

UNFINISHED BUSINESS

The Historical Abuse Network calls on the Queensland Government to respond to the recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse Consultation Paper on Redress

THE QLD GOVERNMENT ESTABLISH A TRUTH, HEALING AND RECONCILIATION TASKFORCE

The purpose of the taskforce is to implement the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse and all forms of abuse in out-of-home care.

Proposed membership of the Taskforce

Membership would comprise adults who have experienced sexual abuse in institutional settings; adults who as children lived in out-of-home care; government representatives; churches; academics and other professionals with experience in this area

The Taskforce would:

Oversee Queensland's response to the findings of the Royal Commission into Institutional Responses to Child Sexual Abuse

Review previous approaches to redress schemes in Queensland

Review and refocus the Forde Foundation as an independent statutory body similar to the approach of the Redress Board in Ireland with the establishment of Caranua

Establish mechanisms within the community to provide education and awareness of the legacy of childhood sexual abuse and other forms of abuse, the history and legacy of the Queensland child protection system

Continue ongoing commitment to Remembrance Day in Child Protection week to remember and acknowledge the courage and determination of adults who as children were in out-of-home care and have been advocates of change

Fund a community ambassador program to improve community and professional awareness

Review and ensure local memorials are established at sites or communities where abuse has occurred

Fund a permanent community based museum that demonstrates the public record and legacy of child protection policy and historical institutional abuse in Queensland. It would reflect the interconnected policy objectives between Aboriginal, Torres Strait Islander, and immigration and children in out-of-home care at that time

Review the existing Queensland Government and Church apologies in the light of the evidence coming from the Royal Commission into Institutional Responses to Child Sexual Abuse.

ACCESS TO MAINSTREAM SERVICES

That the State Government advocate to the Commonwealth Government:

To include a separate Medical Benefits Schedule item number in the Medicare data set to be allocated to enable people who as children, lived in out-of-home care, to seek counselling and psychological support

For the Federal Health Minister to make psychological and counselling services available throughout a survivor's life

To establish purpose built 'trauma informed' designed aged care facilities, ensuring size and services are appropriate to the needs of people who are survivors of historical institutional abuse

To provide enhanced, targeted in-home aged care provision that is independent of churches and state

For the Home and Community Care Program to better recognise the urgent needs of this ageing population

That the Queensland Government:

Recognise the needs for priority access to Queensland's health and hospital services

Provide access to appropriate supportive housing by increasing supply, ensuring safety in design and connectedness to community

Advocate to specialist higher education authorities that courses are available for training health professionals in areas related to the effects of institutional abuse and trauma informed care.

FINANCIAL PAYMENT

That the Queensland Government create a Redress Scheme to:

- administer and implement the independent national scheme proposed, **or**
- establish an independent state based scheme on behalf of government, churches and other relevant bodies

Create an independent statutory fund with oversight by a skilled board and appropriate administrative support to meet its objectives

Determine the Queensland Government's contribution to the proposed statutory fund

Develop a legislative framework for:

- /// The receipt of financial contributions from churches and other non-government organisations
- /// The distribution of funds to victim/survivors in line with the Royal Commission's recommendation of \$328 million
- /// Using the matrix outlined by the Royal Commission in relation to sexual abuse and, for physical and emotional abuse, the matrix as implemented under the Queensland Redress Scheme

REDRESS

JUSTICE

SPECIALIST SUPPORT SERVICES

Establish eligibility for:

- Individuals who experienced physical, sexual and emotional abuse in Queensland institutions or out-of-home care
- Individuals who did not receive payments under the Queensland Redress Scheme 2007
- Individuals who experienced childhood sexual abuse and did not receive an adequate institutional response as per Royal Commission into Institutional Responses
- Funds within the Forde Foundation to be distributed as grants to people who were in out-of-home care, foster care and detention centres to pay for services, medical consultations, education activities, home improvements for aged care and counselling which is available and ongoing

Ensure that people who did not receive payments under the Queensland Redress Scheme are eligible to apply under the same specifications as when the scheme was administered

Recognise that assessment of monetary payments be able to accept 'plausibility' or 'reasonable likelihood' as the basis for financial payment as many people cannot articulate as well as others the impact abuse has had on them. Establish a specific category and corresponding matrix recognising the circumstances of the abuse and the accountability expected of the child protection system

Ensure the duration of redress is ongoing

Guarantee no Deed of Release is to be made on financial payments.

That the Queensland Government commit to continued investment into specialist services for people who have experienced abuse in an institutional context by:

Continued investment into services appropriate to the level of need across the State

Developing a clear policy framework for services and outcomes to restore individuals and community as a commitment to restorative justice, and to complement the financial redress scheme

Developing a shared investment framework with the Commonwealth through COAG to establish national consistency in policy and practice (building on the work of Find and Connect services) so that individuals can access services of a consistent standard from state-based services in the state in which they currently reside

Aligning the services of the proposed statutory redress fund and supporting the implementation of a redress fund through integrated case management for those who require it

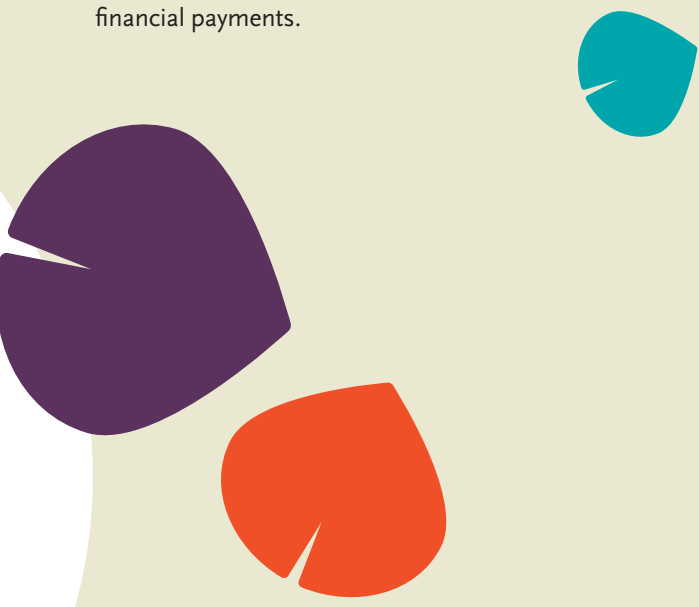
Aligning the outcomes from the proposed Truth and Reconciliation Taskforce with specialist services

Ensuring the needs of people who have experienced abuse in institutional settings are integrated into workforce planning to improve access to—and understanding of—the outcomes of inquiries and the Royal Commission by professionals

Funding specialist legal services to assist individuals who choose to access the civil justice system and require advice to decide which option (redress or civil litigation) is most appropriate for their circumstances

Recognising the aged care needs of Forgotten Australians and Former Child Migrants as an ageing group in the population who require assistance in accessing aged care of choice

Enabling specialist services to undertake community education in partnership with Forgotten Australians about their needs in health, especially in aged care, mental health, suicide prevention and drug and alcohol prevention.



POLICY AND LAW REFORM

That the Queensland Government ensure legal reform to:

Civil litigation laws by removing from the Limitations of Action Act 1974 limitation periods in respect of sexual abuse in any civil court, as per Victoria's leadership in this area, and ensure that it is retrospective in its amendment by the Queensland Parliament

Ensure that all survivors of historic childhood institutional abuse are released from all paid Deeds of Release by church and state to participate in either civil litigation or Queensland's redress scheme

Impose absolute liability on institutions in relation to child sexual abuse and ensure that sexual abuse is a breach of fiduciary duty owed by institutions to children in their care

Provide funding to community legal centres for advice and support to:

- ▣ Individuals eligible for redress and provide advice on legal options
- ▣ Representation for all legal process
- ▣ Provide mediation with church authorities in the absence of redress

Ensure institutions adopt 'model litigant' guidelines for responding to claims for compensation in relation to allegations of child sexual abuse

Develop a legal framework for a state-based redress scheme that provides present and future requirements for a public record of abuse where the survivor consents

Review fiduciary law to ensure accountability of churches, government, NGOs – imposing absolute liability on institutions for child sexual abuse committed by employees unless they took reasonable steps to prevent the abuse

Establish a centralised and specialist Historical Abuse Unit within the Queensland Police Service to ensure a skilled response is provided to individuals reporting historical child sex abuse

Review all historical abuse cases that were accepted to committal hearings with the Office of the Director of Public Prosecutions, specifically i) the way they were managed, ii) improve these processes within relevant departments when managing cases of historical child sexual abuse through the legal system

Prioritise early intervention and prevention programs in ongoing reforms of the child protection system

Implement best practice guidelines for Right to Information to access records which will enable survivor/victims maximum information to their history, family, identity and details of their time in care

Develop a human rights act in line with Victoria's Charter of Rights and Responsibilities.

www.micahprojects.org.au
www.lotusplace.org.au

MICAH PROJECTS INC



Breaking Social Isolation
Building Community



HISTORICAL ABUSE NETWORK

FOR PEOPLE WHO EXPERIENCED ABUSE
IN INSTITUTIONS, FOSTER CARE & DETENTION