



Speech By  
**Hon. Di Farmer**


**MEMBER FOR BULIMBA**

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

### **Introduction**

 **Hon. DE FARMER** (Bulimba—ALP) (Minister for Child Safety, Youth and Women and Minister for the Prevention of Domestic and Family Violence) (11.16 am): I present a bill for an act to adopt the National Redress Act, and to refer certain matters relating to the National Redress Scheme for Institutional Child Sexual Abuse to the Parliament of the Commonwealth, for the purposes of section 51(xxxvii) of the Commonwealth Constitution, and to amend the Victims of Crime Assistance Act 2009 for particular purposes. I table the bill and the explanatory notes. I nominate the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee to consider the bill.

*Tabled paper:* National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018 [\[778\]](#).

*Tabled paper:* National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018, explanatory notes [\[779\]](#).

As the Minister for Child Safety, I am proud to take the lead in enabling the Queensland government to participate in the National Redress Scheme for Institutional Child Sexual Abuse. I am very pleased that our government is taking this important step towards recognising the experiences of people who were sexually abused as children in Queensland institutions. I particularly want to acknowledge the incredible work that has been done by the Premier and by the Attorney-General and the work done collaboratively across the government in bringing about Queensland's participation in the national redress scheme.

As much as the introduction of a national redress scheme is a seminal moment in the national fight for recognition of the wrongs of the past, it would be remiss of us not to consider the path that has brought us to this point and to hear the voices of those who have fought through incredible pain, overcoming incredible obstacles, to bring about appropriate recognition and support that for so long eluded many of them.

Child sexual abuse, by its very nature, has been a crime that has thrived on secrecy, on the story never being told. I have met incredible, wonderful, brave people who found within them the courage to tell the stories of when they were hurt, when they were betrayed by the very people and institutions that were supposed to be keeping them safe and nurturing them and helping them to grow up to be strong, healthy and happy adults. Is that not what we all want for our children? Do we not all long to make them strong, for them to be fulfilled, and to have them ready and able to boldly take their places in the world? Our own understanding of what we want for our children allows us a glimpse of the depth of betrayal that people who have experienced child sexual abuse have suffered. Many of these people were robbed of the childhood that was rightly theirs. They were betrayed. They were let down, and for many of them it was years and even decades before anybody would listen to their stories.

Some were called liars, some were called troublemakers, some were threatened, some were told they were worthless and, tragically for many, they believed at the time that this was true. The road to

where we are now, to being on the verge of implementing the national redress scheme, has been long and, for many, far too long. For some who carried on the fight for many, many years it has, indeed, come too late.

We do not pretend, and nor should we, that enough has already been done, but in Queensland we can justifiably be proud of the work we have done over the last two decades to start down the road of recognition and reparation for the survivors of abuse. Before the turn of the century we had already taken steps towards righting the wrongs of the past and taking responsibility for the terrible damage that had been done in government and other institutions.

In 1999 it was the Commission of Inquiry into Abuse of Children in Queensland Institutions, also known as the Forde inquiry, that opened the door and the eyes of many Queenslanders to the horrors that had previously been a terrible secret borne by too many people. That inquiry looked for evidence of improper or unlawful treatment of children in Queensland institutions. It was tasked with referring matters to appropriate authorities where there was sufficient evidence to institute prosecutions, identifying systematic factors that contributed to child abuse or neglect in institutions, including youth detention centres, and recommending necessary changes to policies, legislation and practices to stop the abuse from happening again.

When former governor Leneen Forde handed down her report, which was tabled in the Queensland parliament in June 1999, it had a landmark effect on how this state views itself and some of its vital institutions. In her report she put it best when she said—

This is no ordinary report. This was no ordinary Inquiry. For the Commissioners and staff of the Inquiry, the experience has been deeply moving and deeply disquieting. We have heard repeated reports of physical and sexual abuse in government and non-government institutions over decades, which have resulted in irreparable damage to the lives of many Queenslanders. Why did this happen? How can anyone possibly repair the damage done? How can we as a society ensure that such violations never again occur to children whose care we have entrusted to the State?

The inquiry looked at 150 orphanages and detention centres, examining records, some of them scant and piecemeal, going back almost a century. Of those who came forward to tell their stories, some had waited more than 50 years to find the willing ear they craved, to know that finally somebody was listening. The Forde inquiry looked at all forms of abuse and neglect, including physical, emotional and sexual abuse, and gave an insight into the damage that had been done to so many.

In the case of sexual abuse, the inquiry told us about what that damage can look like. As members can imagine, it was not pretty. In the words of the inquiry report, 'child sexual abuse has an impact on social, sexual and interpersonal functioning, and affects the child's developing capacities for trust, intimacy, mastery of their world, and sexuality.' The report goes on to say—

It is now well documented that sexually abused children experience difficulties at school with academic performance and behaviour. These difficulties are likely to have a negative influence on later educational attainment, and restrict the skills and discipline necessary to maintain an effective role in the work force.

...

Sexually abused children not only face an assault on their developing sense of sexual identity, but a blow to their construction of the world as a safe environment and their developing sense of others as trustworthy. In those abused by someone with whom they had a close relationship, the impact is likely to be all the more profound.

The Forde inquiry report held up a mirror to Queensland and its judgement was harsh. It told us that successive governments have not sufficiently valued children to adequately resource the department entrusted with their care. As a result of the report Queenslanders could no longer stick their heads in the sand and assume or pretend that all was well with the institutions that cared for our children.

Queensland's response to the Forde inquiry was important. It led directly to greater investment in the services that support and care for children. In all, the Forde inquiry made 42 recommendations, ranging from legislative change and funding increases to improvements to youth detention centres and better access to mental health services for detainees. Queensland's response to those recommendations meant the state led the nation in responding to the harm caused by childhood abuse. The response to one of the recommendations included the establishment of the Forde Foundation, which continues to provide support to survivors to this day. The foundation gives grants to organisations that support people who have left the care of institutions. It focuses particularly on those known as the forgotten Australians, consisting of people who were harmed in care during the 20th century.

Lotus Place, formerly known as the Esther Centre, played an important role in the Forde inquiry, preparing submissions and providing individual support to people appearing before the inquiry. Lotus Place also actively researched models of redress, services provision, peer support and advocacy. The Esther Centre was renamed Lotus Place in 2006 in recognition of the fact that the federal government and state governments were taking seriously the issues that were facing forgotten Australians and

former child migrants. The roots of the lotus flower can be found in the muddy waters below the surface, yet the beautiful, resilient flower is seen above the water. The lotus flower was chosen to represent the journey from adversity to hope.

In 2007 Queensland led the way again with the establishment of the Queensland redress scheme, which also stemmed from a recommendation of the Forde inquiry. This was an Australian first and was a significant step in supporting survivors of historical abuse in this state's institutions. The scheme was funded with \$100 million and gave survivors of abuse 12 months to make an application. More than 10,000 applications were received and more than 7,400 were assessed as eligible for payment. The Queensland redress scheme provided payments between \$7,000 and \$40,000 to victims who suffered all forms of abuse and neglect as children in 159 Queensland institutions. That scheme was a significant milestone, but as a result of the Royal Commission into Institutional Responses to Child Sexual Abuse, we now know there is more work to do.

On 12 November 2012, when announcing her intention to recommend to the Governor-General that a royal commission be established to inquire into institutional responses to child sexual abuse, the then prime minister, Julia Gillard, said—

The allegations that have come to light recently about child sexual abuse have been heartbreaking. These are insidious, evil acts to which no child should be subject.

She also commented—

There have been too many revelations of adults who have averted their eyes from this evil.

Referring to the victims, the former prime minister went on to say—

They deserve to have their voices heard and their claims investigated. I believe a royal commission is the best way to do this.

The royal commission was to examine all religious organisations, state care providers, not-for-profit bodies and other child service agencies, including how those organisations responded to abuse allegations.

Then prime minister Gillard explained that Australia was in a circumstance where two states had different inquiries on foot and, because of the allegations of moving people around, it was something that went beyond the borders of any one state. She came to the view that in those circumstances a national approach was best. She said that Australia must 'do everything we can to make sure that what has happened in the past is never allowed to happen again'. She later said that Australia must 'start to create a future where people who perpetrate child sexual abuse cannot hide in institutions, where we work together to find a better way of keeping our children safe'. In discussing the decision to focus on institutional responses, the then prime minister explained—

There has been a systemic failure to respond to child sexual abuse in institutional contexts and to better protect children and I particularly want to get the insights about what would stop that kind of systemic failure happening again.

The work of the royal commission shone a light on the abhorrent treatment of our children in institutions. The final report was handed to the Governor-General on 15 December 2017, representing the culmination of a five-year inquiry into institutional responses to child sexual abuse and related matters. The report is told in 17 volumes, which is a reflection of the rigorous process undertaken by the inquiry, which included 57 public hearings and 8,000 private sessions. Over 400 days of testimony, the royal commission heard from 1,200 witnesses. Approximately 4,000 institutions were reported to the royal commission. The report contains a total of 409 recommendations, which are focused on making institutions safer for children.

The royal commission's reports make many significant recommendations that present an opportunity for us to effect real change to support people who suffered child sexual abuse and prevent institutional child sexual abuse into the future. Improving access to justice for people who experienced such abuse, including through creating a national redress scheme, is a key recommendation of the royal commission. As we introduce this legislation, it is only appropriate that we take the time to consider the magnitude of the work of the royal commission.

I personally have had the privilege of meeting many people in Queensland who have experienced abuse. They have bravely shared their harrowing stories. I would challenge anyone to sit with those people, hear their stories and not be moved by what they hear. The national redress scheme should stand as a lasting testimony to their courage and endurance. A survivor before the royal commission said—

For us that once had no voice now we can be heard. And for us whose lives were destroyed now we can begin to heal.

Justice Peter McClellan praised the bravery of those who came forward to share their stories and inform the royal commission. He said—

For victims and survivors, telling their stories has required great courage and determination. Most are stories of personal trauma and many are of personal tragedy.

...

For many survivors talking about past events required them to revisit traumatic experiences that profoundly harmed them.

Justice McClellan went on to quote former prime minister Gillard, who said—

Child sexual abuse is a hideous, shocking and vile crime. And it is clear from what is already in the public domain that too many children were the subject of child sexual abuse in institutions.

Police, child protection agencies and the criminal justice system all failed to listen to and protect young people, as well as the churches, orphanages and other groups that had come under the commission's gaze. Justice McClellan said—

Investigation processes were inadequate, and criminal procedures were inappropriate.

...

Some leaders felt their primary responsibility was to protect the institution's reputation, and the accused person. Many did not recognise the impact this had on children.

Justice McClellan said—

Although the primary responsibility for the sexual abuse of a child lies with the abuser and the institution of which they were part, we cannot avoid the conclusion that the problems faced by many people who have been abused are the responsibility of our entire society.

To underline just why joining the new national redress scheme and getting this right is so important, and also to honour the courage of all of the survivors who came forward to the royal commission, I now want to share some of their stories. These survivor accounts were part of a book of stories presented to the royal commission on its last day of hearings.

Wendy was only nine months old when she was placed in a Queensland orphanage. Her mother was a single parent and was not in a position to provide for her. Wendy lived at the orphanage for 17 years, that is, her entire childhood. It was almost a case of history repeating itself, as her mother was placed in an orphanage at just six months of age following the deaths of her own parents. At the age of 12, Wendy was sexually abused by a priest who was visiting the orphanage. She lives with the consequences of that act to this day. The assault impacted on her relationships with the nuns and her peers at the orphanage. No longer was her home a safe haven; a place where she could trust people to look after her. She lived in fear and often was subjected to physical punishment and humiliation.

Eventually, Wendy left the orphanage, but she did so with no education and with the legacy and impact of her experience of sexual assault still hanging over her. She left feeling ashamed and unworthy. All her adult life, Wendy has wanted to be acknowledged and to have the institution held to account. She has continued to pay a heavy price because of the trauma that was inflicted upon her. Wendy's life has been marked by significant difficulties in relationships with her children and the rest of her family. She lives with the loneliness of not having a partner. The memories of her trauma are constant companions as she tries to build a life as she ages.

For Wendy, the redress scheme is symbolic, because it will never be able to compensate her for what she lost and has lived with as a result of the sexual assault. Adding to the pain and the harm have been the denials of the authorities over the decades since she was first assaulted. It has been decades of speaking out, trying to be heard and taken seriously, that now have provided Wendy with the depth of acknowledgment that she has been waiting for. Not only will redress acknowledge her pain and the legacy of her abuse but also, because of the organisation's participation, it has and will hold accountable the organisation that should have been protecting her. Other inquiries and schemes have not achieved that in the way the Royal Commission into Institutional Responses to Child Sexual Abuse has managed to do. For Wendy, it has been a long time coming.

Bob went to a religious school in Brisbane. He is 57 years old, has achieved educationally as an adult and has been successful in his profession. He decided to go to a personal session on the Royal Commission into Institutional Responses to Child Sexual Abuse to share his secret. Bob had told of what happened to him once before. He spoke to a person in authority who told him that he had a dirty mind and to stop making up stories. He was repeatedly sexually abused by an employee at the school he attended for over five years.

The impact of the abuse left him feeling worthless. He put all his energy into his study and profession to try to avoid the shame he felt inside. Intimate relationships have broken down. After deciding to go to the royal commission, he has experienced relief from holding in his secret. However, it is not over for Bob, as he now has to face the loss and grief that he feels for the missed opportunity in his life to experience stability and love in a long-term relationship. He knows for a fact that that is the legacy of the years of abuse he suffered.

Redress to Bob is a critical part of his pathway to healing. He says that he wants to meet and have a direct personal conversation with the leaders of the institution where he was abused and while he has not lived a life of poverty like so many other survivors of abuse, any monetary payment he receives will go towards his ongoing healing and his family. The sexual abuse Bob suffered placed a burden on his family and changed forever his relationship with his parents. He now shares the outcomes of the royal commission with his ageing parents and is relieved that this opportunity has come before their lives are over.

Katherine was in out-of-home care in a residential care home after having to leave her family due to extreme domestic violence. While in the residential care facility an employee youth worker began taking her on outings and telling her this was their secret. On one outing the worker sexually assaulted Katherine. She reported his action to the authorities, but no action was taken despite the evidence. She was told that she was probably just being promiscuous. These days we would rightly call that victim blaming.

Katherine has lived with the shame that she felt from being disbelieved and also that somehow what happened to her was her fault and not the responsibility of the adult who was trusted with her care. Katherine never completed her education and has lived a life struggling with why she was blamed and that it must have been that she was a bad person who could never be worthy of opportunities or healthy and happy relationships. After telling of her assault and following the work of the royal commission she feels that for the first time she understands that she was vulnerable and the worker abused his power and her trust.

Katherine is very passionate about how the community and especially people working in residential care facilities need to be trained and understand the impact of sexual abuse of children when those who are trusted with the care of a child do more harm. She feels now that recognition that her assault was believed and was a crime has given her a second chance to engage in her healing and to seek justice. Redress for Katherine is as others have said symbolic because it will never give her back what she lost or change how she has seen herself in the past but with access to more professional counselling and financial payment she feels that there is a light at the end of a tunnel.

When we hear these stories we get a sense of the anguish, the frustration, the pain and the damage that has been carried for years by these survivors. It is not just the initial abuse that has caused the trauma. It is the years and in some cases decades of not being believed, of being dismissed, of being told there is nothing they can do or of being told to just get over it and move on with their lives. Like many people who have experienced significant trauma would know, there is an ongoing price that these people have been paying and it is more than past time to put an end to the ongoing harm this can cause.

The journey to Queensland joining the national redress scheme has not been an easy one, and as a state we did not commit to signing on for the national scheme until a little bit later than some other states. New South Wales and Victoria indicated in March that they would commit to the scheme, and there was considerable pressure on Queensland to fall into line. What we knew, through our previous learning and experience from running the Queensland redress scheme, was that it was important to take the time to iron out all the issues and make sure Queensland survivors of abuse were going to be appropriately looked after.

Over the last 18 months, we have been working hard with the Australian government and other jurisdictions on the design of the national scheme. For Queensland, key considerations during this process were making sure the scheme would be focused on survivors, that it has a low threshold and that it is the best approach to providing redress to people who were sexually abused in Queensland institutions. We made no apologies for taking the extra time to do the right thing by people who were abused in Queensland institutions. The very fact that we did have a previous redress scheme meant we had to carefully work through any issues around eligibility for the new national redress scheme.

Since announcing in April that Queensland would indeed sign up to the scheme once any remaining issues had been worked through, we have seen South Australia and the Northern Territory make their commitments to be a part of the national redress scheme. It is believed that Western Australia has also worked through the remainder of the issues that it had with the scheme. This now

represents a quite extraordinary effort on the part of the respective states and of the Commonwealth to make what amounts to an historic recognition of the wrongs that have been done in the past to so many thousands of Australians.

Just like the fight against domestic and family violence, another tough issue where Queensland is showing significant leadership, governments working alone cannot effect the sort of community-wide change that the royal commission's final report demands of us. The challenge facing us in ridding all of our institutions of child sexual abuse is significant. We are called on to do even more to create safer communities, institutions and homes for our children.

Every level of government, non-government institutions, religious organisations, sporting and recreational organisations, parents, families and the community as a whole all have a role to play. We need to be a community that speaks up. As a community and as individuals we need to decide that we will not stand by when there is a risk to children, and that we will report it when we are concerned.

We will tackle this challenge head-on, hand in hand with our sector partners, stakeholders, members of the public and, most importantly, with people who have experienced institutional abuse and our children. Together we have a chance to make a real and lasting change, to do all we can to keep children safe. One harmed child is one too many, as any of the survivors of sexual abuse would be able to tell us. We owe it them and to our children to do better than we have done in the past on this issue.

I do understand that not everybody will be completely satisfied with the national redress scheme as it has been designed. We know that some have called for a higher cap on the amount of compensation that can be paid. The royal commission itself called for a cap of \$200,000, while the national redress scheme offers a maximum payment of \$150,000. Under this scheme, the average payment is expected to be around \$75,000, higher than the recommended average of \$65,000.

Mary Adams, who stood with the Premier and me in April to announce that Queensland would sign up for the national redress scheme, has also advocated for a greater focus on healthcare support as many survivors of childhood abuse were now elderly and needed more care services. Still, after 40 years of fighting for the sort of recognition that the scheme will offer, Mary said the power of the scheme should be in its ability to make Queensland's current and future children safer. She said at that press conference—

We want all Queenslanders to know our legacy of the past to ensure that it never happens again.

But mainly to empower children and people today—that they have the avenues and that they don't have to remain silent like we did for many years.

Nothing we do will ever give these people back their childhoods. We cannot make it like the pain and the hurt and the damage never happened. We will never be able to undo the harm that was suffered, but all institutions have a moral responsibility to acknowledge the hurt and harm inflicted on children who were in our care. Our government will enable people who experienced child sexual abuse in Queensland government institutions to receive the recognition and support they deserve.

A major difference between this scheme and the previous Queensland redress scheme is that non-government institutions will be able to take part. The Royal Commission into Institutional Responses to Child Sexual Abuse estimates some 20,000 Australians were abused in state run institutions, while up to 40,000 were abused in institutions that were not run by state governments. In Queensland, this bill will enable approximately 10,000 people abused in Queensland institutions to apply for redress: 5,000 from Queensland government run institutions and a further 5,000 from non-government institutions, assuming they also participate in the scheme.

Already some church and charity organisations have announced that they will opt in to the national redress scheme. The Catholic Church, the Anglican Church, the Uniting Church, the YMCA, Scouts Australia and the Salvation Army have all put their hands up to take part. This decision by those institutions is most welcome. It is the right thing to do. The non-government organisations that have signed up for the national redress scheme have rightly acknowledged the good that can come of them taking part. The National Coordinator (Redress) for Scouts Australia, Neville Tomkins, said—

We are committed to ensuring that all survivors of child sexual abuse have access to the Redress Scheme and that their experience of this process is restorative, and responds to the complexity of their needs.

Commissioner James Condon from the Salvation Army said—

The Salvation Army recognises that it may be helpful for some survivors to work with an independent body, so it makes perfect sense that a redress scheme provides them with various options on how they proceed with seeking redress which may or may not involve directly engaging with the institution.

YMCA Australia CEO Melinda Crole said—

We all share the responsibility for responding to survivors of child abuse, just as we all share the responsibility to make sure every child in Australia is safe and protected.

We can't change the past for survivors, but we can change their future. An effective national redress scheme is critical for ensuring justice and healing for survivors.

Australian Catholic Bishops Conference president Archbishop Mark Coleridge said—

Survivors deserve justice and healing, and many have bravely come forward to tell their stories.

Once the scheme is initiated, we are committed to providing redress to survivors who were abused within the Catholic Church.

Anglican Primate Archbishop Philip Freier said—

We know that some survivors of abuse have chosen not to engage in our present institutional redress schemes. We hope that our participation in the independent National Redress Scheme will offer a further step to healing.

Uniting Church in Australia President Stuart McMillan said—

It is our sincere hope that this National Redress Scheme will allow survivors of institutional child sexual abuse to access support to help them in their lives.

I strongly encourage other non-government institutions in Queensland to also make this commitment and to take responsibility for the abuse of children who were in their care. The fact that we already have some large Queensland institutions on board should act as a significant leadership signal. It is no longer acceptable for organisations to bury their heads in the sand and hope these problems go away. The people who suffered this abuse have been waiting long enough—some of them for many decades—and they deserve better than to be ignored and left out in the cold.

When history looks back on the establishment of this scheme, there will be two kinds of organisations: there will be the ones that stepped up to take responsibility for their historical failings and there will be the ones that failed to do so. It does not take a lot to figure out which organisations will be on the right side of history. Again, I urge non-government organisations that have not yet signed up to the national redress scheme to have a close look at it now. This is a moment in history that neither they nor the survivors of historical abuse can afford to miss out on.

I want to outline for members the way that the national redress scheme will operate to support survivors of abuse. Redress under the national scheme will be provided in three ways: a monetary payment; access to counselling and psychological care; and the opportunity to receive a direct personal response from the responsible institution. Payments will be assessed on a case-by-case basis, reflecting the severity and impact of the abuse experienced with a maximum possible payment of \$150,000. That is not to say that monetary payments can magically wipe away the harm that was done to children in Queensland institutions. Redress is about acknowledging the harm caused and supporting people who have experienced institutional child sexual abuse to move forward positively in the way that is best for them.

The Commonwealth government is expected to pass legislation that will see the national redress scheme commence from 1 July this year. We are working hard to make sure that people who experienced institutional child sexual abuse in Queensland government institutions will be able to access redress under the scheme by later this year. This scheme is a once-in-a-lifetime opportunity and we want to make sure we get it right, so we make no apologies for taking a bit longer to get all of the details right. We want to provide redress that is high quality, trauma informed and as close as possible to the royal commission's recommendations. The survivors of abuse deserve nothing less from us on this.

Once again, I thank the royal commission for its thorough and comprehensive inquiry into these important issues and acknowledge the participation of my department in the royal commission process over the course of the last five years. After five years of detailed inquiry, the royal commission has changed Australia's landscape, revealing widespread and systematic failings of institutions to protect children and appropriately respond to child sexual abuse. It is important that we stand up and acknowledge that sexual abuse of children in institutions is not only a problem of the past but is continuing today. In my discussions with stakeholders and people who have experienced sexual abuse, their primary concern has been to prevent the sexual abuse of children today. The Queensland government is also committed to this goal.

The royal commission has revealed that the institutional cultures and practices which allowed child sexual abuse to occur still exist in contemporary institutions. For most of us this abhorrent behaviour is unfathomable, but the royal commission has shown horrific abuse has been committed by people who were well known, trusted and respected in our community. This difficult and confronting issue goes to the core of the fundamental values of our society. We cannot, and we will not, show any

tolerance for child sexual abuse in this state. The safety and wellbeing of children, and the promotion of their best interests, must be at the heart of our communities and at the core of our institution's operations. That goes for government and non-government institutions.

For children to be safe in institutions, change starts with a well-informed community, with each of us knowing and understanding the real risks of child sexual abuse. Armed with this knowledge we can create safer environments that make the grooming and abuse of children harder to perpetrate. We can create supportive environments where the voices of children are valued and, in situations where abuse does occur, children are supported to disclose that abuse.

As Minister for Child Safety, I am absolutely committed to making out-of-home care as safe for children as possible. We owe the children in our care the same hope and opportunity as we would want for our own children, and as a government we are committed to giving them that. As we undertake the important work of implementing the royal commission's recommendations, we will be building on the significant body of reform already underway in Queensland to improve the safety of children in out-of-home care. In the 2018-19 budget the Queensland government will provide a record total operating expenditure for Child and Family Services.

We are continuing to implement the ambitious Supporting Families Changing Futures reform program, which aims to reduce the number of children and young people in the child protection system, including through supporting families earlier; revitalising front-line services; and refocusing on learning, improving and taking responsibility for a better child protection system. We will continue to implement critical reforms to the child protection system, including funding for a further 56 Child Safety staff; additional staff in the Office of the Child and Family Official Solicitor; and more support for children and young people in care with complex and challenging behaviours. We have moved quickly to begin implementation of the recommendations of the Queensland Family and Child Commission's report *Keeping Queensland's children more than safe: review of the foster care system* and will continue this important work to strengthen safeguards for children in care.

The Queensland youth justice system has also undergone significant reform in recent years. The Queensland government ordered an independent review of youth detention in Queensland in 2016. We have accepted and are implementing all 83 recommendations to improve practices and services essential to the safety, wellbeing and rehabilitation of young people in youth detention.

Last year we passed legislation to complete a historic youth justice reform to bring 17-year-olds into the youth justice system. As well as being a key recommendation of the royal commission, it also brings Queensland into line with other Australian states and with the United Nations Convention on the Rights of the Child.

Although we know we have much more to do, I am proud of the progress we have made. We have come a long way from the often brutal systems and policies of the past that were supposed to protect children but which instead left behind them a legacy of abuse, neglect and further harm to those very children. We know also that sexual assault and the damage it causes is still a significant problem beyond the walls of our institutions as well. It can affect anyone, regardless of their gender. However, we know that women and young girls are disproportionately represented, and that one in five women in Australia has experienced sexual violence since the age of 15. We also know that Aboriginal and Torres Strait Islander people have increased vulnerability, particularly women and young people. As the recent #metoo movement has shown, communities are increasingly unwilling to put up with sexual violence and, in particular, sexual harassment.

Queensland's current approach to addressing all forms of violence against women, including sexual violence, is outlined in the Queensland Violence against Women Prevention Plan 2016-2022 and the Domestic and Family Violence Prevention Strategy 2016-2026. We have taken a number of actions to address sexual violence. Legislative amendments have also been made to improve support for victims of sexual violence. However, we know that there is more to do, and we are listening to the many wise and strong voices in the sector advocating for strengthened responses.

Before we passed legislation in November 2016, survivors of childhood sexual abuse had just three years after turning 18 to launch legal action if they wanted to be compensated for the harm they suffered. As we know, victims of abuse both within and outside of institutions can often take years or even decades before they feel able to come forward and describe what happened to them. This legislation ended the injustice of those survivors being unable to take legal action for compensation.

The National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018 does two key things. Firstly, it provides the required legislative mechanism to enable the national scheme to operate under the Commonwealth laws in Queensland. Secondly, it makes legislative amendments so that Queensland government agencies can do what they need to do to participate in the national scheme.

The federal government is currently progressing legislation to enable the establishment and operation of the national redress scheme for a period of 10 years from 1 July 2018. To participate in the national scheme, participating states must pass legislation in accordance with the Commonwealth Constitution to allow the scheme to apply in those jurisdictions. Depending on the timing of state legislation in relation to the national redress law, each state's redress legislation must either refer powers to the Commonwealth parliament in relation to the scheme or adopt the relevant Commonwealth law.

As the federal government has introduced a national redress bill that is before the Commonwealth parliament and passage is expected soon, the bill I am introducing today will enable the national scheme to operate in Queensland by providing for the adoption of that national redress bill once it is enacted by the Commonwealth parliament. The bill also provides for any future amendments to that Commonwealth law to automatically apply in Queensland. This will mean that the scheme's operation in Queensland will benefit from any future amendments to the governing Commonwealth legislation. Once the Commonwealth law is adopted in Queensland, the bill will also enable the participation of Queensland based non-government institutions in the national scheme.

To enable the Queensland government's participation in the national scheme to be as efficient as possible and assist prompt responses being given to applications, the bill also introduces a framework to enable information sharing by Queensland government agencies for the purposes of the national scheme. Under the national scheme, applications will be received and assessed by the national scheme operator. The national scheme operator may request relevant information from participating institutions to assist in determining applications.

As a participating institution in the national scheme, the Queensland government may be required to provide information to the national scheme operator. This will occur when a Queensland government institution holds information that may be relevant in assisting the national scheme operator to assess an application. Relevant information may be held by various Queensland government departments and agencies responsible for operating institutions.

In order to streamline administration of the national scheme, a central contact point will be established administratively within my department to liaise with the national scheme operator. The bill also enables the central contact point to give information to another state agency for the purpose of assisting compliance with a request made by the national scheme operator. Under the national scheme, a person who applies for redress may have previously received a payment in acknowledgement of the abuse they experienced. The Queensland government has determined that victim assistance payments should not be deducted from redress payments payable by the Queensland government.

The Victims of Crime Assistance Act 2009, however, would currently allow redress payments to be deducted from subsequent or already received victims of crime payments. The bill proposes an amendment to the Victims of Crime Assistance Act 2009 to provide that a redress payment cannot be deducted from payments under that act.

The Queensland government is committed to doing all we can to ensure people who have experienced institutional child sexual abuse in Queensland have access to the redress they deserve. This redress scheme is about so much more than money. It is about healing, it is about recovery, and it is about recognising past wrongs and doing what is right. This bill is an important step towards achieving this, and I commend the bill to the House.

### **First Reading**

**Hon. DE FARMER** (Bulimba—ALP) (Minister for Child Safety, Youth and Women and Minister for the Prevention of Domestic and Family Violence) (12.06 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

### **Referral to Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee**

**Madam DEPUTY SPEAKER** (Ms Pugh): Order! In accordance with standing order 131, the bill is now referred to the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee.