

Extract from *Hansard*
[ASSEMBLY — Wednesday, 9 November 2016]
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Mr Colin Barnett

CABINET SUBCOMMITTEE ON CIVIL LITIGATION FOR CHILD SEXUAL ABUSE —
ESTABLISHMENT

Statement by Premier

MR C.J. BARNETT (Cottesloe — Premier) [12.07 pm]: I take this opportunity to advise the house that the Liberal–National government has established a cabinet subcommittee to consider the important matters raised by, and emerging from, the member for Eyre’s private member’s bill on civil litigation for child sexual abuse. The cabinet subcommittee will be chaired by the Deputy Premier, Minister Harvey, and also comprises Minister Mischin, Minister Davies and Minister Mitchell. The Parliamentary Secretary to the Minister for Child Protection, Hon Nick Goiran, has been invited to assist the committee.

The government supports removal of the current limitation period for allegations of child sexual abuse. However, a number of issues remain that require careful consideration. These include questions such as: should reform be limited to child sexual abuse; should reform be confined to child sexual abuse that occurs in an institutional context; should some limitation period remain; should civil litigation be restricted to the accused perpetrator of the abuse or should actions be able to be pursued against churches, government and not-for-profit institutions; and what is the relationship of this reform to past and future redress payments? The establishment of the subcommittee will ensure these issues receive proper, deliberate and sensitive consideration by government.

The cabinet subcommittee will develop a policy position and propose the drafting of legislation waiving the statute of limitations for matters of child sexual abuse, having specific regard to the recommendations of the commonwealth’s Royal Commission into Institutional Responses to Child Sexual Abuse, and legislation existing in other states and territories; the coverage of any legislative reform, including whether it be limited to child sexual abuse or extend to other forms of child abuse, whether any limitation period should apply, and whether legal action should be restricted to the accused perpetrator of a crime or also include government and not-for profit institutions; the ability of victims to seek damages from institutions allegedly responsible in some way for the abuse, for example churches that currently are not incorporated as a single entity and therefore cannot be held legally responsible for the actions, say, of their priests; and the potential impact on benevolent organisations that provide care, specifically their ability to continue to deliver services to the most vulnerable in our community.

In preparing a policy position, the cabinet subcommittee will consult with community stakeholders, including victim representatives, not-for-profit organisations and, as appropriate, parliamentary members. The subcommittee is to report to cabinet in January 2017 with a policy position and proposal for legislation to be drafted for introduction in 2017.

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