

The National Redress Scheme is one answer to seeking compensation for institutional child sexual abuse. The scheme started on 1 July 2018 and will run for 10 years. The Redress scheme is one outcome from the Royal Commission into Institutional Responses to Child Sexual Abuse.

The Australian Government's Department of Social Services states the Government wants as many people as possible to have access to the Scheme.

However, what the Department of Social Services does NOT tell you is that this is just one option for victims.

The Royal Commission into Institutional Responses to Child Sexual Abuse also recommended a suite of law changes across the country to assist victims of child sexual abuse. These changes remove the usual limitation period across the country and enable child victims to bring claims through the courts at any time. There are other changes, that vary from state to state, that also assist victims of childhood sexual abuse.

The benefit of a civil claim is that your matter is prepared for hearing before a judge. If the claim cannot be settled by mediation then a victim's matter is assessed by the court. This is in contrast to the Redress scheme where claims are decided 'on the papers', ie on the application for redress form.

Furthermore, the scheme is capped and assesses claims at limited levels with the maximum amount reserved for the most serious cases. Where a number of institutions are responsible for the abuse a formula is applied to determine how the institutions pay.

Additionally, not all institutions implicated in child sexual abuse are part of the Redress scheme.

In contrast civil claims do not have the same restrictions and **amounts of compensation are generally much higher.**

Where sexual abuse occurs within an institution such as detention centres, churches, the scouts, YMCA, the Salvation Army, schools and the Australian Defence Force, a civil claim has extremely good prospects of success according to solicitor director Julie Wyatt.

'Claims are moving very slowly through the redress scheme,' she said. 'Even if people have applied for redress, they can still change their minds and commence independent civil proceedings against the institution before accepting any offer of redress.'

Once a redress payment is accepted, the victim cannot bring civil action and the responsible institution is released from further liability.

Talk to one of our trauma-focused lawyers now to explore your options. **We are able to assist clients who have experienced historical child sexual abuse across all state jurisdictions in Australia.**