institutions to join the NRS should be extended until the end of the NRS.

The previous Joint Standing Committee also made recommendations relevant to the funding of Knowmore and Redress Support Services in the context of the deadline for lodging applications with the NRS and the end of the NRS. We make further comments about these recommendations on pages 144 to 147.

¹³² Previous Joint Standing Committee, p 9, recommendation 1.

Matters for consideration beyond the end of the National Redress Scheme

As highlighted by our comments throughout this submission, there is currently significant uncertainty about how the NRS will end, or what justice-making options will be available to victims and survivors after the end of the NRS. 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 end of the NRS, will need a way to receive the redress determination.¹³³
- 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.¹³⁴
- 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.¹³⁵
- 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.¹³⁶
- 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 end of the NRS – there is likely to be a crunch point in the delivery of redress (see pages 66 to 67). 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

¹³³ See NRS Act, section 29.

¹³⁴ See NRS Act, sections 73 and 75.

¹³⁵ See NRS Act, sections 71B and 71D.

¹³⁶ See NRS Act, sections 71T and 71U.

institution to request a DPR, or respond to reasonable attempts to arrange a DPR, before the end of the NRS.¹³⁷

- 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.¹³⁸
- 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.¹³⁹
- Victims and survivors will need ongoing access to appropriate legal and related support (see pages 144 to 147) and meaningful justice-making options (see pages 119 to 122).

As highlighted by our comments on page 60, some of the matters outlined above may involve accrued rights that continue to exist beyond the 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 66 to 67).

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 appropriate way beyond the end of the NRS. This must include appropriate infrastructure for victims and survivors to access any accrued rights that continue to exist beyond the end of the NRS. It must also include appropriate legal and related support for victims and survivors to access any accrued rights and effectively navigate any issues that may arise (see pages 45 to 57).

¹³⁷ *National Redress Scheme for Institutional Child Sexual Abuse Direct Personal Response Framework 2018* (Cth) (Direct Personal Response Framework), section 13(1)(b)–(c).

¹³⁸ See NRS Act, sections 49 and 50.

¹³⁹ See NRS Act, division 2.

Recommendation 5

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 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 end of the National Redress Scheme. It must also include appropriate legal and related support for victims and survivors to access any accrued rights and effectively navigate any issues that may arise.

Part 3: ensuring survivors know about the National Redress Scheme and can access the application process

We note that the eighth year review asks about ‘how the Scheme ensures survivors know about the Scheme and can access the application process’.¹⁴⁰ In Knowmore’s view, this must be among the highest priorities for the NRS until the deadline for lodging applications on 30 June 2027.

Our comments below address the following matters:

- improving awareness of the NRS
- implementing engagement strategies tailored to victims and survivors who experience intersectional marginalisation
- ensuring the initial application process is survivor-focused, trauma-informed and culturally appropriate
- the importance of the NRS adopting a broad view of what constitutes ‘exceptional circumstances justifying [an] application being made’ after 30 June 2027.¹⁴¹

Improving awareness of the National Redress Scheme

The previous Joint Standing Committee recognised that ‘improvements to the Scheme are happening too slowly to be of greatest benefit to survivors’.¹⁴² The previous Joint Standing Committee also observed that:

Promoting awareness of the Scheme is a key example [of where some reforms are taking longer than expected or are simply not

¹⁴⁰ Department of Social Services, *National Redress Scheme Eighth Anniversary Review*, accessed 6 August 2026, <<https://engage.dss.gov.au/national-redress-scheme-eighth-anniversary-review/>>.

¹⁴¹ NRS Act, section 20(1)(2).

¹⁴² Previous Joint Standing Committee, p 6, paragraph 1.22.

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.¹⁴³

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,¹⁴⁴ we are becoming increasingly concerned by this problem as the NRS draws closer to the deadline for lodging applications.

We have also spoken with victims, survivors and support services who hold concerning beliefs about the deadline for lodging applications and the end of the NRS – for example:

- a belief that it is important whether victims and survivors apply to the NRS before 30 June 2027, because the deadline will be extended
- a belief that it is already too late to apply to the NRS, because there is not enough time left before the end of the scheme to process any new applications.

These concerning beliefs are connected to the limited publicly available information about any planning that may have taken place in relation to the deadline for lodging applications and the end of the NRS (see pages 67 to 70). In the absence of clear communication from the Australian Government, we see victims, survivors and support services attempting to fill in the gaps themselves. Their conclusions are not always accurate.

The previous Joint Standing Committee made detailed recommendations to improve awareness of the NRS (recommendations 4 and 11), which we extract below. These recommendations included that ‘the Department of Social Services urgently undertake a public information campaign to increase awareness of the Scheme and redress support services’.¹⁴⁵

¹⁴³ Previous Joint Standing Committee, p 6, paragraph 1.22.

¹⁴⁴ See, for example, Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 27 February 2023, p 36.

¹⁴⁵ Previous Joint Standing Committee, pp 9 and 14, recommendations 4 and 11.

Recommendation 4 of the previous Joint Standing Committee

The Committee recommends that the Australian Government should begin a public awareness campaign to ensure:

- Survivors and potential redress applicants know that they have limited time to make an application.
- Survivors with an application on hold are told that the Scheme is closing.

Recommendation 11 of the previous Joint Standing Committee

The Committee recommends that the Department of Social Services urgently undertake a public information campaign to increase awareness of the Scheme and redress support services. This should include:

- Media advertising.
- Additional resources for redress support services to share among community organisations.
- Additional information and resources to be made available at Centrelink offices.
- Information and resources in accessible formats and languages other than English.
- Information about:
 - Who can help with redress applications.
 - Legal advice.
 - Financial advice and financial counselling.
- The closing date for redress applications.

The Australian Government agreed in principle with both of these recommendations.¹⁴⁶ Knowmore also supports these recommendations. We particularly agree with the previous Joint Standing Committee about the importance of ensuring that victims and survivors are provided with the information they need:

*We note that there is a risk that overt promotion of the National Redress Scheme distresses survivors who prefer not to think about the subject ... We think a greater trauma and tragedy will potentially occur when the Scheme eventually closes and survivors come forward too late.*¹⁴⁷

We recommend that the Department of Social Services urgently implement recommendations 4 and 11 of the previous Joint Standing Committee, including ‘urgently undertak[ing] a public information campaign to increase awareness of the National Redress Scheme and redress support services’. We consider that a campaign of this nature should be periodically refreshed to assist in reaching new audiences. It should take place through a variety of media, including tv, radio, print media and social media. It should also connect with broader engagement strategies tailored to victims and survivors who experience intersectional marginalisation (see pages 79 to 81).

¹⁴⁶ Australian Government, *Australian Government response to the Joint Standing Committee on Implementation of the National Redress Scheme inquiry into the operation of the National Redress Scheme Report – Redress: Journey to Justice – November 2024*, pp 5 and 10.

¹⁴⁷ Previous Joint Standing Committee, p 14. paragraphs 1.61–1.63.

Recommendation 6

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’.

A campaign of this nature should be periodically refreshed to assist in reaching new audiences. It should take place through a variety of media, including tv, radio, print media and social media. It should also connect with broader engagement strategies tailored to victims and survivors who experience intersectional marginalisation.

Implementing engagement strategies tailored to victims and survivors who experience intersectional marginalisation

Our comments above highlight 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 (see pages 79 to 81). As noted on page 78, these engagement strategies should connect with, but also be broader than, a public information campaign.

In addition to our comments on pages 79 to 81, we wish to highlight recommendations 5 and 6 of the previous Joint Standing Committee, which we extract below.

Recommendation 5 of the 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.

Recommendation 6 of the Joint Standing Committee

The Committee recommends that the Department of Social Services:

- Develop ways for applicants (or their nominee) to track the progress of redress applications.
- Continue to develop plainer language and presentation in written communication.
- Continue to adjust communication style according to the survivor's needs, including correspondence from the Scheme to applicants.
- Take greater care to respect nominee arrangements.
- Continue to develop resources in languages other than English and in a variety of accessible formats.

The Australian Government agreed with both of these recommendations.¹⁴⁸ While these recommendations address a broad range of matters, they particularly speak to the importance of adjusting communication styles and processes to meet the individual needs of victims and survivors.¹⁴⁹

Knowmore considers that the Department of Social Services should ensure the full and ongoing implementation of recommendations 5 and 6 of the previous Joint Standing Committee, underpinned by recognition of the importance of adjusting communication styles and processes to meet the individual needs of victims and survivors. This recognition should also inform the development and implementation of engagement strategies tailored to victims and survivors who experience intersectional marginalisation (see recommendation 2).

Recommendation 7

The Department of Social Services should ensure the full and ongoing implementation of recommendations 5 and 6 of the previous Joint Standing Committee on Implementation of the National Redress Scheme, underpinned by recognition of the importance of adjusting communication styles and processes to meet the individual needs of victims and survivors. This recognition should also inform the development and implementation of engagement strategies tailored to victims and survivors who experience intersectional marginalisation (see recommendation 2).

¹⁴⁸ Australian Government, *Australian Government response to the Joint Standing Committee on Implementation of the National Redress Scheme inquiry into the operation of the National Redress Scheme Report – Redress: Journey to Justice – November 2024*, pp 6–7.

¹⁴⁹ See our discussion on information in forms accessible to victims and survivors experiencing heightened marginalisation, Knowmore, *Submission to the Australian National Audit Office*, pp 75–78.

Ensuring the initial application process is survivor-focused, trauma-informed and culturally appropriate

As noted on page 30, the legislated principles underpinning the NRS include survivor-focused, trauma-informed and culturally appropriate redress.¹⁵⁰ Knowmore considers that all policies, processes and practices of the NRS should reflect these principles, and that the NRS should not compromise on these principles in an attempt to reduce delays or meet deadlines.¹⁵¹

We consider it especially important that the initial application for the NRS is survivor-focused, trauma-informed and culturally appropriate. This is for 3 reasons.

First, the initial application process is one of the first interactions that many victims and survivors have with the NRS. It has a significant impact on whether victims and survivors perceive the NRS as survivor-focused, trauma-informed and culturally appropriate. This, in turn, impacts whether victims and survivors choose to complete the initial application and continue with the redress process.

Second, the Royal Commission noted that victims and survivors face significant barriers to disclosing that they have experienced child sexual abuse. These barriers 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

¹⁵⁰ NRS Act, section 10.

¹⁵¹ See, Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 20 February 2026, pp 111–112.

- lack of appropriate support for people who speak a first language that is not English.¹⁵²

Further, the second year review noted that ‘survivors of abuse may have incomplete memories’.¹⁵³ This can enhance the fear of not being believed. Barriers of this nature are already challenging for many victims and survivors. They may prove insurmountable if the initial application process is not survivor-focused, trauma-informed and culturally appropriate.

Third, the impact of the initial application process will become more significant as the NRS draws closer to the deadline for lodging applications on 30 June 2027. As noted on page 13, we anticipate a surge in applications just before the deadline. This will include applications from victims and survivors who have only just learnt of the NRS, and not had long to seek support, decide to apply and to prepare their application. It will also include victims and survivors who – due to the impacts of trauma, marginalisation or simply life circumstances – have not been ready to apply.

The NRS Act provides few legal requirements for an application to the NRS to be valid.¹⁵⁴ It is our understanding that an application will be accepted by the NRS if it is in the correct application form, and has enough information for the NRS to identify the applicant and contact them. While we recognise that best practice is for a fulsome application to be lodged, where information crucial to assessing the application is missing, it is our understanding that the NRS will follow up with the applicant to get that information. Knowmore welcomes this approach to the initial application process.

We hold ongoing concerns about changes the NRS made to the online application form, accessible via myGov, in December 2025. These changes included a new requirement for victims and survivors to provide a minimum of 750 characters when describing the abuse they experienced

¹⁵² Royal Commission, *Final Report: volume 4, identifying and disclosing child sexual abuse*, pp 78–108.

¹⁵³ R Kruk AO, *Final report: Second year review of the National Redress Scheme*, p 63.

¹⁵⁴ NRS Act, section 19(2).

(the minimum character requirement).¹⁵⁵ In Knowmore's view, the minimum character requirement is not survivor-focused, trauma-informed, or culturally appropriate, 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. This includes the barriers to disclosing child sexual abuse, outlined on page 46. 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. 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 (see pages 90 to 92).¹⁵⁶ 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, and to reduce the number of section 24 letters applicants are issued' (for further discussion of section 24 letters, see pages 105 to 110 below).¹⁵⁷ 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.¹⁵⁸ Due to the challenges facing many support services, which can include long wait times for appointments (see pages 51-52), we do not consider this to be an effective

¹⁵⁵ 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'.

¹⁵⁶ NRS Act, section 12(b).

¹⁵⁷ Email from the National Redress Scheme to Knowmore, *Updates to the National Redress Scheme online application*, 5 December 2025.

¹⁵⁸ Email from the National Redress Scheme to Knowmore, *Updates to the National Redress Scheme online application*.

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 8

The National Redress Scheme should reverse the change made to the online application form in December 2025, requiring victims and survivors to provide a minimum of 750 characters when describing the abuse they experienced.

Adopting a broad view of what constitutes exceptional circumstances

As noted on page 49, an application can be made after the deadline for lodging applications if the NRS ‘determines there are exceptional circumstances justifying the application being made’.¹⁵⁹ We are not aware of any formal guidance as to what the NRS will consider to be relevant exceptional circumstances or what kind of evidence the NRS will require.

In Knowmore’s view, the paramount consideration in deciding such matters should be delivering justice for survivors (see pages 30 to 31). We therefore consider that the NRS should adopt a broad view of what constitutes relevant exceptional circumstances, with minimal evidence requirements, mitigating the impact of the deadline for lodging applications on victims and survivors.

Our perspective is reinforced by the findings and recommendations of the Royal Commission. As noted on page 70, the Royal Commission recommended that the national redress scheme have no fixed closing date.¹⁶⁰ 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

¹⁵⁹ NRS Act, section 20(1)(2).

¹⁶⁰ Royal Commission, *Redress and civil litigation report*, p 38.

victims and survivors almost 24 years on average to disclose to another person that they have experienced child sexual abuse,¹⁶¹ let alone to seek redress. A strict approach to exceptional circumstances, and thus to the deadline for lodging applications, does not reflect an understanding of how short the 9-year time limit is compared to what many eligible victims and survivors need.

As highlighted by our comments on page 42, the time limit to apply for redress has been particularly short for victims and survivors in prison. Victims and survivors in prison have only been allowed to apply for redress for about 2 years and 4 months, and will only have a little more than 3 years in total to apply for redress before 30 June 2027.

The importance of redress for justice-making is not diminished simply because a survivor applies after 30 June 2027. We recommend that the NRS adopt a broad view of what it considers to be exceptional circumstances justifying a redress application being made after 30 June 2027 and require minimum evidence of the relevant exceptional circumstances.

We also recommend that the NRS make publicly available clear, formal guidance about its approach to exceptional circumstances. This will help victims and survivors to make informed choices about whether to apply to the NRS after 30 June 2027. It will also help services to provide appropriate advice and support.

Recommendation 9

The National Redress Scheme should adopt a broad view of what constitutes exceptional circumstances justifying an application being made after 30 June 2027 and require minimal evidence of the relevant exceptional circumstances. The National Redress Scheme should also make publicly available clear, formal guidance about its approach to exceptional circumstances.

¹⁶¹ Royal Commission, *Final Report: Volume 4, Identifying and disclosing child sexual abuse*, p 30.

Part 4: delivering timely and quality application outcomes in the time remaining

We note that the eighth year review asks about ‘how the Scheme can deliver timely and quality application outcomes in the time remaining’.¹⁶² As highlighted by the discussion on pages 60 to 67, the NRS is not on-track to deliver redress to all eligible victims and survivors before the end of the NRS on 1 July 2028.

Knowmore has long advocated for improvements to both the timeliness and quality of redress decisions. In relation to timeliness, we refer to the discussion on pages 62 to 66 about the nature and impacts of delays in processing redress applications. On page 64, we refer to comments of the previous Joint Standing Committee, illustrating how delays can create a vicious cycle that contributes to further delays.

In relation to the quality of redress decisions, we have raised issues related to unfairness, inconsistency and lack of transparency in every major review of the NRS, but have not seen adequate reforms to effectively address these issues.

In Knowmore’s view, the timeliness and quality of redress decisions are closely related. In particular, we consider that improving the quality of redress decisions will – in many cases – contribute to improving timeliness, as it will enable the NRS to redirect resources from conducting internal reviews and responding to complaints towards the processing of applications.

Conversely, we consider that sacrificing on quality in order to improve timeliness is likely to be a false economy, as it is likely to require the NRS to redirect resources from the processing of applications to conducting internal reviews and responding to complaints. It is also likely to lead to an

¹⁶² Department of Social Services, *National Redress Scheme Eighth Anniversary Review*.

increase in decisions that are not survivor-focused, trauma-informed and culturally appropriate, and decisions that are potentially unlawful.

We welcome the Department's recent recruitment of additional Independent Decision Makers (IDMs) to assist in addressing the backlog of applications.¹⁶³ We note that the NRS significantly increased the number of redress applications it processed between 2024–25 and 2025–26 (see pages 61 to 62). We are concerned that, in some cases, this has been connected with compromises on providing survivor-focused, trauma-informed and culturally appropriate redress.¹⁶⁴ Our comments below address the following matters:

- addressing persistent unfairness, inconsistency and lack of transparency in redress decisions
- addressing the impact of non-participating institutions and inadequate funder of last resort arrangements
- improving practices in relation to information request letters
- improving practices in relation to fraud prevention.

Addressing 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.¹⁶⁵ For example, the previous Joint Standing Committee stated:

¹⁶³ Parliament of Australia, Joint Standing Committee on Implementation of the National Redress Scheme, *Hansard*, 25 June 2026, p 7, <<https://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22committees%2Fcommjnt%2F29686%2F0000%22>>.

¹⁶⁴ See, Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 20 February 2026, pp 111–117.

¹⁶⁵ 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.

*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.*¹⁶⁶

Unfairness, inconsistency and lack of transparency in redress decisions remain some of the most concerning and persistent problems with the NRS. As noted on page 87, we have raised these issues in every major review of the NRS,¹⁶⁷ 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 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 detailed comments about persistent unfairness, inconsistency and lack of transparency in redress decisions, we refer to our submission to the Joint

¹⁶⁶ Previous Joint Standing Committee, p 19, paragraph 1.91.

¹⁶⁷ Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 20 February 2026, pp 75–111; Knowmore, *Submission to the Australian National Audit Office*, pp 32–72; Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 27 February 2023, 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.

Standing Committee in February 2026.¹⁶⁸ For the purposes of the eighth year review, we wish to highlight the following areas:

- 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 child sexual abuse involving grooming or voyeurism.

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

We note the Department's recent statement that 'we set about on a more forensic journey than we needed to with some of our applicants'.¹⁶⁹ In our experience, this remains an ongoing problem with the NRS.

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.¹⁷⁰ 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'.¹⁷¹ 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).¹⁷²

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.

¹⁶⁸ Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 20 February 2026, pp 75–111.

¹⁶⁹ Parliament of Australia, Joint Standing Committee on Implementation of the National Redress Scheme, *Hansard*, 25 June 2026, p 7.

¹⁷⁰ NRS Act, section 12(b).

¹⁷¹ NRS Act, section 6, definition of 'reasonable likelihood'.

¹⁷² Royal Commission, *Redress and civil litigation report*, p 41, recommendation 57.

The Scheme must accommodate the way unreported childhood memories are disclosed in adulthood, as most people who have 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'.¹⁷³

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,¹⁷⁴ 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.¹⁷⁵ 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

¹⁷³ R Kruk AO, Final report: second year review of the National Redress Scheme, p 263.

¹⁷⁴ See Knowmore, *Submission to the Australian National Audit Office*, pp 59–63.

¹⁷⁵ 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>.

Knowmore submission to the eighth year review of the National Redress

control. However, as noted on page 68, there is limited publicly available information about any planning that may have taken place to ensure that victims and survivors who apply for redress close to the deadline for lodging 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 lodging 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 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.¹⁷⁶ 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.¹⁷⁷ Despite this, we experience ongoing challenges in getting the NRS to recognise grooming and voyeurism as forms of child sexual abuse.

¹⁷⁶ 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.

¹⁷⁷ 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>.

These ongoing challenges are despite the following:

- The Royal Commission expressly recognised both grooming and voyeurism as forms of child sexual abuse.¹⁷⁸
- The Federal Court has recognised the definition of ‘sexual abuse’ in the NRS Act is broad,¹⁷⁹ and that grooming may constitute sexual abuse for the purposes of the NRS.¹⁸⁰
- 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’.¹⁸¹

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’.¹⁸² 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

¹⁷⁸ Royal Commission, *Final report: volume 2, nature and cause*, 15 December 2017, p 15, <https://www.childabuseroyalcommission.gov.au/sites/default/files/final_report_-_volume_2_nature_and_cause.pdf>.

¹⁷⁹ *Brooks v Operator of the National Redress Scheme*, paragraph 5.

¹⁸⁰ *HMB24 v Operator, National Redress Scheme for Institutional Child Sexual Abuse*, paragraph 23.

¹⁸¹ 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>>.

¹⁸² 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'.¹⁸³ Knowmore struggles to reconcile this guidance with the definition of 'sexual abuse' in the NRS Act,¹⁸⁴ which closely aligns with the Royal Commission's definition of 'child sexual abuse'.¹⁸⁵ 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. Our client's experiences also highlight the significant diversion of resources that can occur when the quality of NRS decisions do not meet the expected standard. It took our client more than 5 and a half years to obtain redress – in part, due to legal errors by the NRS.

The text below includes a brief, factual description of the abuse experienced by our client for the purpose of illustrating the relevant issues.

¹⁸³ 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.

¹⁸⁴ NRS Act, section 6, definition of 'sexual abuse'.

¹⁸⁵ 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 was 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 submission to the eighth year review of the National Redress

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 10

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.

Addressing 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.¹⁸⁶ Major reviews of the NRS have repeatedly raised issues about non-participating institutions,¹⁸⁷ 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

¹⁸⁶ 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.

¹⁸⁷ For example, see Joint Select Committee on Implementation of the National Redress Scheme, *First Interim Report*, pp 53–68; R Kruk AO, *Final report: Second year review of the National Redress Scheme*, pp 12 and 197–203; Previous 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.

*sexual abuse and equal and fair treatment of survivors; and to hold institutions accountable.*¹⁸⁸

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’.¹⁸⁹ 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’.¹⁹⁰ While the reasons for non-participating institutions vary, the end result for victims 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 65, issues around the onboarding of institutions contribute to delays in the processing of redress applications. Knowmore has long held concerns about these issues.¹⁹¹ 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

¹⁸⁸ R Kruk AO, *Final report: Second year review of the National Redress Scheme*, p 197.

¹⁸⁹ Previous Joint Standing Committee, p 16, paragraph 1.73.

¹⁹⁰ R Kruk AO, *Final report: Second year review of the National Redress Scheme*, p 106.

¹⁹¹ 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.

NRS (the onboarding process) has worsened over recent years. As at 30 June 2025, the onboarding process took an average of 400 days.¹⁹²

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. 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.*¹⁹³

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).¹⁹⁴ However, the ANAO's audit also reported that 'there has not been a review of the effectiveness of the onboarding process for institutions'.¹⁹⁵ 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 82 to 85).

In our submission to the Joint Standing Committee in February 2026, we recommended that the Australian Government undertake a review of the process for onboarding institutions to the NRS, which should include a

¹⁹² ANAO, *Department of Social Services' Management of the National Redress Scheme*, pp 43–44, paragraph 2.70.

¹⁹³ Knowmore, *Submission to the Joint Select Committee on Implementation of the National Redress Scheme*, p 5.

¹⁹⁴ ANAO, *Department of Social Services' Management of the National Redress Scheme*, p 46.

¹⁹⁵ ANAO, *Department of Social Services' Management of the National Redress Scheme*, p 42, paragraph 2.66.

focus on addressing delays in the onboarding of institutions.¹⁹⁶ We would welcome the eighth year review engaging closely with this issue.

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.¹⁹⁷ 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.¹⁹⁸ The Department informed the ANAO that, as at 30 June 2025, 5,269 NRS applications had been associated with a non-participating institution.¹⁹⁹

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'.²⁰⁰ These included many institutions that had said they intend to participate in the NRS, but had not yet completed the steps to participate, and institutions that were 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

¹⁹⁶ Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 20 February 2026, pp 119–121, recommendation 27.

¹⁹⁷ ANAO, *Department of Social Services' Management of the National Redress Scheme*, p 34, table 2.3.

¹⁹⁸ 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.

¹⁹⁹ ANAO, *Department of Social Services' Management of the National Redress Scheme*, p 51, paragraph 3.16.

²⁰⁰ 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>>.

had declined to join the NRS, but only 13 of these institutions were publicly disclosed.²⁰¹ 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.²⁰²

Knowmore noticed a decrease in the overall number of institutions covered by the NRS between February 2023 and July 2024.²⁰³ 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 2023.²⁰⁴ 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.²⁰⁵

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

²⁰¹ ANAO, *Department of Social Services' Management of the National Redress Scheme*, p 52, paragraph 3.18.

²⁰² Department of Social Services, *Ministers' Redress Scheme Governance Board Communique*, 28 April 2020, <<https://www.dss.gov.au/news/ministers-redress-scheme-governance-board-communique-3>>.

²⁰³ Knowmore, *Supplementary submission to the Joint Standing Committee on Implementation of the National Redress Scheme: Seventh year of the National Redress Scheme*, p 17, July 2024.

²⁰⁴ See National Redress Scheme, *July 2023 update*, accessed 18 February 2026, <<https://www.nationalredress.gov.au/news/july-update-2023>>.

²⁰⁵ 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*, 19 January 2026, <<https://www.nationalredress.gov.au/news/january-2026>>. 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*, <<https://www.nationalredress.gov.au/news/january-update-2023>>. See Department of Social Services, *Annual Report 2024–25*, 13 November 2025, p 97, <<https://www.dss.gov.au/system/files/documents/2025-11/departments-social-services-annual-report-2024-25.pdf>>.

5 institutions was revoked.²⁰⁶ We also note the ministerial²⁰⁷ and media attention²⁰⁸ to recent developments involving the Christian Brothers. There has been significant uncertainty surrounding this matter, which has caused distress for victims and survivors.

Knowmore has long been concerned about the impact of institutions that cannot participate in the NRS, but are not covered by a relevant funder of last resort arrangement.²⁰⁹ This includes institutions that 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.²¹⁰ More than 3 years later, no funder of last resort arrangements have been made for this institution, which remains listed on the NRS’s website.²¹¹

For a further illustration of the impact of non-participating institutions and inadequate funder of last resort arrangements, we refer to our submission to the Joint Standing Committee in February 2026. This submission shares

²⁰⁶ Department of Social Services, *Annual Report 2024–25*, p 97.

²⁰⁷ See, for example, Ministers’ Redress Scheme Governance Board, *Communique*, 31 July 2026.

²⁰⁸ See, for example, Charlotte Wilkes, *Christian Brothers announces payout proposal for victim-survivors*, ABC News, 24 July 2026, ABC News, <www.abc.net.au/news/2026-07-24/christian-brothers-announces-payout-proposal-for-victims/106954650>; Christopher Knaus, *Christian Brothers abuse victims to get ‘full’ compensation in backdown after controversial property sales*, 24 July 2026, <www.theguardian.com/australia-news/2026/jul/24/christian-brothers-abuse-victims-compensation-ntwnfb>.

²⁰⁹ Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 20 February 2026, p 123; Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 27 February 2023, p 22.

²¹⁰ 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>>.

²¹¹ National Redress Scheme, *Institutions that have not joined*, 28 January 2026.

relevant experiences of one of our clients, who applied for redress in December 2020.²¹² We note that it has now been more than 5 and a half years since this client applied for redress – the same client is still waiting for redress as of August 2026.

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.²¹³ We note that the Australian Government has said it supports the first 2 of these recommendations, and supports the third of these recommendations in part.²¹⁴

Recommendation 11

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).

²¹² Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 27 February 2023, p 23; 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 16–18.

²¹³ 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.

²¹⁴ 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; Australian Government, *Australian Government response to the Joint Standing Committee on Implementation of the National Redress Scheme inquiry into the operation of the National Redress Scheme Report – Redress: Journey to Justice – November 2024*, pp 10–11.

Recommendation 12

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 13

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).

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'.²¹⁵ 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',²¹⁶ reflecting:

²¹⁵ Previous Joint Standing Committee, p 16, paragraph 1.75.

²¹⁶ Previous Joint Standing Committee, p 15, paragraph 1.70.

*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.*²¹⁷

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’.²¹⁸ 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 restricted from accessing future grant funding from the Australian Government will be a ‘permanent sanction’.²¹⁹

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).²²⁰ 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.

²¹⁷ Previous Joint Standing Committee, p 16, paragraph 1.73.

²¹⁸ Previous Joint Standing Committee, p 16, recommendation 13.

²¹⁹ National Redress Scheme, *Guidance for institutions*, accessed 6 February 2026, <<https://www.nationalredress.gov.au/institutions-landing/guidance-institutions>>.

²²⁰ Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 20 February 2026, pp 127–128.

Recommendation 14

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.

Improving practices in relation to information request letters

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.

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 111 to 113.

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.²²¹ 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.²²²

A key requirement of procedural fairness is 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.²²³ 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

²²¹ Email from the National Redress Scheme to Knowmore, *Changes on the way information is provided to applicants*, 11 November 2025.

²²² For detailed comments about procedural fairness, see Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 20 February 2026, pp 101–111.

²²³ Knowmore, *Submission to the second anniversary review of the National Redress Scheme*, p 25.

*information unless that information is likely to have a material impact in respect of eligibility or assessment.*²²⁴

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.²²⁵ 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 90 to 92).

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’.²²⁶ As noted on page 106, 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

²²⁴ 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>.

²²⁵ See, for example, Royal Commission, *Final report: volume 2, nature and cause*, pp 126 and 256.

²²⁶ Administrative Review Council, *Best practice guide 2 –Decision Making: Natural justice*, August 2007, p 10, <<https://www.ag.gov.au/legal-system/publications/arc-best-practice-guide-2-natural-justice>>.

sexual abuse documented by the Royal Commission.²²⁷ 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 105, the NRS asks victims and survivors to provide a response within a timeframe of 4 to 8 weeks.²²⁸ 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 51 to 52). 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 intersectional marginalisation (see pages 79 to 81) 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.²²⁹ Knowmore also recognises the importance of this objective – as at 30 June 2026, the

²²⁷ See for example, Royal Commission, *Final Report: Volume 4, Identifying and disclosing child sexual abuse*, pp 140 and 146.

²²⁸ 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).

²²⁹ Email from the National Redress Scheme to Knowmore, *Changes on the way information is provided to applicants*.

NRS reported that it was unable to action 7,572 applications because it was waiting for the applicant to provide additional information.²³⁰ 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.

²³⁰ National Redress Schemes, *July 2026 update*.

Recommendation 15

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.

Improving practices in relation to fraud prevention

Following highly publicised arrests in New South Wales in relation to alleged fraudulent claims of child sexual abuse in February 2025,²³¹ we have seen 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.²³²

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,²³³ and false allegations of child sexual abuse are rare.²³⁴ 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.²³⁵ 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 105).

When sending these letters to raise concerns about fraud, the NRS often does not provide enough information to equip our clients with a

²³¹ 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 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>>.

²³² For detailed comments about procedural fairness, see, Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 20 February 2026, pp 101–111.

²³³ Royal Commission, *Final Report: Volume 4, Identifying and disclosing child sexual abuse*, p 77.

²³⁴ 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>.

²³⁵ See Royal Commission, *Final Report: Volume 4, Identifying and disclosing child sexual abuse*, pp 80–81.

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 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',²³⁶ and that there were some institutions where 'networks or groups of perpetrators operated'.²³⁷ 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.

In light of this, we do not consider that similarities between redress applications could generally provide a sound basis not to approve an application for redress in a survivor-focused, trauma-informed and culturally appropriate scheme with a reasonable likelihood standard of proof (see our comments about the legal standard of proof for the NRS on pages 90 to 92). We therefore do not see how this part of the of the NRS's fraud prevention approach assists in improving the timeliness or quality of redress decisions.

²³⁶ Royal Commission, *Final Report: Volume 2, nature and cause*, p 14.

²³⁷ Royal Commission, *Final report: volume 2, nature and cause*, pp 14 and 34–39.

Recommendation 16

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.

Part 5: informing future support and services for survivors

We note that the eighth year review asks about ‘lessons learned from the operation of the Scheme that can inform future support and services for survivors’.²³⁸ In Knowmore’s view, the NRS has many strengths and also offers many lessons for improvement.

As highlighted by our comments on pages 72 to 74, there is currently significant uncertainty about how the NRS will end, or what justice-making options will be available to victims and survivors after it ends. Our comments on pages 72 to 74 include a focus on transitional matters – for example, ensuring that victims and survivors who have accepted a redress offer, but not received all components of their redress in full, will be able to receive the outstanding components of their redress after the end of the NRS. Our comments below take a broader perspective, focusing on justice-making and support for victims and survivors of child sexual abuse after the end of the NRS.

The end of the NRS will increase the role played by other justice-making and support options for victims and survivors of child sexual abuse, including redress schemes provided by institutions, civil law claims for compensation and victims’ support schemes. The end of the NRS will also impact the effectiveness of a siloed approach to providing services, depending on whether an experience of child sexual abuse occurred in an institutional or non-institutional setting (see the discussion on pages 132 to 135 below).

Our comments below address the following matters:

- the importance of ongoing consultation with victims, survivors and support services
- the importance of ongoing access to meaningful justice-making options beyond the end of the NRS

²³⁸ Department of Social Services, *National Redress Scheme Eighth Anniversary Review*.

- the benefits of establishing a national framework for redress schemes, and key considerations that should inform the development of the framework
- strengthening legal and related support for victims and survivors of child abuse, including child sexual abuse
- improving support for victims and survivors in relation to civil litigation
- improving victims' support schemes
- utilising organisational and workforce capability to maintain and improve support for victims and survivors
- the significant potential of the NRS to contribute to ongoing, national truth-telling about institutional child sexual abuse in Australia.

The importance of ongoing consultation with victims, survivors and support services

To me, lived experience means nothing about us without us. Having navigated the redress scheme myself, I wanted to use my own experience to make the scheme better for others.

Reflections of Chris Coombes, Lived Experience Lead at Knowmore Legal Service

Knowmore welcomes the focus of the eighth year review on survivor experience and the review's objective to 'consult with survivors and survivor advocacy groups to ensure their perspectives inform design and decision-making'.²³⁹

Knowmore has advocated for the perspectives of victims and survivors of child sexual abuse to be heard throughout the design, implementation and operation of the NRS.²⁴⁰ For many victims and survivors, contributing to systemic change is an important part of their healing journey. We see the

²³⁹ Terms of Reference, p 2.

²⁴⁰ See, for example, Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 20 February 2026, pp 67–68, recommendation 6; Knowmore, *Submission to the Australian National Audit Office*, pp 101–102, recommendation 20.

immense value of lived experience in shaping systems reform, as it puts the experiences of those impacted at the centre of decision-making and helps to ensure that service systems are fit-for-purpose.²⁴¹

As noted on page 37, we are concerned that the short consultation period for the eighth year review does not allow victims, survivors and support services an adequate opportunity to contribute. In our view, this reinforces the importance of ongoing consultation with victims, survivors and support services through the final years of the NRS and beyond.

We note that the terms of reference refer to the NRS survivor roundtables.²⁴² We recognise the importance of these roundtables for facilitating the Department's consultation with victims and survivors. While these roundtables are valuable, and should continue to be held, we note that they are not a standing body, which impacts on their ability to facilitate consultation between meetings. They are held occasionally. For example, the most recent survivor roundtable was held in March 2026 – the Department has indicated that they are planning to hold the next survivor roundtable in early 2027.²⁴³

In Knowmore's view, an expert advisory group has significant potential as a mechanism for ongoing consultation. The expert advisory group could:

- consist of victims, survivors, support services and other experts
- directly advise the Department in relation to the end of the NRS
- continue to advise the Department about the justice-making and support needs of victims and survivors after the end of the NRS, noting that these needs will remain ongoing (see pages 119 to 122) and additional challenges are likely to arise during the transitional years (see pages 72 to 74).

The expert advisory group would supplement, not replace, the survivor roundtables.

²⁴¹ See Knowmore, *Helping survivors advocate for change*, accessed 4 August 2026, <www.knowmore.org.au/leading-change/supporting-survivors/>.

²⁴² Terms of reference, p 2.

²⁴³ Parliament of Australia, Joint Standing Committee on Implementation of the National Redress Scheme, *Hansard*, 25 June 2026, p 8.

There are a number of advisory groups established by Australian Government departments and agencies that may inform the design and implementation of an expert advisory group for the Department of Social Services. These advisory groups include:

- the Attorney-General's Department's Lived-experience Expert Advisory Group in relation to sexual violence²⁴⁴
- the National Office for Child Safety's National Strategy Advisory Group²⁴⁵
- the Modern Slavery Expert Advisory Group²⁴⁶
- the National Disability Data Asset Scoping Panel²⁴⁷
- the National Disability Insurance Scheme (NDIS) Quality and Safeguards Commission Advisory Council.²⁴⁸

The Australian Government could also consider Knowmore's Lived Expertise Advisory Panel as a model for an expert advisory group. Knowmore's Lived Expertise Advisory Panel, established in early 2026, brings together survivor leadership, expertise and insight to guide all aspects of our practice.²⁴⁹

We recommend that the Department ensure that there is meaningful, ongoing consultation with victims, survivors and support services through the final years of the NRS and beyond, including by continuing to hold survivor roundtable and by establishing an expert advisory group.

²⁴⁴ Australian Government, Attorney-General's Department, *Sexual violence*, accessed 6 August 2026, <<https://www.ag.gov.au/crime/sexual-violence>>.

²⁴⁵ National Office for Child Safety, *National Strategy Advisory Group*, accessed 6 August 2026, <<https://www.childsafety.gov.au/what-we-do/engage-stakeholder-and-advisory-groups/national-strategy-advisory-group>>.

²⁴⁶ Australian Government, Attorney-General's Department, *Modern Slavery Expert Advisory Group*, accessed 4 August 2026, <<https://www.ag.gov.au/crime/modern-slavery/modern-slavery-act/modern-slavery-expert-advisory-group>>.

²⁴⁷ Australian Government, National Disability Data Asset, *Scoping Panel report summary*, accessed 4 August 2026, <<https://www.ndda.gov.au/how-we-work/advisory-panels/scoping-panel-report>>.

²⁴⁸ NDIS Quality and Safeguards Commission, *Advisory Council Terms of Reference*, November 2025, <<https://www.ndiscommission.gov.au/sites/default/files/2025-12/Terms%20of%20Reference%20-%20Advisory%20Council.pdf>>.

²⁴⁹ Knowmore, *Lived Expertise Advisory Panel*, accessed 4 August 2026, <<https://knowmore.org.au/about-us/lived-expertise-advisory-panel/>>.

We consider that any consultation process with victims and survivors should be survivor-focused, trauma-informed and culturally appropriate, consistent with the legislated principles for redress (see page 30).²⁵⁰ We also consider that victims and survivors should be appropriately remunerated for sharing their lived expertise.

Recommendation 17

The Department should ensure that there is meaningful, ongoing consultation with victims, survivors and support services through the final years of the NRS and beyond, including by continuing to hold survivor roundtable and by establishing an expert advisory group.

Any consultation process with victims and survivors should be survivor-focused, trauma-informed and culturally appropriate, consistent with the legislated principles for redress. We also consider that victims and survivors should be appropriately remunerated for sharing their lived expertise.

²⁵⁰ NRS Act, section 10.

The importance of ongoing access to meaningful justice-making options

I don't think I know what justice means. I talk to a lot of victims and survivors of abuse and, for each and every person, the answer is different.

For me, justice was about being believed. A person in authority – in this case, the government – recognising that the abuse happened. Being believed in that way did feel like justice.

I feel like justice is also economic justice. I was working 2 jobs through my 20s to process and digest some of what happened to me as a child. Getting my counselling paid for from the redress scheme did feel like justice, that I didn't have to pay for that anymore.

Reflections of Chris Coombes, Lived Experience Lead at Knowmore Legal Service

Child sexual abuse remains widespread 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.²⁵¹

The Australian Child Maltreatment Study reported, in 2023, that more than a quarter (28.5%) of people in Australia had experienced child sexual

²⁵¹ Knowmore, *Submission on the National Strategy to Prevent and Respond to Child Sexual Abuse – Second Action Plan*, 31 July 2026, p 11, <<https://knowmore.org.au/leading-change/submissions/>>.

abuse.²⁵² This indicates that many millions of people in Australia have experienced child sexual abuse.²⁵³

We particularly note the systemic failure to protect young children from child sexual abuse in early childhood education and care centres, highlighted by many media reports and inquiries over the past 12 months.²⁵⁴ As a result of this failure, which former Royal Commissioner Robert Fitzgerald described as ‘shameful’,²⁵⁵ 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’.²⁵⁶

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 regulation and strengthening Working With Children Check schemes.²⁵⁷ In

²⁵² 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/>>.

²⁵³ Australia’s population was 27,801,023 people at 31 December 2025. See Australian Bureau of Statistics, *National, state and territory population*, June 2026, <www.abs.gov.au/statistics/people/population/national-state-and-territory-population/latest-release>.

²⁵⁴ See, Knowmore, *Submission to the Joint Standing Committee on the National Redress Scheme*, 20 February 2026, p 186, <knowmore.org.au/wp-content/uploads/2026/03/submission-joint-standing-committee-on-implementation-of-the-national-redress-scheme.pdf>.

²⁵⁵ 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>>.

²⁵⁶ Anne Hollonds AO, *Child safety and wellbeing must be made a national priority*.

²⁵⁷ 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>>.

our view, this has left unresolved the issue of 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.²⁵⁸ 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.²⁵⁹

The Royal Commission highlighted the importance of providing meaningful 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.*²⁶⁰

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 policies that encouraged or required the placement of children in institutions.*²⁶¹

²⁵⁸ See for example, Royal Commission, *Redress and civil litigation report*, p 5.

²⁵⁹ 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>.

²⁶⁰ Royal Commission, *Redress and civil litigation report*, p 5.

²⁶¹ Royal Commission, *Redress and civil litigation report*, p 248.

In our view, there is a pressing need for Australian governments to ensure ongoing access to meaningful justice-making options for victims and survivors while ever child sexual abuse continues to occur.

However, victims and survivors who are not eligible for the NRS, or who come forward after the deadline for lodging 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,²⁶² highlighting a significant gap in the justice-making options for a growing number of victims and survivors.²⁶³

As recommended on page 70, the Australian Government should immediately prioritise greater planning in relation to the deadline for redress applications and the end of the NRS. As part of this planning, the Australian Government should ensure that victims and survivors have ongoing access to meaningful 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 justice-making options.

Recommendation 18

As part of this planning in relation to the deadline for redress applications and the end of the National Redress Scheme (see recommendation 6), the Australian Government should ensure that victims and survivors have ongoing access to meaningful 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 justice-making options.

²⁶² NRS Act, section 14(1)(c).

²⁶³ 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 schemes

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 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.²⁶⁴

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.²⁶⁵

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.

²⁶⁴ Previous Joint Standing Committee, p 27, paragraph 1.141.

²⁶⁵ See Knowmore, Knowmore, *Submission to the Australian Law Reform Commission's inquiry into justice responses to sexual violence*, p 47.

These problems disproportionately impact victims and survivors who experience intersectional marginalisation. We see particularly harmful and injustice impacts on survivors of the Stolen Generations.²⁶⁶

The previous Joint Standing Committee made the following recommendation relevant to improving the consistency, coherence and effectiveness of redress and reparation schemes across Australia.²⁶⁷

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 non-government institutions. These redress schemes are already an important option for many victims and survivors. As noted on page 114, 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 non-government institutions responsible for child sexual abuse.

We consider that developing a national framework for redress and/or reparation schemes should form part of planning in relation to the end of the NRS (see recommendation 3 on page 70). As with planning in relation to 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

²⁶⁶ For more information about the disproportionate impact of these problems on survivors of the Stolen Generations, see Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 20 February 2026, pp 50–51.

²⁶⁷ Previous Joint Standing Committee, p 27, recommendation 29.

and support services, including Knowmore and the Redress Support Services.

Recommendation 19

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 in relation to the end of the National Redress Scheme (see recommendation 3). As with planning in relation to 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 nation-wide 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.

Strengthening legal and related support for victims and survivors of child abuse

We made detailed comments about the importance of legal and related support in relation to the NRS on pages 45 to 57. Our comments below focus on the legal and related support that victims and survivors will need to effectively navigate their justice-making options after the end of the NRS. We address the following matters:

- the importance of trauma-informed legal support
- the need for a nation-wide legal and related support service for all victims and survivors of child abuse, including child sexual abuse.

The importance of trauma-informed legal support

For me, trauma-informed practice recognises and responds to the impact of trauma on the whole person. It is a strength-based, holistic approach.

It prioritises cultural safety, empowerment, trust, choice and collaboration to reduce retraumatisation, and to support healing and wellbeing.

This really matters because victims and survivors have experienced trauma attached to people who hold positions of authority and power – whether in institutions, in families or in community settings.

A trauma-informed legal service has a responsibility to resist retraumatisation by avoiding procedures and practices that may inadvertently recreate circumstances or experiences that mirror survivors' trauma.

Reflections of Yvonne Urry, Manager Trauma Informed Practice at Knowmore Legal Service

The legal system is complex and often inaccessible and retraumatising for victims and survivors of child sexual abuse. Many inquiries, over many years and across Australian jurisdictions, have highlighted the need to

provide victims and survivors with greater support to navigate the legal system. For example, the Royal Commission observed that:

*... the complexity of the legal system, negative previous experiences with this system and the impacts of trauma can leave victims and survivors feeling disempowered and cause them additional and unnecessary distress. Legal elements within other service systems can also be difficult for victims and survivors to manage.*²⁶⁸

More recently, the Victorian Victims of Crime Commissioner (VOCC) made the following comments in the report on a systemic inquiry into victim participation in the justice system:

There have been sufficient reviews and inquiries, including reviews examining the existing system in depth, to demonstrate that the current approach to victim support is not meeting victims' needs.

...

*Victims need, and deserve, a properly resourced victim support system that can provide the type of support they need, including in duration, intensity and specialisation. The current victim support system has already been found to be inadequate and falling short.*²⁶⁹

In relation to legal assistance specifically, the Victorian Victims of Crime Commissioner commented that:

Findings relating to victims' unmet legal needs are not new.

...

Victims' views, consultations with experts and stakeholders, and the overwhelming evidence from previous reviews and inquiries, support

²⁶⁸ Royal Commission, *Final report: volume 9, advocacy, support and therapeutic treatment services*, 15 December 2017, p 175, recommendation 9.4, <https://www.childabuseroyalcommission.gov.au/sites/default/files/final_report_-_volume_9_advocacy_support_and_therapeutic_treatment_services.pdf>.

²⁶⁹ Victorian Victims of Crime Commissioner, *Sidelined and silenced: Systemic inquiry into victim participation in the justice system*, November 2023, p 360, <www.victimsofcrimecommissioner.vic.gov.au/media/lpufjx5h/silenced-and-sidelined_systemic-inquiry-into-victim-participation.pdf>.

*the VOCC's conclusion that enhanced legal advice and assistance is fundamental to victim participation in the justice system.*²⁷⁰

The Victorian Victims of Crime Commissioner recommended that the Victorian Government 'fund an enhanced victim support system in Victoria'²⁷¹ and expand the existing Victims Legal Service in Victoria 'to provide victims with specialist, state-funded legal assistance in relation to the comprehensive range of legal issues that victims face'.²⁷² Knowmore supports these recommendations.

However, as a nation-wide service that assists victims and survivors of child abuse, we are concerned by the gaps in assistance in all parts of Australia and recognise the importance of a nationally consistent response. In Knowmore's view, victims and survivors of child abuse in all parts of Australia should have access to free, independent and trauma-informed legal assistance and wraparound support in relation to the comprehensive range of legal issues that victims and survivors experience. This is particularly important for ensuring that victims and survivors not only have meaningful access to legal options, but to the full range of services that can assist victims and survivors with safety, justice and healing.

Some elements of such a service already exist, or will soon be piloted, in many parts of Australia.²⁷³ However, there is not presently a service that provides free, independent and trauma-informed legal assistance and wraparound support in relation to the comprehensive range of legal issues

²⁷⁰ Victorian Victims of Crime Commissioner, *Sidelined and silenced: Systemic inquiry into victim participation in the justice system*, p 369 and 373.

²⁷¹ Victorian Victims of Crime Commissioner, *Sidelined and silenced: Systemic inquiry into victim participation in the justice system*, p 362, recommendation 17.

²⁷² Victorian Victims of Crime Commissioner, *Sidelined and silenced: Systemic inquiry into victim participation in the justice system*, p 376, recommendation 21.

²⁷³ See Knowmore, *Submission to the Australian Law Reform Commission Inquiry into justice responses to sexual violence*, pp 15-16; Hon Michelle Rowland MP, *Expanded access to specialised and trauma-informed sexual violence legal services pilots in NSW and Qld*, 8 March 2026, accessed 30 July 2026, <<https://ministers.ag.gov.au/media-centre/expanded-access-specialised-and-trauma-informed-sexual-violence-legal-services-pilots-nsw-and-qld-08-03-2026>>.

that victims and survivors of child sexual abuse experience, let alone survivors of child abuse more broadly.

We envisage a comprehensive service assisting victims and survivors of child abuse with at least the broad range of matters identified by the Victorian Victims of Crime Commissioner (see appendix 2).²⁷⁴ In addition to those matters, the same comprehensive service should be funded to assist victims and survivors of child abuse to understand and access their justice-making options (for example, redress schemes provided by institutions), and provide independent legal support to victims and survivors in relation to all parts of the criminal legal process.

A comprehensive service is especially important, as many victims and survivors do not know what their legal options are, let alone which options will best meet their needs, before receiving legal advice. Based on our experience as a multidisciplinary service, we also consider it essential for this legal assistance to be delivered by dedicated services that can provide wraparound support, recognising the impacts of child abuse and the importance of a trauma-informed response.

We envisage this service to include systems navigation support. From our experience assisting victims and survivors, we know the value of navigation assistance and advocacy for people engaging with complex legal and support systems. The Justice Navigator Pilot, being led by the Victorian Government in partnership with Sexual Assault Services Victoria (SASVic), provides an example of how dedicated navigators can assist victims and survivors to understand their rights, access services, and engage with legal and related support processes in a coordinated and informed way.²⁷⁵

The Australian Government has also announced a new service that will provide information, referrals and specialist service navigation for victims

²⁷⁴ Victorian Victims of Crime Commissioner, *Sidelined and silenced: Systemic inquiry into victim participation in the justice system*, p 373–375.

²⁷⁵ Australian Government, Department of Social Services, *Justice navigator pilot for victim survivors of sexual assault*, last modified 9 December 2025, accessed 27 July 2026, <www.dss.gov.au/national-plan-end-violence-against-women-and-children/progress/first-action-plan-progress/first-action-plan-activities-addendum/justice-navigator-pilot-victim-survivors-sexual-assault>; Sexual Assault Services Victoria, *About us: about the Justice Navigator Pilot*, accessed 27 July 2026, <sasvic.org.au/about-us/justicenavigators/>.

and survivors of child sexual abuse.²⁷⁶ Despite this, there remain critical gaps in navigation support for children, and survivors of non-sexual child abuse or multi-type maltreatment (see pages 134 to 135). There also remain critical gaps in support for victims and survivors of child abuse in relation to:

- social work, counselling and cultural support in relation to civil legal processes, criminal legal processes and redress schemes provided by institutions
- financial counselling in relation to civil claims and redress schemes provided by institutions
- independent legal support in relation to criminal legal processes and redress schemes provided by institutions.

Supporting all victims and survivors of child abuse

In 2022, Knowmore expanded our service from assisting victims and survivors engaging with the National Redress Scheme to assisting all victims and survivors of child sexual abuse. This expansion has laid the groundwork for a comprehensive service, moving away from a siloed approach to support depending on whether an experience of child abuse was in an institutional or non-institutional setting.

The siloed approach is, to some extent, a legacy of the Royal Commission's terms of reference, which directed the Royal Commission not to 'specifically examine the issue of child sexual abuse and related matters outside institutional context'.²⁷⁷ However, even the Royal Commission's terms of reference recognised that the Royal Commission's recommendations were 'likely to improve the response to all forms of child sexual abuse in all contexts'.²⁷⁸ The Royal Commission likewise observed:

²⁷⁶ The Hon. Michelle Rowland MP, *National information and referral service for victims and survivors of child sexual abuse*, 14 July 2026, <ministers.ag.gov.au/media-centre/national-information-and-referral-service-victims-and-survivors-child-sexual-abuse-14-07-2026>.

²⁷⁷ Royal Commission, *Terms of reference*, 13 November 2014, <www.childabuseroyalcommission.gov.au/terms-reference>.

²⁷⁸ Royal Commission, *Terms of reference*.

Throughout our inquiry, we often heard that institutional child sexual abuse has occurred alongside child sexual abuse in familial or community contexts. Many survivors told us the impacts they experienced in institutions were compounded by sexual abuse they experienced elsewhere ...

We recognise that the services and systems responses we have considered will in many circumstances be applicable to all survivors of child sexual abuse, no matter what the context of the abuse ... it is unrealistic in some situations for advocacy and support services to only be provided to institutional survivors.²⁷⁹

This aligns with our experience in delivering the expanded, trauma-informed legal service. Clients' understandings of their own experiences, rights and needs often do not align neatly with a distinction between institutional and non-institutional abuse. Given the nature and impacts of child sexual abuse,²⁸⁰ it is common for clients to have highly personalised ways of describing what happened to them, or alternatively, not to have clear language at all. It is also common for us to experience multiple disclosures of child abuse over the course of working with a client, which may include abuse in both institutional and non-institutional settings. For clients who have experienced multiple incidents of child abuse, it would often be challenging and artificial to attribute the impacts (such as mental health impacts and their flow-on effects) to specific incidents of abuse, rather than the client's experience of abuse as a whole.

As a result of these factors, we avoid a siloed approach to service delivery to the extent that our funding agreements allow it. For example, we have a single intake process for clients, regardless of whether they experienced institutional abuse, non-institutional abuse or both. Our lawyers can provide advice relevant to both forms of abuse in a single appointment. This allows for advice that holistically considers the client's legal options and needs, and minimises the need for a client to re-tell their story multiple

²⁷⁹ Royal Commission, *Final report: volume 9, advocacy, support and therapeutic treatment services*, p 9.

²⁸⁰ See generally Royal Commission, *Final report: volume 3, impacts*, pp 73-156; Royal Commission, *Final report: volume 4, identifying and disclosing child sexual abuse*, pp 78-108.

times. After end of the NRS, a siloed approach to providing support is likely to become even more artificial, as there will no longer be a national redress scheme that distinguishes between institutional and non-institutional child sexual abuse.

With the approaching end of the NRS, it is an appropriate time for Australian governments to further move away from siloed approaches, and consider what would be most effective in ensuring child safety and responding to child abuse. Knowmore considers that what is needed is a free and independent, nation-wide service that provides legal and related support to victims and survivors of all forms of child abuse. This would include child sexual abuse, but also physical abuse, emotional abuse, neglect, exposure to domestic and family violence, and multi-type maltreatment (where a child experiences 2 or more different types of maltreatment).²⁸¹ A comprehensive service of this nature would be appropriate for the following reasons:

- Child sexual abuse often occurs together with other forms of child abuse.²⁸² Victims and survivors of child sexual are often targeted for further abuse, including in childhood and adulthood, by different perpetrators, and for emotional and physical abuse.²⁸³
- A comprehensive service could better assist victims and survivors of child sexual abuse in navigating the complex and fragmented systems for accessing safety, justice and support. This complexity and fragmentation is illustrated by many of the challenges we already assist our clients to navigate. For example, we often experience difficulties in getting the National Redress Scheme to recognise grooming and voyeurism as child sexual abuse (see pages 92 to 96).²⁸⁴ We also experience difficulties in getting victims' support schemes to recognise forms of abuse that were not crimes

²⁸¹ Australian Child Maltreatment Study, *The prevalence and impact of child maltreatment in Australia: findings from the Australian Child Maltreatment Study: brief report*, pp 6–7.

²⁸² Australian Child Maltreatment Study, *The prevalence and impact of child maltreatment in Australia: findings from the Australian Child Maltreatment Study: brief report*, p 22.

²⁸³ Royal Commission, *Final report: volume 3, impacts*, p 140.

²⁸⁴ Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 20 February 2026, pp 97–101.

at the time they occurred, or without evidence that the abuse caused a specific injury or loss (see pages 141 to 142).²⁸⁵

- A comprehensive service would address a critical gap in support for victims and survivors of non-sexual child abuse or multi-type maltreatment.

In light of the above, we consider that a comprehensive service would be best able to provide legal and related support to victims and survivors of child sexual abuse, in addition to victims and survivors of child abuse more broadly. We therefore recommend that the Australian Government fund Knowmore as a nation-wide legal and related support service for victims and survivors of child abuse, including child sexual abuse.

Recommendation 20

The Australian Government should fund Knowmore as a nation-wide legal and related support service for victims and survivors of child abuse, including child sexual abuse.

While ever child abuse continues to occur, victims and survivors must be able to have confidence that Knowmore will remain funded to provide legal and related support. We make further comments about the importance of adequate and secure funding for support services on pages 144 to 147.

²⁸⁵ See, for example, Knowmore, *Submission to the Australian Law Reform Commission's inquiry into justice responses to sexual violence*, pp 49–50.

Improving support for victims and survivors in relation to civil litigation

I hadn't had any experience with the legal system previously. It was a really long road. From start to finish, it probably took 2 and a half years of my life, and I was really lucky my case was resolved at mediation. Had it actually gone to court, it would have added more years, I imagine.

The world doesn't politely go on hold for you while you're dealing with it. I still had to have my full-time job. I still had my sons that I was raising at home, and you just have to function in the real world.

Reflections of Barbara Charan (Fernandez), Victim-Survivor of Familial Abuse, Communications Manager at Knowmore Legal Service

Knowmore does not provide legal advice about civil law claims for compensation. We refer victims and survivors to private lawyers for legal advice about civil law claims. We do not seek to make comprehensive comments about this topic.

We note the Royal Commission's observation that 'the current civil litigation systems ... have not provided justice for many survivors'.²⁸⁶ At the time of the Royal Commission, a significant barrier to civil litigation was time limitations on bringing actions, which have now been abolished for child sexual abuse in line with the Royal Commission's recommendations.²⁸⁷ However, the Royal Commission also recognised that victims and survivors of child sexual abuse seeking compensation through civil litigation may face challenges including 'legal costs, difficulties in bringing class or group actions and the burden of giving evidence and being subject to cross-examination'.²⁸⁸ The Australian Law Reform Commission's recent report on justice responses to sexual violence confirms challenges of this nature remain significant in the civil litigation

²⁸⁶ Royal Commission, *Redress and civil litigation report*, p 5.

²⁸⁷ Royal Commission, *Redress and civil litigation report*, p 459, recommendations 85–88.

²⁸⁸ Royal Commission, *Redress and civil litigation report*, p 432.

system.²⁸⁹ Many of our clients are unable to bring viable civil claims for child sexual abuse because the perpetrator has died or does not have sufficient assets to satisfy a judgment.

As noted on page 132, there are critical gaps in support for victims and survivors in relation to civil litigation. While there are private law firms that act on a 'no win, no fee' basis, multidisciplinary support is generally not provided by private law firms. It can be challenging to access appropriate social work or counselling support in relation to civil litigation, as the following reflections of Barbara Charan (Fernandez) illustrate.

I was seeing a counsellor at the time that I'd made the decision to go down this pathway, and she actually dropped me as a client when she heard I was going down this path, simply because she had been called as a witness for a previous client, and I'm guessing the process was so horrific she didn't want to go through it again. So it's kind of sad that people working particularly in the profession don't even want to go through it.

Reflections of Barbara Charan (Fernandez), Victim-Survivor of Familial Abuse, Communications Manager at Knowmore Legal Service

Many of Knowmore's clients request further support from us, even once they have civil lawyers. This is especially the case in relation to the cultural support provided by Aboriginal and Torres Strait Islander engagement advisors at Knowmore. However, it is not possible for us to provide ongoing support of this nature under our current funding agreements and with our current capacity.

In our experience, the lack of multidisciplinary support is one of the most significant barriers to victims and survivors of child sexual abuse pursuing civil litigation. We recommend that the Australian Government fund Knowmore to provide social work, counselling, cultural support and

²⁸⁹ Australian Law Reform Commission, *Safe, informed, supported: reforming justice responses to sexual violence*, January 2025, pp 390–392, paragraphs 13.6–13.16, <<https://www.alrc.gov.au/wp-content/uploads/2025/02/JRSV-Final-Report-Book-for-Web-final-20250211.pdf>>.

financial counselling for victims and survivors of child abuse in relation to civil litigation.

Recommendation 21

The Australian Government should fund Knowmore to provide social work, counselling, cultural support and financial counselling for victims and survivors of child abuse in relation to civil litigation.

We also note that the Australian Law Reform Commission has made detailed recommendations for improving the civil litigation system.²⁹⁰ Knowmore broadly supports reforms of this nature.

Improving victims' support schemes

For many victims and survivors of child sexual abuse, a victims' support scheme is an important option. This is especially the case for victims and survivors of child sexual abuse who are not eligible for the NRS. We recognise that victims' support schemes provide support to victims and survivors of a wide range of offences –²⁹¹ they are not tailored to the experiences or needs of victims and survivors of child sexual abuse. Speaking generally, we consider that victims' support schemes require significant reform if they are to effectively meet the justice and healing needs of victims and survivors of child sexual abuse.²⁹²

Our perspective on victims' support schemes is informed by our experience as a nation-wide service, assisting victims and survivors of child sexual abuse with victims' support matters in all Australian states and territories. Our comments below address the following matters:

- general comments about victims' support schemes in Australia
- features of national best practice among victims' support schemes

²⁹⁰ Australian Law Reform Commission, *Safe, informed, supported: reforming justice responses to sexual violence*, pp 36–38, recommendations 46–47.

²⁹¹ Australian Law Reform Commission, *Safe, informed, supported: reforming justice responses to sexual violence*, p 498 paragraph 16.14

²⁹² See also Australian Law Reform Commission, *Safe, informed, supported: reforming justice responses to sexual violence*, pp 498–500.

- our widespread concerns about victims' support schemes, relevant to many states and territories in Australia.

Our comments below address the present victims' support scheme in each state and territory. Many victims of survivors of child sexual abuse are covered by previous victims' support schemes, which raise their own issues that negatively affect applicants today.

General comments about victims' support schemes in Australia

A striking feature of victims' support schemes, from a nation-wide perspective, is the significant inconsistencies between victims' support schemes in different states and territories. These inconsistencies affect almost every aspect of victims' support schemes, including:

- the types of support available
- the maximum amount of payments
- the eligibility criteria
- the application process
- interaction with other support options
- review options.

There is no good reason for this level of inconsistency between states and territories. It results in significantly different experiences and outcomes for victims and survivors, depending on where the abuse occurred, and creates difficulties for victims and survivors whose experiences cross borders – for example, victims and survivors who have experienced abuse in more than one state or territory.

In Knowmore's view, the Australian Government should lead work with state and territory governments to improve consistency between victims' support schemes, based on national best practice.

Recommendation 22

The Australian Government should lead work with state and territory governments to improve consistency between victims' support schemes, based on national best practice.

Features of national best practice among victims' support schemes

Generally speaking, we consider that features of national best practice among victims' support schemes include:

- higher maximum payments,²⁹³ although we do not consider that any victims' support scheme offers adequate payments to recognise the impacts of child sexual abuse on victims and survivors
- no time limit for victims or survivors of child abuse to apply for victims' support²⁹⁴
- allowing victims and survivors of sexual offences (among others) the option to report the criminal offence to a range of support services, instead of the police²⁹⁵
- no requirement for the perpetrator to be charged with an offence in order for the victim or survivor to receive victims' support²⁹⁶
- a document-based application process that does not require a victim or survivor to attend a hearing²⁹⁷
- access to counselling, without requiring the victim or survivor to apply for a payment or wait for and receive approval for the payment²⁹⁸
- the option to ask for a victim recognition statement or victim recognition meeting to acknowledge the effects of the crime²⁹⁹

²⁹³ See, for example, *Victims of Crime Assistance Act 2009* (Qld), section 38(1).

²⁹⁴ See *Victims of Crime Assistance Act 1996* (Vic), section 29(1A).

²⁹⁵ See, for example, *Victims of Crime Assistance Act 2009* (Qld), section 81.

²⁹⁶ See, for example, Women's Legal Service WA, *Criminal Injuries Compensation application information: a guide for potential applicants*, 20 March 2020, accessed 4 June 2024, p 5, <www.wlswa.org.au/wp-content/uploads/2020/03/20200320-WLSWA-CIC-Booklet.pdf>.

²⁹⁷ This is a relative weakness of Criminal Injuries Compensation in Western Australia compared to many other victims support schemes. See *Criminal Injuries Compensation Act 2003* (WA), section 24.

²⁹⁸ See, for example, Women's Legal Service NSW, *A practitioner's guide to domestic violence law in NSW*, accessed 4 June 2024, chapter 10, <www.wlsnsw.org.au/resources/dv-law-nsw/ch-10-dv-victims-support/>.

²⁹⁹ See *Victims of Crime (Financial Assistance Scheme) Act 2022* (Vic), sections 40 and 41.

- clear, legislative protection against victims' support payments being reduced by redress payments received under the NRS.³⁰⁰

Widespread concerns about victims' support schemes

As noted on page 138, we also hold widespread concerns about victims' support schemes, relevant to many states and territories. For example:

- Victims' support schemes generally have inadequate payments that do not appropriately recognise the impacts of child sexual abuse or adequately support victims' and survivors' healing.³⁰¹
- Victims' support schemes generally have time limits that do not realistically reflect the time taken to disclose child sexual abuse – for example, time limits of 3 years, which are not automatically extended for victims and survivors of child sexual abuse.³⁰² As noted on page 46, the Royal Commission found that victims and survivors take 24 years on average to disclose to another person that they have experienced child sexual abuse.³⁰³
- Standards of proof under victims' support schemes are generally higher than the 'reasonable likelihood' standard used by the NRS.³⁰⁴
- There are generally requirements to report the crime to the police in order to be eligible for victims' support.³⁰⁵
- There are often requirements for victims and survivors to prove that they have been injured or suffered a loss as a result of the crime.³⁰⁶

³⁰⁰ Queensland provides this in the *Victims of Crime Assistance Act 2009* (Qld), schedule 3, definition of 'relevant payment', paragraph (d).

³⁰¹ See, for example, Victims Support Services Tasmania, *Financial assistance*, 3 May 2024, accessed 4 June 2024, < www.justice.tas.gov.au/victims/financial-assistance >.

³⁰² See, for example, *Criminal Injuries Compensation Act 2003* (WA), section 9(1); Western Australian Government (Department of Justice), *Report on the findings of the review of the Criminal Injuries Compensation Scheme in Western Australia: final*, November 2019, p 37, < [www.parliament.wa.gov.au/publications/tailedpapers.nsf/displaypaper/4013095a635e6b4de55bc20f4825850b00306861/\\$file/3095.pdf](http://www.parliament.wa.gov.au/publications/tailedpapers.nsf/displaypaper/4013095a635e6b4de55bc20f4825850b00306861/$file/3095.pdf) >.

³⁰³ Royal Commission, *Final report: volume 4, identifying and disclosing child sexual abuse*, p 30.

³⁰⁴ See, for example, *Victims of Crime Assistance Act 2009* (Qld), section 78; *Victims of Crime Act 2001* (SA), section 22(2); NRS Act, section 12(2)(b).

³⁰⁵ See, for example, *Criminal Injuries Compensation Act 2003* (WA), section 38; Legal Aid Western Australia, *Compensation for victims of crime*, p 1.

³⁰⁶ See, for example, *Victims of Crime Assistance Act 2009* (Qld), section 25(1)(b).

Knowmore considers it unnecessary and inappropriate to require victims and survivors of child sexual abuse to prove that they were injured or suffered a loss in order to access a victims' support scheme, given the significant body of research demonstrating the impacts of child sexual abuse.³⁰⁷

- There are often requirements for victims and survivors to provide considerable detail or supporting documentation as part of the application process.³⁰⁸
- There are often risks that perpetrators may be told about the victim or survivor's application for victims' support.³⁰⁹
- There is generally inadequate support for victims and survivors in navigating the process, and particularly limited access to multidisciplinary support, linked to inadequate government funding for support services (see the discussion on pages 144 to 147).

Utilising organisational and workforce capability

We note that the Department and the National Office for Child Safety are currently working on the development of related action plans under 2 national frameworks – the *National Plan to End Violence against Women and Children 2022–2032* (National Plan) and the *National Strategy to Prevent and Respond to Child Sexual Abuse 2021–2030* (National Strategy)

³⁰⁷ See further discussion in Knowmore, *Submission to the inquiry into youth justice reform in Queensland*, 9 January 2024, pp 38–39, <knowmore.org.au/wp-content/uploads/2024/01/submission-inquiry-into-youth-justice-reform-qld.pdf>.

³⁰⁸ See, for example, Women's Legal Service WA, *Criminal Injuries Compensation application information: a guide for potential applicants*, pp 8–11; knowmore, *Submission to the inquiry into youth justice reform in Queensland*, p 40.

³⁰⁹ See, for example, Office of Criminal Injuries Compensation Western Australia, *Application process*, 29 September 2020, <cict.justice.wa.gov.au/A/application_process.aspx>.

respectively. A focus of both of these processes is strengthening the relevant workforce.³¹⁰

In relation to this, we note that it is often the same organisations and even the same staff providing support services for many victims and survivors in relation to the National Redress Scheme, the National Plan and the National Strategy. This reflects the capabilities of many of these organisations and staff in providing survivor-focused, trauma-informed and culturally appropriate support. It also reflects the fact that many victims and survivors require support that is relevant to the National Redress Scheme, the National Plan and the National Strategy (see our comments on pages 132 to 135 above).

The implementation of the NRS has highlighted the importance of appropriate organisational and workplace capability in supporting victims and survivors of child sexual abuse. As noted on page 52, the second year review recognised that it takes ‘time, effort and skill’ to provide appropriate support to victims and survivors,³¹¹ and that there is a heightened risk of vicarious trauma and burnout in doing this work.³¹²

In the case of our work providing legal and related support, the skills required across our organisation are both highly diverse and specific. These skills derive from tertiary education, lived experience, cultural knowledge and experience in community-based work. The diversity and sophistication of skills required is illustrated by the reflections of our staff on pages 55 to 57.

Through Knowmore and the Redress Support Services, the Australian Government has made a significant investment in the organisational and workforce capability required to effectively support victims and survivors.

³¹⁰ Australian National Research Organisation for Women’s Safety (ANROWS) and Australian Government, Department of Social Services, *Evidence to action: informing direction for the Second Action Plan* (Consultation paper), May 2026, p 50, <engage.dss.gov.au/wp-content/uploads/2026/05/second-action-plan-consultation-paper.pdf>; Australian Government, Attorney-General’s Department and the National Office for Child Safety, Consultation paper, p 6.

³¹¹ R Kruk AO, *Final report: second year review of the National Redress Scheme*, March 2021, p 208.

³¹² See R Kruk AO, *Final report: Second year review of the National Redress Scheme*, pp 174-178.

There is an opportunity for the Australian Government to utilise this organisational and workforce capability to maintain and improve support for victims and survivors of child sexual abuse beyond the end of the NRS. It is particularly important for the Australian Government to ensure that victims and survivors have continuity of care through the transitional years, which are likely to raise additional challenges.

We make comments below about the following matters:

- the importance of adequate and secure funding for support services
- our capability development service, which we share as a model that has significant potential to further strengthen the relevant organisational and workforce capability.

The importance of adequate and secure funding for support services

As noted on page 51–52, support services are experiencing significant and increasing challenges in assisting victims and survivors to navigate the NRS. Inadequate and insecure funding has contributed substantially to these challenges, ultimately impacting on victims and survivors of child sexual abuse.

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).³¹³

This modelling has proved to be incorrect, and although the Australian Government has made some welcome adjustments to Knowmore’s funding model in recent years (see the discussion below), the incorrect modelling continues to negatively impact Knowmore’s funding and create challenges for service delivery. Contrary to the original modelling, demand for our NRS-related legal support service has increased significantly over the last 7 years and particularly since June 2021. Despite this, the funding model for our NRS-related legal support service was not updated to reflect

³¹³ See Finity Consulting, *National Redress Scheme participant and cost estimates*, p 58, Figure 10.2.

the increase in demand. Instead, our NRS-related legal support service experienced 5 consecutive years of funding reductions, consistent with the original modelling.³¹⁴

Our NRS-related legal support service has received welcome funding increases in each of the following 3 years, including 2026–27.³¹⁵ This has enabled us to maintain our service levels. However, funding insecurity has remained a significant challenge. We generally do not receive a clear indication of what the funding level will be for our NRS-related legal support service until a matter of months or weeks out from the start of the new financial year.

We are again in the situation of not knowing what our funding level will be in less than 12 months' time. We note that the 2026–27 federal budget shows a reduction of about \$16.6 million (or 66%) for 2027–28 in 'legal support services for survivors engaging in the Commonwealth redress scheme'.³¹⁶ While we do not know how this reduction will be distributed between organisations, we know that the support service system is persistently stretched to its limit, and cannot simply absorb a funding reduction of this scale. The result would be that many victims and survivors would not receive appropriate help anywhere.

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 creates further challenges for our service delivery.

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

³¹⁴ See generally, Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 20 February 2026, pp 146–147.

³¹⁵ See generally, Knowmore, *Submission to the Joint Standing Committee on Implementation of the National Redress Scheme*, 20 February 2026, pp 146–147; Attorney-General's Department, *Budget 2026–27 Portfolio Budget Statements – Entity resources and planned performance*, p 19.

³¹⁶ Attorney-General's Department, *Budget 2026–27 Portfolio Budget Statements – Entity resources and planned performance*, p 19.

support services funding for the 2026–27 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.

The previous Joint Standing Committee made multiple recommendations for the Australian Government to provide additional funding to Knowmore and Redress Support Services.³¹⁷ These recommendations focus on the following matters:

- ensuring ‘all redress applications can be finalised on time’³¹⁸
- providing dedicated support to victims and survivors who experience intersectional marginalisation³¹⁹
- extending the funding term until 2 years following an extended expiration date for the NRS.³²⁰

These matters link to the discussion about the capacity of the NRS to deliver redress to all eligible victims and survivors (see pages 60 to 67). As noted on page 49, access to appropriate support services will remain important during the final year of the NRS (2027–28).

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 ensure that victims and survivors have access to free and independent legal and related support until the conclusion of their redress matters.

³¹⁷ Previous Joint Standing Committee, pp 9 and 25, recommendations 3, 22 and 23.

³¹⁸ Previous Joint Standing Committee, p 9 recommendation 3.

³¹⁹ Previous Joint Standing Committee, p 25, recommendation 22.

³²⁰ Previous Joint Standing Committee, p 25, recommendation 23.

Recommendation 23

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 119 to 122, planning in relation to the end of the NRS must also include planning to ensure that victims and survivors have ongoing access to meaningful justice-making options (see recommendation 3). This must include ongoing access to the legal and related support needed to effectively navigate their justice-making options.

Recommendation 24

As part of planning in relation to the 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 3). This must include ongoing access to the legal and related support needed to effectively navigate their justice-making options.

A model for capability development

As highlighted by our comments on pages 53 to 57, Knowmore has developed significant organisational capability over 13 years of providing legal and related support to victims and survivors of child abuse, reflected in the diverse and sophisticated skills of staff. Our work includes a capability development service, which is funded by the Department.

Through our capability development service, Knowmore provides training, legal advice, support and guidance to Redress Support Services, so they

Knowmore submission to the eighth year review of the National Redress Scheme | 147

can better support victims and survivors engaging with the NRS process. In doing so, our capability development service leverages our organisational capability and our strong relationships with community-based organisations to build the capability of Redress Support Services in navigating legal and related processes. This benefits survivors and the community at scale.

We recommend that, in planning how to maintain and improve support for victims and survivors of child sexual abuse beyond the end of the NRS, the Department should consider Knowmore's capability development service as a model that has significant potential to further strengthen the relevant organisational and workforce capability.

Recommendation 25

In planning how to maintain and improve support for victims and survivors of child sexual abuse beyond the end of the National Redress Scheme, the Department of Social Services should consider Knowmore's capability development service as a model that has significant potential to further strengthen the relevant organisational and workforce capability.

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 of 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.³²¹

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 119, 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 widespread. 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 scheme. This included data about the institutions to which redress applications relate and the periods of alleged abuse.³²² 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 123 to 127).

³²¹ Royal Commission, *Final report, volume 5: Private sessions*, 15 December 2017, pp 10 and 49, <https://www.royalcommission.gov.au/system/files/2021-08/carc-final-report-volume-5-private-sessions_0.pdf>.

³²² Royal Commission, *Redress and civil litigation report*, recommendation 69, p 395.

We consider that, as part of planning in relation to 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*).³²³ 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.

Recommendation 26

As part of planning in relation to 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.

³²³ Royal Commission, *Redress and civil litigation report*, recommendation, p 395.

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. Since 2022, Knowmore has assisted survivors who experienced child sexual abuse in non-institutional settings, and provided legal and financial counselling support to people engaging with the Territories Stolen Generations Redress Scheme. Knowmore has also been providing legal and financial counselling support to people who have received a redress offer from the Western Australian Stolen Generations Redress Scheme, which commenced in 2025.

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, and the Western Australian Government.

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.

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 30 June 2026, Knowmore has received 256,697 calls to its 1800 telephone line and has completed intake processes for, and has assisted or is currently assisting, 27,083 clients. 2 in 5 clients (40%) 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: legal issues experienced by victims and survivors

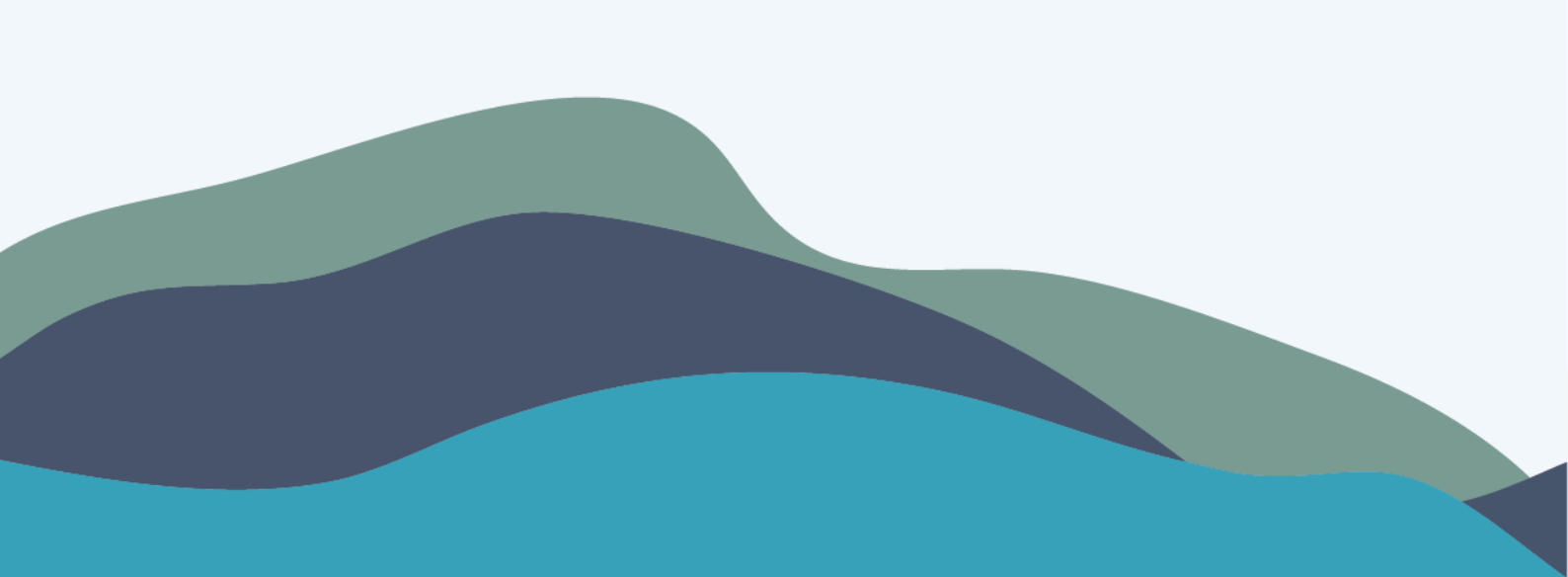
In the report on a systemic inquiry into victim participation in the justice system in November 2023, the Victorian Victims of Crime Commissioner identified the following matters that a comprehensive legal service for victims and survivors of crime could assist with. The list is illustrative, not exhaustive.³²⁴

Victims' Charter rights and entitlements	ensuring victims receive information about an investigation and prosecution from relevant agencies, along with appropriate referrals to support consistent with their rights and entitlements under the Victims' Charter ensuring agencies consult with victims and seek their views at key parts of the process consistent with their rights and entitlements under the Victims' Charter
Reporting a crime, understanding charges, withdrawing or amending witness statements	• providing independent advice regarding making a statement to police • providing independent advice and liaising with police/prosecution to understand why charges are not filed or are withdrawn by police/prosecution and advising on any internal or external review processes¹⁷
Advocating for bail conditions that prioritise victim safety	• providing legal assistance to ensure that a prosecuting agency is aware of a victim's views about bail • if bail is granted, providing legal advice on bail conditions that are imposed to protect victims

³²⁴ Victorian Victims of Crime Commissioner, *Sidelined and silenced: Systemic inquiry into victim participation in the justice system*, November 2023, pp 373–375, <www.victimsofcrimecommissioner.vic.gov.au/media/lpufjx5h/silenced-and-sidelined_systemic-inquiry-into-victim-participation.pdf>.

Subpoenas and immunities	• advocating for pre-trial applications, including reviewing application material and engaging legal representation¹⁸ to ensure victims' privacy and legal rights are respected in court
Giving evidence and alternative arrangements	• advocating for alternative ways of giving evidence and ensuring these are provided by the court where relevant
Children as victim- witnesses	• assisting children with their legal and Victims' Charter rights (as separate and distinct to those of a parent/ guardian)
Suppression Orders and the media	• advising a victim-survivor of sexual abuse or as a bereaved family member wishing to seek a Victim Privacy Notice • providing victims with legal advice relating to media intrusion or media engagement and any legal implications
Plea negotiations	• legal assistance to ensure the prosecution seeks the victim's views during certain prosecutorial decision-making processes • providing independent advice and liaising with the prosecution to understand plea decisions and advising on any internal or external review processes¹⁹
Sentence indications	• assistance with ensuring the impact on a victim is considered at the sentence indication stage, including liaison with prosecution as necessary
Diversion	• legal assistance to ensure that victims understand their participatory rights when diversion is recommended for an offender
Victim Impact Statements	• providing advice on the admissibility of a VIS • legal assistance where the defence applies to question a victim on the contents of their VIS

Cases of perpetrator misidentification/systems abuse	• legal assistance where a victim is incorrectly identified as the offender/respondent, particularly in family violence or stalking matters
Coronial matters	• applying for leave to appear as an interested party in a coronial proceeding and preparing submissions
Victim Right to Review scheme	• if implemented (see Recommendation 4) advising a victim about and applying to the Right to Review scheme
Mental impairment decisions, parole and other post-sentencing decisions	• being heard in relation to certain treatment matters where a person has been found not guilty or unfit to stand trial due to mental impairment under the <i>Crimes (Mental Impairment and Unfitness to be Tried Act 1997</i> (Vic) • understanding rights and entitlements relating to the Victims Register, and legal assistance with making submissions to the Adult Parole Board²⁰ • understanding rights and entitlements relating to post-sentencing decisions, and legal assistance with making submissions to the Post Sentence Authority.²¹
Restorative justice	• advising victims about entitlements to seek a restorative justice process • providing legal advice to victims about any legal ramifications of participation in a restorative justice process.



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 Cavenagh 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
