



Royal Commission into Institutional Responses to Child Sexual Abuse
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30 June 2014

To Whom It May Concern:

Submission to the Royal Commission Issues Paper 7: Statutory Victims of Crime Compensation Schemes

Berry Street welcomes the opportunity to address issues relating to ‘Statutory Victims of Crime Compensation Schemes’ through a response to the Royal Commission’s Issues Paper 7.

Berry Street understands the current Victorian Victims of Crime Assistance Tribunal (VOCAT) assists victims to recover from a crime by providing financial assistance for expenses incurred, or reasonably likely to be incurred, as a direct result of a crime. There are limitations in applying this system to victims of institutional child sexual abuse including the two-year time limit on claims, the limited redress available and the lack of ongoing financial support for victims. Whilst Berry Street would support amendments to current Crimes Compensation legislation to improve access to compensation for victims of institutional child sexual abuse if a crimes compensation scheme is considered, we believe that a national redress scheme is a preferable option.

Berry Street would again reiterate the position from our submission to the previous Issues Paper 6, ‘Redress Schemes’ which provides our position regarding a comprehensive redress scheme for all people who have previously spent time in institutional care (including foster care). As indicated, a redress scheme should include financial compensation, provision of specialist support services and access to priority services such as medical, dental and housing services. It should not be limited to only claims of sexual abuse but should consider the inclusion of broader allegations of serious physical, sexual, emotional abuse and neglect.

As highlighted in our response, Berry Street strongly encourages the development of a redress scheme based on the Van Boven principles. We further believe that a key feature of any redress scheme should include an apology from the agency responsible. Therefore the development of a redress scheme should include a clear link to the agency involved, to ensure claimants are provided with an apology from the agency.

Berry Street acknowledges the urgent need for any compensation or redress scheme to ensure it is culturally appropriate, expeditious, non-confrontational and non-threatening in its approach to all claims, including claims from Aboriginal and Torres Strait Islanders. Berry Street believes that it is important to ensure that the process to access any compensation or redress scheme ensure that the victim is not re-traumatised through the process of application.

Berry Street supports the Royal Commission’s research through this *Issues Paper* in examining all options for redress and compensation for victims of institutional abuse.

However, Berry Street would like to highlight that a comprehensive redress or reparation scheme would obviate the need for victims to have access to a statutory crimes compensation scheme. It is important to ensure simple and effective access to redress and therefore Berry Street would support a single and clear redress scheme rather than providing a range of compensation or redress programs.

Further information can be provided by contacting Amanda Jones, Senior Manager - Evaluation, Policy & Research

Yours Sincerely,



Sandie de Wolf AM
Chief Executive Officer