

Claims data provided by the Uniting Church of Australia Assembly

Background

On 3 March 2017 the Royal Commission requested the Uniting Church of Australia Assembly provide data in relation to all allegations and claims arising from child sexual abuse since the formation of the Church in 1977. The Uniting Church in response compiled a list of all allegations and claims of child sexual abuse that had occurred within the Uniting Church, including its institutions, from the following synods of the Uniting Church in Australia:

1. Synod of New South Wales and the ACT
2. Northern Territory (Northern Synod)
3. Queensland Synod
3. Synod of South Australia
4. Synod of Victoria and Tasmania
5. Synod of Western Australia.

During Case Study 56, the Uniting Church told the Royal Commission that it was unable to analyse the material before the hearing. The Uniting Church reviewed the data and provided the following:

- (a) The number of allegations that did not result in a claim per synod.
- (b) The number of allegations that resulted in a claim per synod.
- (c) The number of claims that resulted in a settlement per synod.

The Uniting Church provided a list of definitions in relation to the data, some of which are set out below.

Definitions

Allegation: Reports, suspicions or concerns about child sexual abuse involving Uniting Church personnel in Australia or occurring within a Uniting Church institution in Australia, made by any person without redress being sought. It includes allegations of the child sexual abuse that were subsequently substantiated following an acceptance or investigation of the allegation; not investigated; or investigated and found to be unsubstantiated.

Claim: claim of child sexual abuse made against Uniting Church in Australia personnel, or relating to Uniting Church in Australia institutions, by a claimant, or a solicitor or advocate on their behalf, seeking redress through an interim redress process or civil proceedings, whether ongoing, settled, or concluded without redress. It includes claims of the child sexual abuse that were subsequently substantiated following an acceptance or investigation of the allegation; not investigated; or investigated and found to be unsubstantiated.

Results

Overall

Overall the Uniting Church data showed 2,055 allegations of child sexual abuse were made to all six synods within Australia. Of these allegations, 124 resulted in claims of child sexual abuse where the person making the allegation sought some form of redress through either a redress process or civil litigation. Of those 124 people, 98 received a settlement. The total amount of settlement monies paid was \$13.2 million. Overall, the highest payment made to a claimant was \$2.43 million; the lowest payment made was \$110; and the average payment made was a little over \$90,320.

Of all synods, the Synod of Victoria and Tasmania, identified the highest number of allegations (1,797 allegations). The Synod of Victoria and Tasmania confirmed that the vast majority of these allegations were identified in accordance with the Victorian Department of Health and Human Services incident reporting requirements.¹ These allegations represented 87.4 per cent of all allegations received by all Uniting Church synods. The Northern Synod received the lowest number of allegations (two allegations).

Of all synods, the Synod of New South Wales and the ACT received the highest number of claims (60 claims). Excluding pending, open and discontinued matters, the Synod of New South Wales and the ACT has paid 50 claimants a settlement (83 per cent of those who made a claim of child sexual abuse to the Synod).

Of all synods, the Synod of New South Wales and the ACT paid the highest total amount of settlement monies (\$2.43 million) and had the highest average payment (\$199,000). The Northern Synod received the lowest number of allegations (two allegations), neither of which resulted in a claim or in a settlement.

The Uniting Church Royal Commission National Task Group told us that some allegations relating to institutions affiliated with a particular synod of the Uniting Church may not have been included in the data. Not all affiliated institutions are required to report allegations of child sexual abuse to the relevant synod. Instead, some affiliated institutions respond to allegations of child sexual abuse independently from the relevant synod.

Synod of New South Wales and the ACT

The Uniting Church data showed that 112 allegations of child sexual abuse were made to the Synod of New South Wales and the ACT. Of these allegations, 60 resulted in claims of child sexual abuse where the person making the allegation sought some form of redress through either a redress process or civil litigation. Excluding pending, open and discontinued matters, 50 have received a settlement. The total amount of settlement monies paid was \$9.93 million. The highest payment to a claimant was \$2.43 million; the lowest payment was \$110; and the average payment was a little over \$199,000.

¹ Under the Critical client incident management instruction technical update 2014 (the instruction) all services delivered directly by Department of Health and Human Services are required to report critical incidents involving or impacting upon clients that occur at the service or during service delivery. <<http://www.dhs.vic.gov.au/funded-agency-channel/about-service-agreements/incident-reporting/human-services>> As a consequence the Synod of Victoria and Tasmania identified all incident reports it was aware of as part of the Royal Commission's request.

Northern Synod

The Uniting Church data showed two allegations of child sexual abuse were made to the Northern Synod. Neither of these two allegations resulted in a claim or payment of money by way of settlement.

Queensland Synod

The Uniting Church data showed that 98 allegations of child sexual abuse were made to the Queensland Synod. Of these allegations, 17 resulted in claims of child sexual abuse where the person making the allegation sought some form of redress through either a redress process or civil litigation. Excluding pending, open and discontinued matters, 13 have received a settlement. The total amount of settlement monies paid was \$990,000. The highest payment made to a claimant was \$190,000; the lowest payment was \$15,000; and the average payment was approximately \$76,000.

Synod of South Australia

The Uniting Church data showed that 29 allegations of child sexual abuse were made to the Synod of South Australia. Of these allegations, three resulted in claims of child sexual abuse where the person making the allegation sought some form of redress through either a redress process or civil litigation. Excluding pending, open and discontinued matters, one has received a settlement. The total amount of settlement monies paid to the claimant was \$60,000.

Synod of Victoria and Tasmania

The Uniting Church data showed that 1,797 allegations of child sexual abuse were identified by the Synod of Victoria and Tasmania. Of these allegations, 40 resulted in claims of child sexual abuse where the person making the allegation sought some form of redress through either a redress process or civil litigation. Excluding pending, open and discontinued matters, 31 received a settlement. In some of these cases the Uniting Church paid for part of the settlement and additional money was paid by a body other than the synod. The total amount of settlement monies paid was \$2.14 million. The highest payment made to a claimant was \$775,000; the lowest payment was \$3,334; and the average payment was nearly \$77,000.

Synod of Western Australia

The Uniting Church data showed that 17 allegations of child sexual abuse were made to the Synod of Western Australia. Of these allegations, four were claims of child sexual abuse where the person making the allegation sought some form of redress through either a redress process or civil litigation. Excluding pending, open and discontinued matters, three received a settlement. The total amount of settlement monies paid was \$120,000. The highest payment made to a claimant was \$50,000; the lowest payment was \$30,000 and the average payment was \$40,000.