

Question on Notice

No. 1224

Asked on 11 October 2023

MR M BERKMAN asked the Minister for Child Safety and Minister for Seniors and Disability Services (HON C CRAWFORD)—

QUESTION

With reference to the State Government providing indemnity for child abuse claims at home care and youth homelessness services run by religious institutions—

Will the Minister advise (a) how many claims have been paid out under this arrangement (reported separately by year) (b) the total amount of claims paid out under this arrangement (reported separately by year) and (c) if the government will rule out extending indemnity agreements for child sexual abuse claims against religious institutions beyond September 2023?

ANSWER

Following the Royal Commission into Institutional Responses to Child Sexual Abuse, the Queensland Government removed the limitation periods for personal injury claims for child sexual abuse and serious child physical and psychological abuse to make accessing justice easier for survivors.

An increase in the number of claims and compensation amounts for survivors has led to many commercial insurers withdrawing cover for physical and sexual abuse claims for child safety out-of-home care services and youth homelessness service providers.

If claims are made and providers are unable to pay, this makes it harder for people who have experienced child physical and sexual abuse to access appropriate compensation.

In 2021, in response to this withdrawal of cover by insurers, which happened nationally, Queensland established a short-term indemnity scheme for eligible out-of-home care and youth homelessness service providers to ensure damages can be paid to survivors and providers can continue to deliver critical services to vulnerable children and families in Queensland.

This indemnity scheme does not change the expectations of funded out-of-home care providers. Services must be delivered in accordance with the standards required under the Human Services Quality Framework, and all service providers must continue to have appropriate policies and processes in place to protect children and young people.

There have been no claims paid out under the interim indemnity scheme to date.

The Queensland Government relies on a range of organisations to deliver essential services to children and young people and a withdrawal of organisations that deliver these services due to exposure to uninsured claims would be an unacceptable outcome for vulnerable children and their families.

This issue affects service providers nationally and Queensland, along with other states and territories, is undertaking further work to consider a potential long-term state-based solution to this issue.

While this work is underway, the short-term indemnity scheme has been extended to 30 June 2024 for all eligible out-of-home care and youth homelessness service providers.