LEX 74367

Australian Government

Department of Veterans' Affairs

ELECTRONIC RECORDS

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Businessline

Action Required: Please note the information regarding the operation of the National Redress Scheme for people who experienced institutional child sexual abuse

To:
Clients' Benefits Division delegates
Clients Benefits Division Directors and Assistant Directors
Veterans' Services Design Division Directors

For information:
Secretary
Deputy President
Chief Operating Officer
First Assistant Secretary, Veterans' Services Design Division
First Assistant Secretary, Clients' Benefits Division
Assistant Secretaries, Veterans' Services Design Division
Deputy Commissioners

SUBJECT: The National Redress Scheme for People Who Experienced Institutional Child Sexual Abuse

Purpose: To provide information on the operation of the National Redress Scheme.

Key Points:

- On 1 July 2018 the National Redress Scheme for people who experienced institutional child sexual abuse commenced operation. The Scheme will continue until 2028.

- People who were sexually abused in the ADF, or as Cadets, while under the age of 18 may be eligible to apply under the Scheme for redress payments of up to $150,000, counselling and a direct personal response.

- The standard of proof for the Redress Scheme is 'reasonable likelihood', which is lower than the standard required for DVA compensation claims.

- A redress payment made by the Scheme is not to be treated as being a payment of compensation or damages under the *Veterans' Entitlements Act 1986* or any other Government legislation. Redress payments therefore will not be considered for offsetting purposes under veterans' legislation.

- DVA compensation that may have been received in relation to abuse will be explicitly referred to as an exempt prior payment under the Redress Scheme Rules and therefore DVA compensation payments that may have been

received will not be taken into account by the Scheme when calculating the amount of redress that is payable.

- As a result, a claim for a redress payment will have minimal impact on DVA compensation and treatment arrangements and vice-versa.
- A survivor will not pay tax on a redress payment.
- Redress payments will not be treated as income for the purpose of calculating income support entitlements.
- However, a payment will be deemed to earn interest at the applicable deeming rate while it is held as a financial asset. This may affect a person's income support payment if it is income tested.
- If the payment is used to purchase assets, those assets will be included in the assets tests and will impact the person's income support payment if they are assets tested.
- Any prior reparation payments from the Defence Force Ombudsman or Defence Abuse Response Taskforce may be taken into account when calculating the amount of redress under the Scheme. Should a successful applicant's redress payment be reduced to nil by these prior payments, they will still be eligible for a direct personal response and counselling under the Scheme.
- The Scheme is administered by the Department of Social Services and Department of Human Services. Further information on the Scheme can be obtained from www.nationalredress.gov.au or by calling 1800 737 377.
- Information has been placed on VANQUISH and Clik has been updated to reflect the commencement of the National Redress Scheme.

Contact: For any queries concerning this Businessline please contact s 47E @dva.gov.au

s 47F

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Assistant Secretary
Eligibility and Payments Policy Branch
Veterans' Services Design Division

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