Redress WA
Acknowledging the past

How to Complete the Redress WA Application Form Guidelines

Free counselling, advice and support to complete your Application Form is available from an independent non-government agency.

For information about which agency can help you please telephone 1800 617 233 (free call).

For further information about Redress WA including the most up-to-date information about which non-government agencies will be able to help you go to www.redress.wa.gov.au.
IMPORTANT INFORMATION

Please read this section before completing your Redress WA Application Form.

Important Information

- Please ensure your Application is submitted by 5.00pm (WST) THURSDAY 30 APRIL 2009.
- Late and unsigned Applications will not be accepted.
- Only one Application can be submitted per person.
- It is important to include information about all instances of abuse and/or neglect in the Application.
- Ensure all supporting documents are attached to the back of the Application Form.
- All Applications must be on the official Redress WA Application Form.
- Please ensure you have attached a certified copy of your proof of identity.
- You must be over 18 years of age, or the Legal Personal Representative, for a person over 18 years of age to apply to Redress WA.

Redress WA aims to support adults, who as children, were abused and/or neglected while they were in the care of the State of Western Australia.

If you are not sure whether you are eligible for Redress WA please submit an Application.

Please read the Frequently Asked Questions (Appendix C) before completing the Redress WA Application Form. These questions will help you determine if you are eligible for Redress WA.

The most up-to-date version of the Frequently Asked Questions is available at www.redress.wa.gov.au or can be obtained by telephoning 1800 617 233 (free call).

DEFINITIONS

Legal Personal Representative
Is a person who is a guardian or administrator within the meaning of the Guardianship and Administration Act 1990, or a person who has been granted enduring Power of Attorney over the affairs of the Applicant.

Applicant
In all instances on the Application Form, ‘Applicant’ refers to the person who has been abused and/or neglected in State care. Any offer of settlement from Redress WA will be made to the Applicant.

Authorised person
Any person authorised by the Applicant to act on his or her behalf in relation to an Application to Redress WA. An authorised person will be able to discuss the details of an Applicant’s case with Redress WA staff and will be able to obtain information and documents about an Applicant’s case from Redress WA, as Redress WA may lawfully supply.

Ex gratia payment
Means a payment that is made ‘by favour’, that is without the State having any legal liability or legal obligation to do so.

‘The State’ or ‘State’
Refers to the State of Western Australia.
SECTION 1 - Your Details

Question 1 - Your details
Please provide your details. This information will be used by Redress WA staff to locate your records and assist in determining if you are eligible for Redress WA.

Any offer of settlement will be made to the person whose details have been provided in response to this question.

Question 2 - Your address
This information will be used to enable Redress WA staff to contact you to:

- acknowledge receipt of your Application
- clarify information you have provided or seek further information
- discuss your eligibility for Redress WA
- make an offer of settlement.

If your contact details change at any time, you must advise Redress WA by:

- Telephoning: 1800 617 233 (free call)
- Emailing: info@redress.wa.gov.au
- Writing to: Redress WA
  Locked Bag 6
  WEST PERTH WA 6872

It is important to advise Redress WA immediately of any changes to your contact details in case Redress WA staff need to contact you to clarify information provided in support of your Application or to make an offer of settlement.

Assessment of Applications will commence after all Applications have been received on Thursday 30 April 2009.

Assessment of Applications from individuals who have a life threatening illness will be given priority. An initial assessment will occur on receipt of the Application and medical certificate.

All offers of settlement will be made prior to the closure of the Scheme on Friday 30 April 2010.

In the event that Redress WA cannot contact you prior to the closure of the Scheme at 5.00pm (WST) on 30 April 2010, any offer of settlement may be revoked.

Question 3 - Your preferred type of contact
There may be times when Redress WA staff need to contact you to obtain further information to strengthen your Application.

If you do not want any follow up contact from Redress WA staff and would like your case to be assessed based only on the information provided in the Application Form, attachments to that Form and the records that Redress WA staff are able to locate, then please tick the box 'do not contact the Applicant'. It is important to be aware that this may result in a lower payment offer if important information is not included in your written Application.

Question 4 - Your status
The information for this question is important as it will assist Redress WA staff to locate your records, if required, and determine if you are eligible to apply for Redress WA.

Please tick one or more boxes as appropriate.

In the past, more than one Government department may have kept records in relation to children in State care. It is important for Redress WA to understand how you came into State care (your status) so that Redress WA staff can locate your records.

Redress WA staff will also check records held by the relevant non-government organisations (where possible) to help determine if you were in State care. You do not need to find your own records.
Question 4(e)
Adopted persons are generally only eligible to apply to Redress WA if the abuse and/or neglect occurred in State care prior to the granting of an Adoption Order. The information supplied in this question will assist Redress WA to determine if an adopted person is eligible for Redress WA. It will also assist Redress WA staff to locate appropriate records.

Question 5 - Special consideration (ill health)
If you have a diagnosed life threatening illness then it is important to attach a medical certificate for confirmation.

If you are diagnosed with a life threatening illness before your Application is finalised, it is important to inform Redress WA staff and provide a medical certificate confirming this.

Assessment of Applications from individuals who have a life threatening illness will be given priority.

Question 6 - Are you currently receiving a Centrelink pension, benefit or allowance?
Redress WA is waiting to hear from the relevant Departments about whether an ex gratia payment will affect your Centrelink entitlements. The information in this question will help Redress WA staff to keep you informed about any decision that is made. It is also gathered for statistical purposes.

For the most up-to-date information regarding the impact of a Redress WA ex gratia payment on Centrelink payments, please check the Redress WA website at www.redress.wa.gov.au.

Question 7 - Current and past claims for compensation
Please provide information about any compensation you may have been awarded by the State in relation to the abuse and/or neglect described in the Application Form. Compensation awarded by the State Government may affect eligibility to Redress WA:

- If you have commenced common law proceedings against the State, prior to a settlement offer from Redress WA, in relation to the same abuse or neglect detailed in the Application Form, you will only be eligible for an offer of payment from Redress WA if those proceedings are discontinued and/or dismissed at your own cost as part of the settlement agreement.

- If you have commenced proceedings against the State the details must be included in this question.

- If you have already received compensation, an award or benefit from the State in respect to the same abuse or neglect detailed in this Application Form you are not eligible for Redress WA, in respect of that abuse or neglect.

- If you have received compensation or a settlement from the State you must include the details in this section.

- If you have received compensation through a settlement with a private or non-government organisation, you are still eligible to apply to Redress WA.

SECTION 2 - Your Parents/Other Carer's Details (if known)
The information in this section will help Redress WA staff locate any records, if required, to support your Application.

If you do not know the details of your parents or carer(s) please leave this section blank.

Question 8 - Mother
Please provide as much information as you can about your Mother.
Question 9 - Father
Please provide as much information as you can about your Father.

Question 10 - Carer(s)
Please provide as much information about any adult, other than your biological parent, who may have cared for you before you came into State care.

Examples include, but are not limited to: step-parent, de-facto partner of parent, grandparent, aunt, uncle, member of kinship group, other relative.

SECTION 3 - Details of Your Sibling(s) (if known)

The information in this section will help Redress WA staff locate any records, if required.

Question 11 - Your sibling(s)
Please provide as much information as you can about your siblings (including half siblings and step siblings). If you do not know the details of your siblings, please leave this section blank.

Please note: if there is insufficient space to record the details of all siblings, please attach this information on a separate piece of paper to the back of the Application Form.

SECTION 4 - Details of Where You Lived While in State Care (if known)

The information in this section will help Redress WA staff locate any records, if required, and determine your eligibility for Redress WA.

Question 12 - Details of where you lived while in State care (if known)
Please provide as much information as you can about where you were placed while you were in State care. Some people may experience difficulty in remembering the details of specific incidents of abuse and/or neglect. It might help you to remember the details if you can discuss your history with someone else before you write it down, or think about significant events that occurred for you at the same time, for example: starting school, a special birthday or public event.

Free confidential support and counselling services are available from an independent non-government agency to help you with the application process, including completing the Application Form. For more information about these services please call 1800 617 233 (free call), or check the Redress WA website at www.redress.wa.gov.au.

Please note: if there is insufficient space on the Application Form to complete the details of all of the places you lived while in State care, further details can be attached on a separate sheet of paper to the back of the Application Form.

For example:

<table>
<thead>
<tr>
<th>Placement details (for example: name of carer/place, location/address or any other identifying information)</th>
<th>Age at time of placement</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mrs Citizen (foster mother), East Fremantle</td>
<td>10</td>
<td>1948 - 1953</td>
</tr>
<tr>
<td>Group home near City Beach</td>
<td>5</td>
<td>1943 - ?</td>
</tr>
<tr>
<td>Receiving home, Geraldton</td>
<td>?</td>
<td>? - ?</td>
</tr>
</tbody>
</table>
SECTION 5 - Details of Abuse and/or Neglect

The amount of ex gratia payment offered will be assessed based on the information provided in this Application Form (including attachments) and any records Redress WA is able to locate.

Question 13 - Describe the abuse and/or neglect that you experienced while in State care
The information in this question will help us to assess your Application and determine your eligibility for Redress WA.

If there is insufficient space to record all of the details of the abuse and/or neglect that you suffered, please record the information on a separate sheet (or sheets) of paper and attach to the back of the Application Form.

Please provide as much information as you can about where the abuse and/or neglect occurred, approximate dates of each incident and/or your age at the time, who abused and/or neglected you and how you were abused and/or neglected. It is important to describe each incident of abuse and/or neglect that you remember.

Some people may find it difficult to remember specific details about when the abuse and/or neglect occurred, or there may have been many instances of abuse and/or neglect over a period of time, or they may be unsure of their age. Please include any information you can remember, even if it is incomplete, such as:

• your age or approximate age at the time of the abuse and/or neglect, for example, age 8 or, between the ages of 5 and 9
• the year or approximate year of schooling you were in at the time of the abuse, for example, year 5, or between year 4 and year 7
• the year or years the abuse occurred, for example, 1954 or, between 1953 and 1955
• where you were placed at the time.

So you could write something like:

When I was aged 5 or 6, if I did something my foster mother thought was naughty she would hit me with the buckle end of my foster father's belt. Sometimes this would leave bruises or the buckle would break the skin and I would bleed.

OR

I can't remember how old I was but when I lived at the group home in Scarborough I would get into trouble a lot. And for punishment I would have to go for days, sometimes a week, without eating any food. I would scrounge in the bins of neighbours to get something to eat and if I got caught I would get the strap across the back of my legs.

Question 14 - How has the abuse and/or neglect affected you?
The information you provide for this question will be used to help determine if you are eligible for an ex gratia payment and the amount of payment that will be offered.

If there is insufficient space to record all of the details of the abuse and/or neglect that you suffered, please record the information on a separate sheet (or sheets) of paper and attach to the back of the Application Form.

Please describe in as much detail as possible the effect the abuse and/or neglect has had on you as a child and/or as an adult.

Question 15 - Did the abuse and/or neglect that you experienced while in State care result in medical treatment, hospitalisation and/or other services?
The information you provide here will be used to help determine if you are eligible for an ex gratia payment and the amount of payment that will be offered.

Please describe in as much detail as possible whether you received medical treatment, were hospitalised or received other services whether as a child or as an adult, for example, counselling as a result of the abuse and/or neglect.
Question 16 - Was the abuse and/or neglect reported to the Police, the Department (Child Welfare), and/or anyone else?
The information in this question will help Redress WA staff locate your records, if required.

Question 17 - Details of the person(s) believed to have harmed you (if known)
Please provide as much information as possible about the person or persons you believe abused and/or neglected you while you were in State Care.

Please note: Information related to person(s) currently caring for children will be referred to the Western Australian Police Service and the Department for Child Protection. The information provided in this Application will NOT be disclosed by Redress WA to any other person, including any person listed on this Application Form, without your permission. You may choose to lay a complaint to Police concerning the abuse at any time.

SECTION 6 - Other Information to Support the Application

Question 18 - Add further information to support your Application here.
Please include any other information you may have to support the Application that has not been included in the Application Form so far.

Attach copies of any documents that you believe will strengthen your Application to Redress WA. These documents can be attached to the back of the Application Form.

Please note: if you don’t already have copies of records there is no need to locate these yourself. Redress WA staff will search for records on your behalf.

To help ensure Redress WA receives all of the attached documents, it would be helpful to list in this section any attachments you have included with your Application.

Supporting documents may include, but are not limited to:
- Medical reports
- Psychologist or psychiatrist reports
- Social work assessment reports
- Copies of case notes from departmental files
- Police reports
- Witness statements.

Please note: Redress WA staff will not contact witnesses or others who can support your Application. If you can, please provide written statements from anyone who is able and willing to support your Application. These can be attached to the back of the Application Form.

SECTION 7 - Proof of Your Identity

You must provide certified copies of your identification papers. Applications cannot be accepted without the appropriate documentation attached.

Please tick which copies of documents you have provided to verify your identity.

All copies must be certified by a person other than yourself.

Documents can be certified by any person who appears on the list at Appendix A.

Overseas applicants should refer to Appendix B.
SECTION 8 - Proof of Identity if You Cannot Provide any of the Documentation Listed at SECTION 7

In some instances you may not be able to provide Proof of Identity documentation listed in SECTION 7 because it does not exist or you live in a remote or isolated area. In these circumstances, you should complete SECTION 8.

Your Referee must have known you for a minimum of 12 months.

SECTION 8 must not be used if you can obtain your birth and/or marriage certificate by applying to the Registry of Births, Deaths and Marriages.

To obtain a birth or marriage certificate contact:

Registry of Births, Deaths and Marriages
Level 10
141 St Georges Terrace
PERTH WA 6000

Telephone: 1300 305 021
Fax: (08) 9264 1599
Web: www.justice.wa.gov.au

SECTION 9 - Legal Personal Representative Claiming on Your Behalf (if applicable)

This section should only be completed by the Legal Personal Representative of an Applicant, if applicable.

Question 19 - Legal status
Please provide details of the Legal Personal Representative of the Applicant.

A Legal Personal Representative is a person who is:

- A guardian or administrator within the meaning of the Guardianship and Administration Act 1990, or
- A person who has been granted enduring Power of Attorney over the affairs of the Applicant.

Please tick the box which indicates the legal status of the Legal Personal Representative of the Applicant.

Please ensure a copy of your authority to act is attached to the Application Form.

Question 20 - Details of Legal Personal Representative
Please provide the name and contact details of the Legal Personal Representative.

Question 21 - Is the Applicant deceased?
Redress WA will not award ex gratia payments to the relatives or estates of persons who are deceased at the time of application.

If you ticked 'Yes' to this question do not proceed with the Application.
SECTION 10 - Person Authorised to Assist with this Application (if applicable)

This section should only be completed if you want to authorise another person to liaise directly with Redress WA on your behalf to help with the Application process.

Question 22 - Details of person authorised to assist with this Application
Please provide the name and contact details of the person authorised to liaise with Redress WA in relation to your Application.

Any trusted person may be authorised by you to act on your behalf. For example, a friend or family member.

Question 23 - Authorisation
By signing this authorisation you will give the person named at Question 15 authority to do certain tasks on your behalf.

Authority means the person named at Question 15 will be able to enquire and assist as follows:
- to discuss your case with Redress WA
- obtain information and documents about you from Redress WA, as Redress WA may lawfully provide.

Authority does not give the person named at Question 22 authority or permission to make any decisions, negotiate or accept a payment offer on your behalf.

SECTION 11 - Declaration by You or Your Legal Personal Representative

This section requires you to sign and date the Application. This signature does not have to be witnessed.
The application should be signed only by:
- the Applicant him or herself, or
- the Legal Personal Representative of the Applicant.

Where you do not have a Legal Personal Representative, it is important that you sign the Application Form yourself so it is clear that you are endorsing that the information provided is true and correct.

Redress WA may seek further information or records from other Government departments, private organisations, medical practitioners, psychologists etc. The signature on the Application Form will be used as authority to release information from other sources if required to support an Application.

FALSE AND MISLEADING APPLICATIONS
Before signing the Declaration (SECTION 12) you must ensure the information provided on the Application Form is true and correct to the best of your knowledge.
It is an offence to knowingly provide false or misleading information.
APPENDIX A - Persons Authorised to Certify Proof of Identity Documents
(Excluding Applicants Living Outside of Australia)

The following persons can certify your Proof of Identity documents:

- Academic (post-secondary institution)
- Accountant
- Architect
- Australian Consular Officer
- Australian Diplomatic Officer
- Bailiff
- Bank Manager
- Chartered Secretary
- Chemist
- Chiropractor
- Company Auditor or Liquidator
- Court Officer
- Defence Force Officer
- Dentist
- Doctor
- Engineer
- Industrial Organisation Secretary
- Insurance Broker
- Justice of the Peace
- Lawyer
- Local Government Chief Executive Officer or Deputy Chief Executive Officer
- Local Government Councillor
- Loss Adjuster
- Marriage Celebrant
- Member of Parliament
- Minister of Religion
- Nurse
- Optometrist
- Patent Attorney
- Physiotherapist
- Podiatrist
- Police Officer
- Post Office Manager
- Psychologist
- Public Notary
- Public Servant (Commonwealth)
- Public Servant (State)
- Real Estate Agent
- Settlement Agent
- Sheriff or Deputy Sheriff
- Surveyor
- Teacher
- Tribunal Officer
- Veterinary Surgeon
Applicants who are currently living outside of Australia should refer to the *Oaths, Affidavits and Statutory Declarations Act 2005* Part 4, Section 12 (6)(c)

**Oaths, Affidavits and Statutory Declarations Act 2005**

**Part 4 — Statutory declarations**

12. Statutory declarations, how made

(1) Unless another written law provides otherwise, a statutory declaration for any purpose in this State must be made in accordance with this section.

(2) The statutory declaration must be in the form in Schedule 1.

(3) The person who is making the statutory declaration must —

(a) sign or personally mark the statutory declaration;

(b) sign or initial any alteration, such as an insertion or erasure, that has been made to the statutory declaration; and

(c) in the presence of an authorised witness declare orally —

(i) that he or she is the person named as the maker of the statutory declaration;

(ii) that the contents of the statutory declaration are true;

(iii) that the signature or mark is his or hers; and

(iv) if necessary, that any attachment to the statutory declaration is the attachment referred to in it.

(4) The requirements of subsection (3)(a) and (b) need not be complied with in the presence of an authorised witness.

(5) After the maker has complied with subsection (3)(c), the authorised witness must —

(a) sign or personally mark the statutory declaration;

(b) sign or initial any alteration in the statutory declaration that has been signed or initialled by the maker; and

(c) imprint or clearly write his or her name and qualification as an authorised witness.

(6) An authorised witness for a statutory declaration is —

(a) for a statutory declaration that is made at a place in Western Australia —

(i) any person described in the second column of Schedule 2; or

(ii) any person before whom, under the *Statutory Declarations Act 1959* of the Commonwealth, a statutory declaration may be made;

(b) for a statutory declaration that is made at a place outside Western Australia but within Australia —

(i) any person who, under the law of that place, has authority to take or receive a statutory, solemn or other declaration; or

(ii) any person before whom, under the *Statutory Declarations Act 1959* of the Commonwealth, a statutory declaration may be made;

(c) for a statutory declaration that is made at any other place —

(i) a prescribed consular official who is performing official functions at that place;

(ii) a person who is a justice or notary public under the law of that place;

(iii) a person who has authority under the law of that place to administer an oath to another person or to take, receive or witness a statutory, solemn or other declaration.

(7) Regulations may amend Schedule 2 by adding a new item to it or by deleting or amending an item in it.
APPENDIX C - Redress WA Frequently Asked Questions

Current as at 18 April 2008. The most up-to-date version of the Frequently Asked Questions is available at www.redress.wa.gov.au or can be obtained by telephoning 1800 617 233 (free call).

ABOUT REDRESS

Q: Why a ‘redress scheme’?
A: The State Government of Western Australia deeply regrets that in the past some children were abused while in the care of the State. Redress WA provides an apology and acknowledgement that harm has occurred, access to support and counselling services and, for eligible Applicants, an ex-gratia payment.

Q: Do any other States or Territories have a ‘redress scheme’?
A: Yes. Queensland and Tasmania have introduced a similar redress scheme in recent years.

Q: Will there be a memorial and memorial service for people who were abused and/or neglected in State care?
A: The Department for Child Protection is currently managing a project to develop a memorial. For further information please contact Marie Waldeck, Manager Information Services on (08) 6217 6344. The public memorial to be created will acknowledge the experiences of all who have been in State care.

ELIGIBILITY

Q: Am I eligible?
A: You are eligible to apply if you are over 18 years of age and experienced abuse and/or neglect while in State care in Western Australia prior to 1 March 2006.

Q: I was in State care in Western Australia but suffered no abuse and/or neglect while in State care, am I still eligible?
A: The ex gratia payments are only open to people who were in State care in Western Australia and experienced abuse and/or neglect while in that care. However, Redress WA includes a number of services and activities relevant to all people who were in State care. For example, if you were in State care you will be given the opportunity to formally record your story on your official file. Redress WA will be funding consumer and advocacy organisations that you will be able to access, as well as other services. The public memorial to be created will acknowledge the experiences of all who have been in State care.

Q: Are family members or the estate of deceased persons who were formerly in State care eligible to apply for an ex gratia payment under Redress WA?
A: No. Family members or the estate of deceased persons who were formerly in State care are NOT eligible to apply for an ex gratia payment under Redress WA. The person on whose behalf the Application is being made must be living at the time of the Application and settlement.

Q: What can I do if I am under 18 years of age and have been abused and/or neglected in State care?
A: If you are still in care and believe you have been abused and/or neglected it is very important that you talk to your case manager as soon as you can, especially if you have not spoken to anyone about the abuse and/or neglect before. If you have not previously told your case manager about what is happening, your case manager will ensure that you (and other children) are safe from harm. Your case manager will also talk to staff in the Duty of Care Unit about a referral for independent legal advice. If you are no longer in State care you can contact the Duty of Care Unit directly on (08) 9222 2693.
Redress WA Frequently Asked Questions

APPLICATIONS

Q: Will information be provided to help me complete an Application?
A: Yes. These Guidelines are designed to provide you with helpful information on how to complete the Redress WA Application Form. Further information is available at www.redress.wa.gov.au or can be obtained by telephoning 1800 617 233 (free call).

Q: Can I apply on behalf of another person?
A: Yes. You can apply on behalf of another person if you are the Legal Personal Representative of that person or if that person has given you authority to act on his or her behalf by signing the Authorisation at Question 23 of the Redress WA Application Form.

A Legal Personal Representative is a person who is a guardian or administrator within the meaning of the Guardianship and Administration Act 1990, or a person who has been granted enduring Power of Attorney over the affairs of the Applicant.

Q: Can I get help to complete my Application?
A: Yes. Application assistance will be available. Further details on how to receive assistance are available at www.redress.wa.gov.au or can be obtained by telephoning 1800 617 233 (free call).

Q: When can I put in my Application to Redress WA?
A: Applications open on 1 May 2008 and will be open for 12 months.

Q: What is the final date to put my Application in?
A: To be considered for Redress WA you must have your Application in by 5.00pm (WST) on Thursday 30 April 2009.

Q: Can I make an Application after the Redress WA Application closing date?
A: No. Applications received after the closing date will not be accepted.

Q: A friend has had similar experiences to me while in State care, can I copy their Application?
A: No. The Application must contain your own personal experiences. It is an offence to knowingly provide false or misleading information.

Q: Do I need to obtain my departmental records to include in my Application?
A: No. Redress WA will access departmental records on your behalf when processing your Application. Records that you obtain yourself may not be complete. Freedom of Information Legislation provides the means to request information about yourself from departmental records. Requests for personal information, may be made at no cost, however, there are restrictions on release of certain types of information within the records. Some of the information may relate to other persons whose right to privacy is adhered to, however, with their approval, access to this information may be allowed. Some sensitive information, for example psychiatric reports, may be subject to restriction of access. For most people who apply to Redress WA some of the information contained in reports, or about other people, may be important to support their claim. Redress WA staff will have special permission to access this information to enable them to assess your Application. However, Redress WA staff will not be able to give copies of information to you.

Q: If I have my departmental records, should I provide them with my Application?
A: Yes. Please provide copies of all records and supporting information when applying to Redress WA.
Redress WA Frequently Asked Questions

Q: What will happen if no departmental records can be found?
A: If no departmental records are found, Redress WA may contact you to seek further information. If you cannot be contacted (for example, you have changed your address, or do not wish to be contacted further) then your Application will be assessed only on the information you have provided.

Q: Can I access my departmental file if I want to?
A: Yes. Freedom of Information Legislation allows you to obtain your personal information from your file. Please keep in mind that staff from Redress WA will endeavour to locate all of your records on your behalf, including departmental records, so you don't have to do this yourself. You can access the information yourself by making an Application through Freedom of Information Legislation or by contacting the Family Information Records Bureau.

The Family Information Records Bureau in the Department for Child Protection (DCP) has information about what happened to many people and their families in Western Australia in the past. DCP staff can look through the various files and records to see if there is information about your childhood, parents and details of your history. Telephone: (08) 62176351 or Country free call: 1800 000 277.

Q: Will Redress WA pay for my Application costs?
A: No. Redress WA will not pay for any costs associated with the preparation of an Application, but you may request assistance from Redress WA to complete the Application at no charge. Further details on how to receive assistance is available at www.redress.wa.gov.au.

APPLICATION PROCESS

Q: How long will it take to process my Application?
A: The length of time is dependent on how many Applications are received, how easily departmental records can be located, and how many files need to be reviewed for each Application.

Q: Can I make more than one Application?
A: No. You can only make one Application to Redress WA and it is very important to include in your Application as much information as you can about all of your experiences while in State care.

Q: Will I be asked for additional information to support my Application?
A: Redress WA may contact you if additional information is required, or some of the information you have provided needs clarification.

Please note: If you cannot be contacted (for example, you have changed your address, or do not wish to be contacted further) then your Application will be assessed only on the information you have provided.

Q: Will I need to attend a medical or psychological assessment?
A: You may be referred by Redress WA for independent medical and/or psychological assessments if it is believed that this information will assist you to receive an ex gratia payment under Option 2. Cost for these assessments will be met by Redress WA.

Please note: If an assessment is recommended by Redress WA and you choose not to have the assessment, your Application will only be considered for Option 1.

For information about the different Options, please read the section titled Ex Gratia Payments on the next page.
Redress WA Frequently Asked Questions

Q: What happens if I change my contact details?
A: If any of your contact details change, such as your telephone number or address, after you have submitted your Application, it is important that you advise Redress WA of your new contact details. It is essential that Redress WA has the most up-to-date contact details just in case further information is required and/or you need to be contacted regarding a possible settlement. You can update your details by calling Redress WA on telephone 1800 617 233, or emailing info@redress.wa.gov.au

Q: What happens if I am diagnosed with a life threatening illness after submitting my Application?
A: If you are diagnosed with a life threatening illness before your Application is finalised, it is important to inform Redress WA staff and provide a medical certificate confirming this.

EX GRATIA PAYMENTS

Q: Can I apply for an ex gratia payment under Redress WA if I have received an ex gratia payment from a church or other religious authority?
A: Yes. Any ex gratia payment you have received from a church or other religious authority is a private matter between you and them. You will not be asked to disclose this information.

Q: How is the ex gratia payment determined?
A: The ex gratia payment is based on the severity and impact of the abuse and/or neglect you suffered. The ex gratia payment will be determined by an assessor, based on the information you have provided and the information obtained from departmental records.

Q: What is the difference between an Option 1 and Option 2 ex gratia payment?
A: Option 1 ex gratia payments are up to $10,000 where you can show there was a reasonable likelihood abuse and/or neglect occurred. Option 2 ex gratia payments are up to $80,000 with medical and/or psychological evidence required of the harm resulting from abuse and/or neglect experienced while in State care prior to 1 March 2006.

Q: Can I choose to have an Option 2 assessment?
A: No. The assessor determines which Option you may be eligible for based on medical and/or psychological evidence, your departmental records and/or any other information supplied by you in your Application.

Q: What conditions are associated with accepting a ex gratia payment?
A: You will have to sign a document called a 'Deed of Release and Settlement' if you accept a Redress WA ex gratia payment. By signing this document you will waive your rights to bring further claims against the Minister and the State of Western Australia in relation to the abuse and/or neglect experienced while in State care. It is important that you understand what signing this document means and it is strongly recommended that you seek legal advice. Redress WA will cover some of the costs for legal advice, regarding the nature, terms and effect of signing the 'Deed of Release and Settlement'.

Q: If I am successful, will any ex gratia payment I receive be taxed?
A: Redress WA has contacted the Australian Taxation Office (ATO) to ask whether ex gratia payments under Redress WA will be taxable.
Q: Will receiving an *ex gratia* payment affect my Centrelink pension?
A: Based on the Queensland and Tasmanian ‘redress schemes’, it is anticipated that Centrelink will not take *ex gratia* payments into account when assessing your entitlement for a social security payment. Redress WA has contacted Centrelink to ask whether an *ex gratia* payment under Redress WA will have an affect on your Centrelink entitlements.

Q: Will receiving an *ex gratia* payment effect my Family Tax benefit payment?
A: If you receive a Family Tax benefit payment, the effect of a Redress WA *ex gratia* payment is dependent on whether the *ex gratia* payment is considered taxable. Redress WA has contacted the Australian Taxation Office (ATO) to ask whether *ex gratia* payments under Redress WA will be taxable.

**LEGAL ADVICE**

Q: Do I have to get legal advice?
A: Prior to settlement it is strongly recommended that you get legal advice.

Q: Why is legal advice important?
A: Legal advice is important because you have to sign a document called a ‘Deed of Release and Settlement’ before an *ex gratia* payment can be awarded. It is important that you fully understand the nature, terms and effect of signing this document.

Q: Will Redress WA pay my legal costs?
A: Once an *ex gratia* payment offer has been made, Redress WA will assist you to obtain independent legal advice, prior to settlement, about the nature, terms and effect of signing the ‘Deed of Release and Settlement’.

**Please note:** Redress WA will not pay for any legal services related to the completion of your Application.

Q: What is a ‘Deed of Release and Settlement’?
A: It is a binding legal agreement to pay you the *ex gratia* payment as determined under Redress WA. As part of that agreement you will release the Minister and the State of Western Australia from any current or further legal claims arising from the same experiences of alleged abuse and/or neglect. This does not affect the criminal prosecution of any perpetrators of the alleged abuse and/or neglect.

Q: Can I use my own solicitor?
A: Yes. Redress WA will cover some of the costs for legal advice, regarding the nature, terms and effect of signing the ‘Deed of Release and Settlement’.

**FINANCIAL ADVICE**

Q: What financial advice is available?
A: Free financial advice will be available to anyone who receives an *ex gratia* payment. The type of advice you receive will depend on your individual circumstances and is a matter for you to discuss with the financial adviser. More information about where you can obtain financial advice will be made available to you when you are offered an *ex gratia* payment.

Q: Do I have to get financial advice?
A: No. Financial advice is optional.

**COUNSELLING SUPPORT**

Q: Is there counselling support available?
A: Yes. A range of agencies provide general counselling support and are listed under Support Services at www.redress.wa.gov.au.