




Speech By
Hon. Anastacia Palaszczuk

MEMBER FOR INALA

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MINISTERIAL STATEMENTS

Institutional Child Sexual Abuse, Motion to Take Note

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for the Arts) (9.43 am): Today I will be introducing legislation asking this parliament to remove the statute of limitations for victims of institutional child sexual abuse. My government is proposing to remove the time barrier on justice for those Queensland victims of horrifying acts of abuse. The statute of limitations effectively barred these victims from making claims for damages. This was identified by the Royal Commission into Institutional Responses to Child Sexual Abuse, and it recommended the removal of limitation periods.

The royal commission like the Forde inquiry almost 20 years ago has shone a light on the horrific treatment of many children in institutions. The abuse was done in institutions that purported to offer care for young and vulnerable Queenslanders. I have personally met with many survivors and I thank them for their bravery in sharing their experiences. As part of his healing journey, Dennis Dodt has written a book, and he personally gave me this book to read. His stories of abuse, both physical and sexual, are harrowing to read, and his pain as a small child of around seven years of age is almost inconceivable. This is a short extract from his book—

The effects from the abuse are scars; I will always have them no matter how much I heal. This has been a hard thing to accept. I am slowly dealing with it and after twenty years of healing I am getting dramatically better.

Whereas most people are able to live their lives focussed on their careers and families, people who have been abused don't seem to have that choice. We are forced by the pain and torment of our childhood abuse and neglect to spend most of our lives focussed on healing, just to stay alive.

The report of the royal commission recommended the adoption of guidelines for responding to claims for compensation concerning allegations of child sexual abuse. In Queensland, the state and its agencies act as model litigants under the model litigant principles, but these principles do not address how the state and its agencies handle civil litigation in relation to child sexual abuse claims. The guidelines are intended to ensure a compassionate and consistent approach by government and to make civil litigation less traumatic for victims.

The government has also given a commitment that it will not rely on deeds of release granted to recipients of redress under the Forde scheme. Any payments received will be able to be taken into account by any court, but any deed of release signed will not prevent a survivor from commencing an action in the courts once the statute of limitations is lifted. The government will also release an issues paper to seek stakeholder and community interest in broader civil litigation reform based on recommendations 85 to 95 of the report. Those recommendations include substantial issues of law that require consultation with stakeholders, which is why the issues paper is so important.

The key issues raised in the discussion paper include: whether the commission's recommendation to remove limitations be extended beyond institutions to other settings, including families; whether other forms of abuse, such as physical abuse or related psychological abuse, be included; and whether the current scope of damages is sufficient. I table the issues paper and guidelines.

Tabled paper: Department of Justice and Attorney-General: Issues Paper—The civil litigation recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse: Redress and Civil Litigation Report—understanding the Queensland context, August 2016 [\[1233\]](#).

Tabled paper: Document, undated, titled 'Whole-of-Government Guidelines for responding to civil litigation involving child sexual abuse' [\[1234\]](#).

The parliamentary committee process will also afford the opportunity for stakeholders to provide comment on the legislation. My government is determined to open the door to justice for these survivors. The door has been closed for too many for too long. Consultation is important, and this was also highlighted by the shadow Attorney-General recently when he said—

We want to help survivors as soon as possible, but it's also important we get these laws right, so the LNP would consult with a wide range of stakeholders in drafting the legislation, from the legal industry to survivor support groups.

My government will ensure that we make the necessary reforms, but the Australian government must progress a national redress scheme for survivors. I call on the Prime Minister and the federal government to act in the national interest, do the right thing and put in place a national redress scheme. I will be calling on the Prime Minister personally to do this, and I will be raising this subject at the next COAG meeting later this year. I move—

That the House take note of the statement.