




Speech By  
**Brittany Lauga**

**MEMBER FOR KEPPEL**

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**CIVIL LIABILITY AND OTHER LEGISLATION AMENDMENT BILL**

 **Mrs LAUGA** (Keppel—ALP) (4.31 pm): I rise today to speak in support of the Civil Liability and Other Legislation Amendment Bill. I would like to pay tribute and thank the member for Mirani for his contribution and for sharing that very personal story. The story that he told is the precise reason we are here today debating this bill. In speaking in support of this bill, I want to acknowledge the Central Queenslanders who attended St Joseph's Orphanage at Neerkol near Rockhampton. I also acknowledge the immense bravery of all of those who have shared their horrific stories in the royal commission and also through the Redress Scheme legislative process.

Neerkol was a horror movie in real-life for the children who lived there. The Rockhampton region must never forget the awful, horrendous and appalling treatment of children in a place where they were supposed to be cared for by people they were supposed to be able to trust. The Neerkol nuns' reign of terror ran for decades. It was only brought to an end by the orphanage's 1978 closure. It was the royal commission that revealed the full horror of what went on in the dormitories, the yards, the dining halls and the priests' quarters not so long ago.

Children were routinely slapped, flogged, starved, sodomised and ridiculed by nuns. There were public floggings. There was walking on children in high heels and forcing bed wetters to stand hungry in the dining room with their urine soaked sheets draped over their heads while the other children ate breakfast. About 4,000 children, mostly state wards, passed through the orphanage over its 93 years of operation. I have personally met with many of these children, now adults, who experienced this horrific abuse at Neerkol and also others who experienced abuse in other institutions, and they have told me how important not only the Redress Scheme is but also this bill is.

This bill finally acknowledges the harm suffered by those children which is so important to their healing. I extend my gratitude for the immense bravery of all of those children, now adults, who have shared their stories and to those who have provided ongoing support to them including organisations like Micah Projects and Lotus Place, and also the departmental officers, some of whom I met with earlier this week to get a briefing on the Redress Scheme. Their bravery, courage and determination to see those victims receive the compensation that they deserve is really quite admirable as well. Whilst no amount of money can compensate for their suffering, this bill is an important step towards healing.

The royal commission's historic inquiry revealed widespread, systemic failings of institutions to protect children and respond appropriately to child sexual abuse. Although the royal commission was specifically looking at institutional child sexual abuse, we heard from many victims and survivors of physical and psychological abuse who had also experienced lifelong trauma from their treatment at the hands of adults who were supposed to protect and care for them. Unfortunately, the National Redress Scheme does not offer compensation to victims and survivors of physical or psychological abuse which has meant that some people who have experienced physical or psychological abuse have felt overlooked. This bill will make it easier for the survivors of all kinds of child abuse to sue the institutions where the offences occurred.

Under these reforms, it will be easier for child abuse survivors to claim for civil damages or personal injury now and in the future. This will be achieved by removing some of the loopholes which institutions were using to avoid being sued. In particular, a defendant can now be appointed in claims against unincorporated institutions and survivors can target the assets of associated trusts of the institution. We have also removed the limitation periods for survivors to commence a civil action against an institution. Survivors will also now be able to seek damages for serious physical abuse and connected psychological abuse as well as for child sexual abuse.

To try to prevent new abuses, there will now be a reverse onus duty on institutions. They will have to prove that they took all reasonable steps to prevent the sexual abuse of children in their care to avoid legal liability. These reforms will provide another avenue for people who had experienced institutional child abuse to seek justice. These reforms are especially important to people who experienced physical or psychological abuse while in institutions in Queensland, as it will give them a way to seek compensation for the suffering they have experienced.

While I am on my feet, I would also like to call upon all of those institutions who have not yet signed up to the National Redress Scheme to do so. I believe that in Queensland there are about 20 institutions who have not yet signed up to the scheme, so the victims at the hands of those institutions are not currently able to lodge an application with the scheme because those institutions have not signed up. I would strongly encourage all of those institutions to sign up, to sign up now, so that those victims can seek the compensation that they deserve.

Our message to everyone who has experienced institutional child abuse is: we see you, we believe you and we support you. I commend the bill to the House.