



Your ref. Case study 51
Our ref. 13028466

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Mr Tony Giugni
Solicitor Assisting the Royal Commission
Into Institutional Responses to Child Sexual Abuse

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BY EMAIL

Dear Tony

Case study 51 – redress document referred to by NSW

During the hearing on 7 March 2017, the State of NSW referred to a one-page document received from the Commonwealth, comprising the written material made available on design elements of the Commonwealth Redress Scheme (the Scheme).

The document referred to is attached – *‘Commonwealth Redress Scheme for survivors of institutional child sexual abuse – Draft design elements and principles’*. This document was produced by the Redress Taskforce (then within the Department of the Prime Minister and Cabinet) immediately following the Government’s announcement of the Scheme on 4 November 2016. It was provided to representatives from state and territory governments and non-government institutions to guide early discussions on the Scheme.

The Commission will note that some of the points contained in the document have been announced by the Commonwealth (i.e. those asterisked within the document), while others have not (i.e. those without asterisks). The points without asterisks represent interim suggestions by the Redress Taskforce working on the design of the Scheme. These suggestions were intended only to prompt discussions with stakeholders and are not to be taken as the settled views of the Commonwealth.

The Commonwealth will finalise the principles of the Scheme with due consideration to the ongoing consultation with state and territory governments and non-government institutions. The without prejudice discussions that have formed this consultation process have been a valuable way of addressing concerns relating to the design of the Scheme that may otherwise prevent institutions from opting in, and the Redress Taskforce is eager to continue these discussions in good faith.

The Redress Taskforce (now within the Department of Social Services) is providing this document to the Commission to assist its understanding of the testimony on 7 March 2017, and requests that the Commission consider the document in the context it was created (that is, as a set of draft principles to be used as a discussion aide).

Australian Government Solicitor

We ask that you notify us before disclosing this document further so that we may have an opportunity to comment on that course of action.

We thank the Commission for its consideration and trust this information is of assistance.

Yours sincerely



Justin Davidson
Senior Executive Lawyer

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