

# Historical Child Abuse Redress Policy

24 November 2025

## Purpose

The purpose of this policy is to set out the framework for managing redress inquiries and applications in relation to historical child abuse for people who are seeking redress from The Benevolent Society (**we, us, our, Benevolent**). Redress is a formal acknowledgement of harm done to an individual whilst that individual was receiving services or care from an institution, usually in the form of monetary payment, apology and/or counselling services.

## Scope

This policy deals specifically with redress for allegations of child abuse that occurred prior to 1 July 2018 and where Benevolent was responsible for bringing an individual into contact with the alleged perpetrator. This includes individuals making an allegation of historical child abuse whilst in the care of Benevolent at Scarba Welfare House for Women and Children (later Scarba Welfare House for Children and then to Scarba House for Children (**Scarba House**) or whilst engaged in other services and programs run by Benevolent.

Any inquiries on redress for allegations of child abuse should be directed to the Proper Officer through [theproperofficer@benevolent.org.au](mailto:theproperofficer@benevolent.org.au).

We may, in our absolute discretion, apply this policy to allegations of abuse outside the scope of this policy.

## Policy Statements

1. In 2004, we provided a full and unreserved apology for all abuse, mistreatment or harm experienced by children in our care. A copy of our apology is available in our [Living at Scarba Home for Children](#) publication and on [our website](#).
2. We adopt a restorative justice approach when responding to people who have experienced institutional child abuse. Benevolent is trauma-informed and survivor-focused, and interaction and communications will be guided by the principles of safety, trustworthiness, choice, collaboration and empowerment.
3. We seek to advance resolutions in non-adversarial and non-litigious ways, acknowledging the time, cost and stress usually associated with litigation. Non-adversarial means we aim to work together with the person who has experienced institutional child abuse including their representative/s. Non-litigious means we try to avoid litigation/taking legal action where possible. This doesn't mean we

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refrain from protecting the proper and legitimate interests of Benevolent, which includes taking legitimate steps to defend claims, including but not limited to where a claim is vexatious, unmeritorious or an abuse of process.

4. At all times, we are committed to continuous improvement and will reflect on potential learning and improvements for the organisation.
5. Any person who wishes to seek redress from Benevolent can do so in one of the following three ways:

#### 5.1. National Redress Scheme

- 5.1.1. Benevolent joined the National Redress Scheme (<https://www.nationalredress.gov.au/home>) in December 2020.
- 5.1.2. The National Redress Scheme deals specifically with redress for allegations of historical child sexual abuse where an institution was responsible for bringing an individual into contact with the alleged perpetrator before 1 July 2018.
- 5.1.3. Further information may be found on the 'Applying' page of the National Redress Scheme website (<https://www.nationalredress.gov.au/applying>).
- 5.1.4. The 'Resources' page (<https://www.nationalredress.gov.au/help-support/resources>) also provides resources to help support individuals who experienced child sexual abuse in institutions.

#### 5.2. Direct Redress Application

- 5.2.1 Individuals who are not eligible and or cannot reasonably access the National Redress Scheme (for example, individuals who have experienced physical abuse but not sexual abuse or are close to end of life) may make a direct application to Benevolent. If an application has previously been rejected by the National Redress Scheme and Benevolent was not found liable or an individual has already received a payment by the National Redress Scheme, it would be helpful to include details about what has changed since that application was determined by the National Redress Scheme.
- 5.2.2 An application can be made to the Proper Officer by emailing [theproperofficer@benevolent.org.au](mailto:theproperofficer@benevolent.org.au). Applications should be in writing, and clearly set out the basis of the application including the reasons for not being able to reasonably access the National Redress Scheme. Other details that are helpful to include are: (a) the approximate date of the abuse; (b) the location(s) or a description of the location(s), names of siblings, other residents (if abuse relates to Scarba House) or potential witnesses, if any; and details of the abuse, including the type of abuse and name(s) of the alleged perpetrator (if known).
- 5.2.3 On receipt of the application, Benevolent will acknowledge receipt and consider whether the application may be determined under this policy. Based on the applicant's preference, a Redress Officer may also be assigned who will be the applicant's point of contact to assist the applicant to navigate the redress process including identifying any additional supports that may be available. If any

application is denied, Benevolent will give reasons. With all applications, Benevolent will seek to address any immediate serious concerns for an applicant's safety and wellbeing.

- 5.2.4 The application will be assessed by a panel comprising suitability qualified internal senior staff along with appropriate external representation that collectively possess an appropriate mix of skills, expertise and experience to ensure thorough and effective assessment of applications. When assessing an application, as with the National Redress Scheme, we will consider applications against a 'reasonable likelihood' test. 'Reasonable likelihood' means the chance of the individual being eligible for redress is real, and is not fanciful or remote and is more than merely plausible.
- 5.2.5 We will aim to provide any offer to an applicant as early as possible and will not unreasonably delay an offer of settlement. Depending on the outcome of the assessment, a range of assistance may be offered including and not limited to:
- a. Direct Personal Response
  - b. Counselling
  - c. Redress Payment which, will be guided by the National Redress Assessment Framework for sexual abuse or, Benevolent's Assessment Framework for non-sexual abuse.
- 5.2.6 A time limit for responding to an offer may be made by Benevolent. It is important to note that depending on the facts and circumstances, an application may trigger other safeguarding reporting or compliance requirements for us, including notification to authorities including but not limited to Police and Child Protection regulators.
- 5.2.7 Generally, our position will be that acceptance of an offer of monetary payment will be conditional on signing a deed of settlement and release which will have a legally binding agreement saying that no further civil action will be taken by the applicant against Benevolent. We may also seek confidentiality provisions on the settlement and the redress amounts paid but we will not prevent an applicant from telling their story in relation to the abuse they suffered, the circumstances of their abuse or their experience of their application process with Benevolent. The deed of settlement and release may be reviewed and amended during the process of finalising the matter. It is a requirement that an applicant obtain legal advice prior to signing any deed of settlement and release, and Benevolent will cover the cost (up to \$1,500 excluding GST) for the applicant to seek independent legal advice on the deed from a solicitor picked by the applicant. Payment will be made directly to the law firm upon receipt of a signed Solicitor Certificate confirming the solicitor has been through the deed with the applicant. Other legal costs that a redress applicant may incur for legal advice will not be covered by Benevolent.
- 5.2.8 An applicant who is not satisfied with the outcome of their application may request a single review of the decision. We will establish a redress review

committee (independent from the original decision maker) which will monitor and guide responding to a review application expeditiously.

### 5.3 Civil Claims

- 5.3.1 In some cases, an individual may choose to bring a civil claim and initiate civil proceedings against Benevolent.
- 5.3.2 On receipt of such a claim and, where deemed appropriate, having regard to the circumstances, Benevolent will respond with an offer to consider the allegations through a direct redress application as set out in paragraph 5.2. This is because we recognise that litigation may be a long-drawn out process that could be re-traumatising.
- 5.3.3 We encourage any individual who wishes to make a civil claim against Benevolent to seek independent legal advice. Benevolent will not be responsible for legal costs incurred by an individual in bringing such a claim.
- 5.3.4 Correspondence relating to a civil claim may be addressed to the Proper Officer and emailed to [theproperofficer@benevolent.org.au](mailto:theproperofficer@benevolent.org.au).

- 6 Staff participating in the redress process will be suitably qualified, receive appropriate training and be provided with support necessary to carry out their responsibilities effectively.

## Responsibilities and policy owner

- The policy owner is the Board.
- The policy is maintained by the Group General Counsel on behalf of the Board.
- The CEO has overall responsibility for the compliance of this policy.
- The Executive Directors have responsibility for the compliance of this policy in their directorate.

This policy has been approved by:

**The Board of The Benevolent Society**