



24 High Street
Fremantle WA 6160
08 6140 2380
Freecall 1800 619 795
admin@tuartplace.org
www.tuartplace.org

8th September 2020

Ms Robyn Kruk AO
Independent Reviewer
National Redress Scheme
By email: redressreviewsubmissions@dss.gov.au

Dear Ms Kruk,

Thank you for the opportunity to speak with you by video-link on 19th August 2020. It was much appreciated by the three Tuart Place staff – Jan, Sarah and myself, and the two survivors – Dot and Sharon – who spoke with you from Tuart Place that day. We were pleased to learn in early September that Funder of Last Resort provisions are now in place for the former Roelands Native Mission Farm, of which Sharon is an ex-resident.

Tuart Place has provided a submission to the Joint Select Committee on Implementation of the National Redress Scheme (NRS),¹ in addition to previous submissions to parliamentary inquiries into national redress.² The vast majority of recommendations in those submissions still remain current.

The attached submission to the Second Anniversary Review of the NRS addresses issues arising in the following areas:

- 1) Maximising a sense of safety for applicants**
- 2) Consistent adherence to nominee/preferred contact arrangements**
- 3) Flexibility in forms of communication with the Scheme**
- 4) Letter of receipt with proposed appointment time for an 'identity check' phone call**

We would be happy to provide any further information if required. The contact person for this submission is Tuart Place Director Philippa White, via email: director@tuartplace.org

Yours faithfully,

Dr Philippa White
Director, Tuart Place

Ms Cevrina Reed
Chairperson, FACT Inc

¹ <https://www.tuartplace.org/wp-content/uploads/2019/11/Tuart-Place-submission-on-implementation-of-National-Redress-24-5-20.pdf>

² Tuart Place submission on Commonwealth Redress Bill (30-1-18) <https://www.aph.gov.au/DocumentStore.ashx?id=4fc1eae1-2301-4000-815d-52c872ce7e12&subId=563001> ;
Supplementary submission (25-2-18) <https://www.aph.gov.au/DocumentStore.ashx?id=0a863cb1-462e-42db-9d09-bcf92afa8ba2&subId=563001> Tuart Place submission on National Redress Bill (30-5-18) <https://www.aph.gov.au/DocumentStore.ashx?id=1de51e07-3aa4-4760-bdd7-4cdd682ca9e3&subId=566518> ;
Tuart Place submission on implementation of redress related recommendations by the Royal Commission (5-8-18) <https://www.aph.gov.au/DocumentStore.ashx?id=935868a5-54f3-4871-9d40-dbe40199b063&subId=658595>

September 2020

1) Maximising a sense of safety for applicants

Survivors applying to the NRS can be confident that their personal information is well protected through a variety of confidentiality protocols, and that a series of quality checks ensure a high degree of accuracy. Tuart Place staff frequently reassure applicants about these issues, often in the context of explaining why particular processes can seem slow or overly complicated. Providing clear information about the operational processes of the Scheme often assists applicants to manage feelings of anxiety and powerlessness.

We have found that some NRS representatives also provide a therapeutic level of reassurance to applicants, giving detailed information in areas such as protection of privacy or progress in processing an application. Other representatives provide less reassurance and convey what appears to be only minimal information.

Specifying a clear reason for any unexpected delay is particularly important. One of the most commonly-expressed fears of abuse survivors is not being believed, and delays are readily perceived as 'evidence' of this. It is very helpful when a NRS representative tells an applicant that a delay is due to a particular (identified) part of the process, and provides reassurance that the delay does not indicate that the survivor's account of abuse has been disbelieved, nor that there is a 'problem with the application'.

Tuart Place recommends that the training and ongoing professional supervision of NRS representatives interacting with applicants should encourage and support them to provide the maximum possible amount of information to applicants inquiring about the progress of an application; to identify the specific cause of any delay; and to provide reassurance that it does not indicate 'a problem' or imply 'disbelief'.

2) Consistent adherence to nominee/preferred contact arrangements

For Tuart Place, the role of nominee extends well beyond the preparation of applications and liaison with the NRS during assessment and outcome processes. The role often extends into a variety of welfare related areas, for example: support to access mainstream services, including for the preparation of wills and liaison with guardians; fulfilling the role of support person in arranging and attending Direct Personal Response meetings with past providers; and assistance with housing and financial issues, well beyond the receipt of a redress payment.

Tuart Place is Assistance Nominee for 36 NRS applicants, the majority of whom identified Tuart Place as their preferred point of contact. Consistent communication with the Scheme is essential for effective service delivery to these clients. Unfortunately, however, NRS adherence to nominee arrangements has not been consistent so far. Many applicants have received postal mail and/or phone calls directly from the NRS (in addition to the initial 'ID check' phone call, which is always made directly to the applicant). Some people have described feeling distressed or confused by phone calls from the NRS, of which they have had no advance warning and no chance to arrange for either privacy or companionship/support during the call.

Provision of copies of correspondence to Tuart Place has also been inconsistent, as has notification that Tuart Place has been recorded as nominee for an applicant. There have been instances in which this has created considerable confusion and angst for survivors, particularly those living in rural and remote areas.

September 2020

In addition to the practical difficulties that can arise, consistent adherence to the applicant's preferred contact arrangements is fundamental to establishing and maintaining trust. It is a further mechanism by which to maximise the sense of safety experienced by applicants, and demonstrate sensitivity to, and respect for, their wishes.

Tuart Place recommends that all NRS contact with applicants should adhere to the preferences specified in the application form or subsequent correspondence. Nominees should always be notified that they have been recorded as a nominee, and a copy of all correspondence sent to applicants should always be sent to their nominee (as per the list for Assistance Nominees on the NRS form).

3) Flexibility in forms of communication with the Scheme

The lack of capacity to contact the NRS directly via any method other than postal mail or by calling the 1800 number has been an ongoing source of frustration for applicants and support workers alike.

For a short time during the COVID-19 shutdown, because the postal mail was particularly slow, the Scheme adopted a more liberal approach to email contact. During this time, it was possible for us to send extra documentation by email, and we were also able to receive letters for applicants via encrypted email that was password protected for security. These avenues of communication with the Scheme have now been discontinued, which is unfortunate, as the postal mail service is still slow and unreliable, and does not allow for timely turnaround of documentation. This has caused distress to applicants in some instances, for example waiting for Outcome letters.

During the COVID-19 shutdown, the 1800 call centre was replaced by a voicemail service, which led to at least one emergency, when we had to urgently contact the Scheme regarding a scheduled Outcome call to a particularly vulnerable and agitated survivor, but could only leave a message. As we come out of shutdown, voicemail only occurs in busy periods, but the provision of back-up numbers to a Nominee at critical times for an applicant should still be an option.

Tuart Place recommends that the current mechanisms for contacting the NRS are expanded to include email addresses and telephone lines that connect to specific teams or areas of NRS service delivery, and that the mechanism for the Scheme to send return correspondence via encrypted email is reinstated.

4) Letter of receipt with proposed appointment time for an 'identity check' phone call

Currently, applicants and their nominees are not notified in writing that an NRS application has been received. Instead, the applicant receives an unscheduled telephone call from an NRS representative sometime after the application has been submitted, usually within 3-4 weeks. During this phone call, applicants are asked to cite information to verify their identity (such as a personal Centrelink Customer Reference Number). This phone call is made directly to the applicant regardless of whether a nominee has been specified.

The abovementioned process is not adequate for several reasons. First, a large amount of work and emotional energy goes into the preparation of a redress application and the process is inevitably retraumatising for survivors, who tend to feel vulnerable and anxious about how the Scheme will respond to their application. It would seem appropriate, and a basic courtesy, to confirm by letter the safe arrival of such a highly personal set of documents.

Secondly, in many cases, an assistance nominee has been named because the survivor does not feel comfortable about being contacted directly by the redress scheme. We are already aware of multiple

September 2020

instances in which applicants have felt compromised, distressed, or 'caught off guard' by receiving an unexpected phone call from a redress worker. Although applicants may need to speak directly with an NRS representative for the purpose of verifying identity, applicants must be given advance notice and an opportunity to prepare for this phone call. The current arrangements are not trauma-sensitive and are causing unnecessary distress to survivors.

Tuart Place recommends that within 2-4 weeks of receiving an application, the NRS should contact the applicant and nominee by post, acknowledging receipt of the application and proposing a date and time for the initial 'identity check' phone call. This correspondence would serve two purposes. First, it would provide applicants with official reassurance that their documents arrived safely. Second, it would allow applicants to prepare mentally for receiving the initial phone call, and to either arrange for a support person to be alongside them at the time of the call, or arrange to be alone to ensure that their privacy is not compromised.

Summary

In previous submissions, Tuart Place has identified structural issues that compromise the Scheme's capacity to deliver good outcomes for survivors. In this submission we have focused more on individual-level concerns. Obviously, reform in both areas is important.

The matters raised in this submission reflect some of the service delivery issues that have emerged in Tuart Place's direct work with NRS applicants over the last two years. Other concerns were raised in our video-link meeting of 19 August 2020. During that meeting, and in our submission to the Joint Select Committee in May, we also identified some positive outcomes for survivors engaging with the Scheme, and instances in which the work of NRS representatives had been particularly survivor-focused.

Our concluding message regarding service delivery is that the introduction of *any* mechanism purposefully designed to minimise re-traumatisation and stress for applicants is likely to be beneficial. Measures that convey humanity and caring should be standard procedure, and will be of obvious benefit, alongside the message that survivors are *more important* than the Scheme's processes.