

Level 2 Fact Sheet

(Updated 16 January 2009)

All Level 2 supporting information must be provided to Redress Services as soon as possible but no later than **27 February 2009**

Please read this information carefully as it has been designed to assist people who have applied for a Level 2 payment under the Redress Scheme. It contains important information about:

- what you need to provide to support your Level 2 application;
- how the Level 2 process will work;
- a panel of experts;
- timeframes for returning information; and
- where to get assistance in completing your Level 2 application.

How many Level 2 applications does the scheme expect to receive?

Based on current figures, between 5,000 and 6,000 applications for a Level 2 payment are expected to be referred to a panel of experts for assessment.

Will I automatically receive a Level 2 payment?

No. Not all applicants who received a Level 1 payment will be eligible for a Level 2 payment. A panel of experts will decide, based on what you have provided, if your application constitutes more serious harm*. If so, your application will be considered for a Level 2 payment.

When will Level 2 payment offers be made?

Level 2 payments will be made after all Level 1 applications have been finalised and all Level 2 applications have been assessed by a panel. Given the large number of Level 2 applications, it is anticipated that no payments will be made before mid 2009.

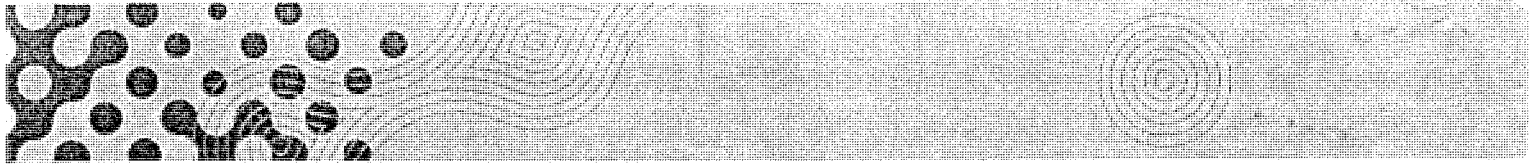
How much will payments be?

Level 2 payments will vary up to a maximum amount of \$33,000. Payment amounts will be apportioned in accordance with the level of harm suffered by each applicant. Payments will be made from the funds remaining in the \$100 million allocation for the scheme after the finalisation of all Level 1 applications.

It is expected that only those applications which have significant supporting evidence of harm and are assessed as being the most serious will be offered up to the maximum payment amount of \$33,000.

* All references to *harm* include *abuse* and *neglect*





What kind of people can make up a panel of experts?

A panel will be formed from members drawn from varied backgrounds such as:

- a legal practitioner with a background, experience and knowledge of the law and of damages awards in the area of personal injury;
- a human services practitioner with knowledge and experience in the area of childhood trauma;
- an administrator with skills in administrative processes, project management, auditing and financial accountability; and
- an Indigenous person with experience in the area of public administration.

Further information about the panel members is available on the Department of Communities' website.

How will payment levels be decided?

A panel will assess the applications based on the written information provided in the application form and any other supporting information that you provide by 27 February 2009 but will not take verbal evidence or meet with people to discuss their claims of harm. In assessing the level of harm suffered, a range of factors will be considered including:

- nature, frequency, duration and severity of the abuse or neglect suffered while in institutional care;
- nature and extent of harm suffered as a consequence of the abuse or neglect;
- supporting information which demonstrates a reasonable likelihood of abuse or neglect causing harm (that is, impacts suffered at the time of the harm or suffered later in life as a result of the harm);
- length of time in institutional care;
- consistency between the claims of harm and supporting information (e.g. supporting information should provide evidence of the nature and extent of harm suffered);
- type of institution/s and findings of the Forde Inquiry in relation to the institution;
- age of entry and exit from institutional care; and
- any other information relevant to a person's claim.

Claims of harm must relate to the abuse or neglect suffered in an eligible institution and not in other placements such as foster care or family placements.

What should I provide as supporting information?

There are a large number of applications to be considered and any supporting information provided will be looked at closely when assessing your application. It is therefore very important that you provide as much relevant information as possible to support your claims. Supporting information should include evidence which supports your claims of harm.

This information must be provided to Redress Services as soon as possible but no later than **27 February 2009**. No further information will be accepted after this date.

Examples of supporting information include:

- a *Statement of Impact* outlining relevant matters such as: the nature and frequency of the harm suffered; who (if anyone) you told about the abuse or neglect or harm; witnesses to the abuse or neglect or harm; any medical treatment that was provided at the time of the abuse; and the short and long term impact the harm has had on your life and opportunities;
- a copy of a report made to the police, departmental officers or other person about the harm;
- a report by a medical practitioner on the treatment (e.g. counselling, medication, surgery) received in relation to an injury suffered;
- a medical report confirming the presence of any medical condition and its direct link with the harm;
- medical or psychiatric report detailing the nature, severity, treatment and prognosis of any psychiatric disorder or personality disorder related to the harm;
- any other official report detailing the nature and extent of the harm suffered such as a Forde Inquiry transcript or submission, court document or departmental record obtained under Freedom of Information;
- letter from a sibling who was in the institution at the same time and may be able to support your claims;
- letter from a family member/s detailing the impact of the harm on your life or on them (e.g. lack of appropriate education, lack of parenting knowledge); and/or
- letter or report by a service provider (counsellor, case manager, support worker) which supports your claims of harm.

Given the individual nature of people's experiences in institutional care, it is your decision as to the type of information you provide to support your claims of harm. If you choose not to provide any additional information, your application will be assessed on what has been provided to date.

If you need help in completing a declaration of harm or a statement of impact, please contact Lotus Place and they will assist you.

Is a medical or psychological assessment required to support my level 2 application?

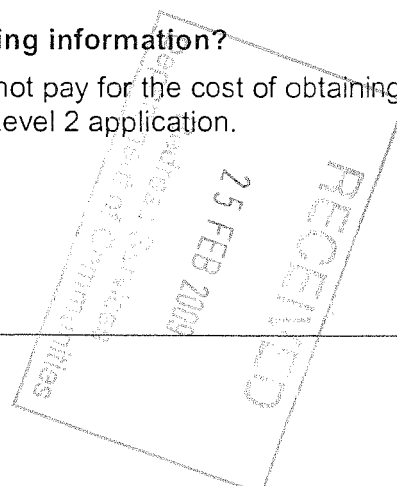
Under the terms of the scheme, the Department of Communities does not require applicants to obtain medical, psychological or psychiatric reports to support their level 2 application. These reports are only one example of the type of information that can be provided as supporting documentation.

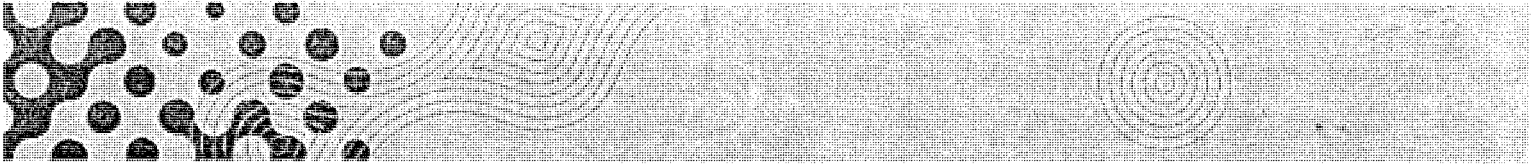
Will the scheme pay for a medical or psychosocial assessment to support my Level 2 application?

No. The Department of Communities will not pay for the cost of obtaining a psychosocial, medical or psychiatric assessment to support any application for a Level 2 payment.

Should I seek assistance from a lawyer to complete my supporting information?

This is your decision to make. The Department of Communities will not pay for the cost of obtaining an impact statement or legal advice to prepare a claim to support your Level 2 application.





Will the department pay for legal advice for Level 2?

The Department of Communities will only pay for legal advice when it directly relates to signing the required Deed of Release. A fee of up to AUD \$550 (inclusive of GST) has been set for the payment of legal advice on the Deed of Release. This fee is paid by Department of Communities directly to the lawyer upon receipt of a correctly rendered invoice and a signed Deed of Release. The payment of this fee is **not** deducted from any ex gratia payment made under the scheme.

When you have signed a Deed of Release to receive your Level 1 payment, no further release is required and no further legal advice will be funded by the department. Only those applicants that deferred the Level 1 payment pending the Level 2 offer will need to sign a Deed of Release ahead of receiving the combined Level 1 and 2 payment.

Where can I go to obtain more information?

Contact the Redress Scheme Information Line on 1300 769 291 (Australia wide*) or +61 7 3405 7559 (international*) between 8 am and 8 pm Monday to Saturday (Queensland time). * Mobile rates apply.

Where can I go to obtain assistance in completing my Level 2 application?

Free and confidential practical assistance to complete applications is available from:

Lotus Place
26 Merivale Street
South Brisbane, Queensland
Freecall: 1800 035 588
Email: redress@merivale.org.au

Operating hours:

Monday	9am to 3pm
Tuesday	9 am to 5pm
Wednesday	12pm to 5 pm
Thursday	9 am to 5pm
Friday	9am to 5pm

Note, Lotus Place is able to assist people throughout Queensland and interstate by phone, or may be able to refer you to a service provider in your area.

Remember!

All information to support your Level 2 application must be provided as soon as possible but no later than 27 February 2009 to:

**Redress Services
Department of Communities
GPO Box 806
BRISBANE QLD 4001**

Please note: Updates are not available regarding how individual Level 2 applications are progressing. When all applications have been assessed regarding Level 2 eligibility, each applicant will be contacted by the Department of Communities

