

MEDIA RELEASE



Catholic Church calls for national child abuse redress scheme built on fairness, generosity and compassion

13 August, 2014

A submission from the Catholic Church's Truth Justice and Healing Council to the child abuse Royal Commission has called for a mandatory national victims' redress scheme operated by Government but funded by the institutions responsible for the abuse.

CEO of the Truth Justice and Healing Council, Mr Francis Sullivan said the scheme needed to be non-adversarial, low cost to claimants and provide just, compassionate and fair compensation for victims.

"The days of the Catholic Church investigating itself are over," Mr Sullivan said.

"For the sake of the survivors of clerical sexual abuse within the Church and all other institutions the development of an independent national victims' redress scheme is a giant step forward in delivering justice for people suffering the devastating impacts of child sexual abuse.

"The scheme should be built with prime input from victims and open to anyone who has suffered child sexual abuse within any institution in Australia," Mr Sullivan said.

In its submission the Catholic Church has proposed a scheme which would incorporate an established set of criteria using common law heads of damages to calculate financial redress up to an indexed cap determined in line with community standards.

The scheme should also employ a 'balance of probabilities' test for verifying a person's claim of abuse.

The submission also calls for victims who have already received compensation to be able to access the scheme and have past settlements reviewed by the independent entity.

Under the scheme proposed by the Catholic Church:

- There should be no time limit for bringing a claim
- Financial redress should take into account the costs of past out-of-pocket medical expenses, past and future loss of earnings, non-economic loss (eg pain and suffering), cost of counselling services
- Financial redress should be capped with the cap determined in line with community standards. The cap should be indexed
- Any claimant, having rejected a redress offer made through the scheme, should have the option of instigating civil proceedings
- The ongoing administration of the national scheme should be funded by the institutions against which claims are made
- A levy on public liability insurance for institutions that have contact with children should be established to cover payments on behalf of institutions that no longer exist
- Limited free legal advice should be available. Alternatively, claimants should be able to retain lawyers, with costs calculated on a prescribed fee scale

Mr Sullivan said that working in parallel with a national independent redress scheme the Catholic Church would continue to provide victims of child sexual abuse with pastoral and spiritual assistance.

“The job of the Church in assisting victims isn’t finished when a payment is made,” Mr Sullivan said.

“We have a lifelong responsibility and commitment to care for the people who have been abused in our institutions.

“If this means providing, for example, ongoing counselling services, help finding work or accommodation or assistance with meeting day to day activities then that is what we will continue to offer,” Mr Sullivan said.

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Read full submission here: <http://www.tjhcouncil.org.au/media/81236/140811-TJHC-Issues-Paper-6-Redress-Schemes-As-sent-to-RC.pdf>

The Truth Justice and Healing Council is coordinating the Catholic Church’s engagement with the Royal Commission into Institutional Responses to Child Sexual Abuse.

For more information on the Truth Justice and Healing Council go to: www.tjhcouncil.org.au

For more information on the Royal Commission go to: <http://www.childabuseroyalcommission.gov.au/>