

The Australian

Fears \$4bn abuse scheme will fracture



Social Services Minister Christian Porter. Picture: Kym Smith

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New South Wales has become the fourth state to cast doubt over the future of a uniform national child sex abuse redress scheme.

The Australian understands that the state has not locked itself into joining the \$4 billion scheme and will wait to see whether the numbers add up and what exposure it has.

However, it agrees in principle with the push by the Turnbull government to implement a national scheme.

Other states had believed, based on negotiations over the scheme and relations with the Turnbull government, that NSW had locked in to joining.

It comes amid questions being raised about the involvement of three other states, with South Australia showing the strongest opposition to a uniform scheme.

The NSW position appears to be closer to Victoria, which has demanded more detail from Canberra.

A truly uniform scheme would require all states to sign up, with the Turnbull government soon to detail the legislative framework for the redress scheme.

NSW Attorney-General Mark Speakman said the primary concern was for abuse survivors.

“NSW continues to cooperatively engage with other jurisdictions with a view to developing a meaningful and practical national scheme for redress,” he said.

“Our primary concern remains ensuring appropriate recognition of the ongoing hurt experienced by survivors.”

South Australia, Victoria and Western Australia are either opposed to existing plans or are demanding the federal government detail its final position — including costings — before stating what they will do.

The Australian has also established that some smaller entities responsible for abuse have privately told government officials they fear being bankrupted by any scheme that requires payments of up to \$150,000 for each victim.

Social Services Minister Christian Porter has urged governments to strike an in-principle agreement to sign up to the new system ahead of imminent moves by him to reveal draft legislation to create the body.

Mr Porter has written to every state and institution affected by the abuse scandal and wants the states to — at the least — make it legally possible for institutions in their jurisdictions to be involved in the scheme.

“I have written to all institutions and jurisdictions for an in-principle commitment by the end of October to join the redress scheme and a formal commitment by the end of March next year to provide certainty for all survivors ahead of the scheme’s commencement on 1 July,” he said. “We are optimistic that all jurisdictions will join the scheme in full or at least refer sufficient power for institutions in their state to join the scheme.”

Mr Porter will meet the nation’s attorneys-general next month to discuss state involvement in the scheme.

South Australian Attorney-General John Rau said any involvement was contingent on the Turnbull government underwriting the scheme, which he said had not happened.

“South Australia differs from other states because for many years it has had an ex-gratia compensation scheme for victims who were sexually abused as children in state care,” he said.

Victorian Attorney-General Martin Pakula said the state believed a national scheme was the best option for victims. “Whether a national scheme is possible, however, still depends on the commonwealth providing states, territories and other non-government participants with costing and detailed design work,” he said. “We need to see that detail before making a final decision about opting in.”

A spokesman for West Australian Premier Mark McGowan said the government had not decided whether to join. Eastern seaboard officials familiar with discussions claimed NSW was the only government locked in to the \$4bn program.

In order for there to be a seamless national scheme, all states will have to sign up, as would all affected organisations.

Scouts Australia, while backing full restitution, is also yet to decide whether to opt in but stressed that a national scheme was the best way forward.

Other key parties, including religious bodies, are still unsure whether they will be able to afford to remain in the scheme.

There is enormous moral and political pressure on the states and affected organisations to agree to the framework but senior figures familiar with the costings believe they will have a huge impact on smaller groups.

The Catholic and Anglican churches are not considered likely to collapse under the weight of the scheme because of significant assets, forward planning and existing redress schemes.

The commission forecast about 65,000 potential claimants. A key sticking point is who will become funders of last resort for organisations responsible for historical abuse that no longer exist.

The federal scheme is due to begin next July 1.

Wayne Chamley, a spokesman for the victims' rights group Broken Rites, said the question of who will be the funders of last resort had spooked state governments.

"My reading of it is that the state governments don't want to go near this," he said.