




Speech By
Aaron Harper

MEMBER FOR THURINGOWA

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**NATIONAL REDRESS SCHEME FOR INSTITUTIONAL CHILD SEXUAL ABUSE
(COMMONWEALTH POWERS) BILL**

 **Mr HARPER** (Thuringowa—ALP) (12.01 pm): I rise to speak in support of the National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018. Before I turn to the bill, I acknowledge the previous speaker the member for Burnett in his role of shadow minister. I appreciate his opening remarks, which were in the bipartisan fashion that we need to deliver this very important piece of legislation for Queensland. I think some of his remarks about child safety were somewhat provocative. This government can stand proud for having introduced a lot more staff into the child safety space. I want to put that on the record, and I thank the minister for her work.

It is also important and pertinent for the benefit of other members to provide some brief history of how this bill came before us today. On 12 November 2012 the then prime minister, Julia Gillard, announced that she would recommend to the Governor-General that a royal commission be appointed to inquire into institutional responses to child abuse. The terms of reference were established and six commissioners were appointed.

The Royal Commission into Institutional Responses to Child Sexual Abuse's *Redress and civil litigation report* was publicly released on 14 September 2015. The report recommended the establishment of a single national redress scheme to provide eligible applicants who have experienced institutional child sexual abuse with a monetary payment, access to counselling and psychological care, and a direct personal response from responsible institutions. Minister Farmer introduced this bill, and might I say how she introduced this particular body of work in its first reading in the parliament was very thoughtful. I want to commend her for bringing that before us.

The committee subsequently undertook some work on this bill. Our report presents a summary of the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee's examination of the National Redress Scheme for Institutional Child Sexual Abuse. It is an important bill to enable victims of institutional child sexual abuse committed in Queensland to now access redress through the Commonwealth government's national redress scheme.

The bill in its very essence seeks to adopt in Queensland the national scheme—the national redress act—and introduce a framework to enable information sharing by Queensland government agencies for handling applications for redress under the national scheme. The bill also seeks to amend the Victims of Crime Assistance Act 2009 to provide that redress payments cannot be deducted from victim assistance payments under that act.

The committee's task was to consider the policy to be achieved by the legislation and the application of fundamental legislative principles, that is, to consider whether the bill had sufficient regard to the rights and liberties of individuals and to the institution of parliament. The National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill was introduced into the Legislative Assembly and referred to our committee on 12 June 2018. The bill consisted of 18 clauses

and a schedule, which contains the text of the national redress act with its 193 sections. The committee invited stakeholders and subscribers to provide written submissions to the bill, and we received 16 submissions including a late submission from the Bar Association. I note the non-government members' statement of reservation, and the minister addressed the particular points raised in that earlier today.

The committee received an initial public briefing on the bill from the Department of Child Safety, Youth and Women on 25 June 2018. The committee then held a public hearing and received a second briefing from the department on 20 July 2018. As I said earlier, the objectives of the bill are to enable the Queensland operation of the National Redress Scheme for Institutional Child Sexual Abuse, the national scheme, by adopting the National Redress Scheme for Institutional Child Sexual Abuse Act 2018, the national redress act, to introduce a framework to enable appropriate information sharing by Queensland government agencies and to amend the Victims of Crime Assistance Act. The bill adopts the national redress act within the meaning of section 51 of the Commonwealth Constitution. The bill refers power to the Parliament of the Commonwealth for the purposes of making express amendments to the national redress act.

The bill is important to literally thousands of Queenslanders who have suffered sexual abuse in government and non-government institutions. It provides those affected by the trauma with an avenue of redress. If this redress act were not established, many would continue to suffer in silence, perhaps unable to proceed through a costly private civil case, which does place, as we heard, a huge and unfair financial burden on families and individuals.

The bill is needed for Queensland abuse survivors. Significant consultation on the issues traversed by the bill included extensive engagement with the victims of institutional child sexual abuse, support groups and institutions by the Royal Commission into Institutional Responses to Child Sexual Abuse—the royal commission—and a series of meetings and round tables that were hosted by the Department of the Premier and Cabinet with key stakeholders to inform the government's response to the royal commission. Those round tables were held between March 2018 and June 2018 in Cairns, Townsville, Caboolture, Brisbane, Logan, Ipswich and the Gold Coast. Recurring themes in the feedback included an emphasis on trauma informed and culturally safe services and responses; the importance of community education; resourcing issues and the needs of rural and remote people; the needs of Aboriginal and Torres Strait Islander people; and the ongoing impacts of abuse on people who have experienced institutional child sexual abuse.

PeakCare Queensland supported the adoption of the Commonwealth's national redress scheme and the associated amendment reference to the Commonwealth parliament to provide express amendments to the national redress act. PeakCare also supported the Queensland government's approaches to enabling a framework for information sharing by Queensland government agencies.

The report states—

... knowmore fully supports the participation of the Queensland Government and other non-government Queensland based institutions in the Scheme. Accordingly, knowmore supports the National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018 (Queensland), and recommends that it should be passed.

Similarly, Micah Projects acknowledged the significant milestone the Queensland government had achieved in preparing the national redress scheme. Their submission stated—

We congratulate the Queensland government on your commitment to survivors, your advocacy for justice in joining the scheme and the allocation of \$500,000,000.

...

Many survivors support the introduction of the National Redress Scheme ...

The Queensland government has worked with federal, state and territory governments on the design of the national redress scheme since its establishment. Once the national redress scheme is operational, the federal government will be responsible for the scheme's operation, including decision-making with regard to applications.

The Queensland government's involvement will include: responding to information requests; providing advice on eligibility in certain circumstances; and paying invoices issued in relation to approved applications relating to Queensland government institutions. The Queensland government will not have the capacity to seek a review of decisions.

Submitters also raised a broad range of issues in relation to the provisions of the bill—primarily about the design and operation of the national redress scheme—that the bill seeks to adopt in Queensland. Submitters also raised issues outside the scope of the bill with regard to increasing vigilance to better detect institutional child sexual abuse and ensuring that the needs of abuse victims are properly addressed.

I want to thank my fellow committee members: the deputy chair, the member for Nicklin, the member for Rockhampton, the member for Lytton, our secretariat and all the staff who were involved. I hope I covered all of our members. This is indeed a very important piece of work that will affect thousands of Queenslanders. We thank the department very much for their assistance and responses to submissions, and I commend the bill to the House.