

Inquiry into the continuing operation of the National Redress Scheme

Submission to the Joint Standing Committee on
Implementation of the National Redress Scheme

6 February 2026

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Who we are

The **Australian Lawyers Alliance (ALA)** is a national association of lawyers, academics and other professionals dedicated to protecting and promoting access to justice and equality before the law for all individuals.

Our members and staff advocate for reforms to legislation, regulations and statutory schemes to achieve fair outcomes for those who have been injured, abused or discriminated against, as well as for those seeking to appeal administrative decisions.

The ALA is represented in every state and territory in Australia. We estimate that our 1,500 members represent up to 200,000 people each year across Australia.

Our head office is located on the land of the Gadigal people of the Eora Nation. As a national organisation, the ALA acknowledges the Traditional Owners and Custodians of the lands on which our members and staff work as the First Peoples of this country.

More information about the ALA is available on our website.¹

¹ www.lawyersalliance.com.au.

Executive Summary

1. The ALA welcomes the opportunity to provide a submission to the Inquiry into the continuing operation of the National Redress Scheme (Scheme). ALA members represent and support survivors navigating the Scheme and have direct practice-based insight into how the Scheme is operating in practice, including barriers to access and the impacts of delay.
2. ALA's key position is that the Scheme should be extended for at least a further five years. Applications are continuing to increase month by month, reflecting both growing awareness of the Scheme and the time many survivors require before they feel able to come forward.
3. ALA is concerned that processing delays and administrative timeframes have materially deteriorated, undermining the Scheme's intent as a trauma-informed pathway that provides acknowledgement, certainty and timely outcomes. Many applicants engage the Scheme anticipating a quicker and simpler alternative to civil litigation; in practice, prolonged processing timelines can cause significant frustration and distress.
4. Publicly available Scheme data on volumes and timeframes provides objective support for both the case for extension and the concerns regarding delay. It is the ALA's view that transparency should be strengthened and tied to clear performance standards, so the Scheme's administration can be accountable to survivors and Parliament.
5. With the application cut-off and sunset day approaching, 'deadline harm' is now a clearly foreseeable, and thus preventable, risk. Subsequently, the Committee is urged to approve the extension of the Scheme for at least five years, and recommend immediate operational reforms that reduce processing times, improve communications with institutional abuse survivors and strengthen the transparency of their decision making, to ensure that these vulnerable cohorts of society are not left behind.

Recommendations

6. **The ALA recommendations are as follows:**
 - a. **Recommendation 1: Extend the Scheme for at least five years beyond the current settings, accompanied by:**
 - i. **consequential amendments to the cut-off and sunset dates; and**

Introduction

1. The ALA welcomes the opportunity to have input to the Joint Standing Committee on Implementation of the National Redress Scheme (the “**Committee**”), on the Inquiry into the operation of the National Redress Scheme (the “**Inquiry**”).
2. The National Redress Scheme (the “**Scheme**”) is intended to provide a survivor-focused mechanism for redress in response to institutional child sexual abuse, reflecting the Royal Commission’s recommendations and the Scheme’s statutory objectives and guiding principles, including the importance of trauma-informed engagement and avoiding further harm to survivors.²
3. ALA members have direct experience advising and assisting survivors engaging with the Scheme, including in relation to applications, information requests, determinations and review pathways.
4. The ALA is largely in support of the Scheme and the principles underpinning its establishment. In the ALA’s view however, those objectives cannot be reliably achieved within the current closure timeline. As such, we therefore strongly support the continuation of the Scheme beyond the current sunset period, including through an extension of the Scheme for at least a further five years.
5. At the same time, ALA is concerned by systemic issues in the Scheme’s current operation and administration, as experienced by survivors and practitioners supporting them. The Scheme is intended to offer a pathway that is accessible and not unduly legalistic or adversarial. However, evidence before the Committee and practitioner experience indicate that many survivors experience significant uncertainty about the status of their applications, frustration and distress arising from extended processing timeframes, and, at times, distress regarding the tone, language and reasoning used in determinations. These issues risk undermining the Scheme’s trauma-informed intent and its capacity to deliver sufficient closure for survivors.
6. While the ALA advocates for the continuation of the Scheme beyond its current sunset parameters, the ALA also urges targeted reforms to improve timeliness, transparency and the

²https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/National_Redress_Scheme_Standing/Redress47/Report/Chapter_2_-_The_National_Redress_Scheme

holistic survivor experience, so that the Scheme's administration both meets survivor's expectations, as well as the Scheme's statutory objectives.

7. This submission addresses four key issues:
 - a. Extension of the Scheme
 - b. Procedural Delays and their impacts;
 - c. Publicly available data, transparency and performance accountability; and
 - d. Ensuring timely, trauma informed outcomes.
8. In preparing this submission, the ALA draws on our members experiences as well as publicly available Scheme reporting.

Key Issues

Extension of the Scheme

9. The Scheme is currently scheduled to stop accepting applications by 30 June 2027, with a sunset date of 30 June 2028.³
10. The Scheme's own public guidance further indicates that (save for limited exceptions) applications should generally be lodged at least 12 months before the sunset day, which materially shortens the 'practical' window for many survivors to apply.⁴
11. The fixed end-dates sit uneasily with the Scheme's reported processing performance. The Australian National Audit Office (ANAO) has reported an average processing time of 16.3 months (as at 30 June 2025), and noted that the department had not established any targets for timely processing to an outcome.⁵
12. This time pressure is especially inconsistent with the realities of delayed disclosure. The Royal Commission reported an average time to first disclosure of 23.9 years based on private session

³ <https://guides.dss.gov.au/national-redress-guide/2/5>

⁴ <https://guides.dss.gov.au/national-redress-guide/9/3/7>

⁵ <https://www.anao.gov.au/work/performance-audit/department-of-social-services-management-of-the-national-redress-scheme>

information.⁶ A fixed end-date therefore predictably excludes survivors who are not yet safe or ready to engage rather than reflecting any lack of merit to their claims.

13. The closure of the Scheme subsequently creates a foreseeable exclusion risk for this cohort of survivors, as well as a foreseeable backlog risk as demand increases approaching the Scheme's end date: those concerned that they may 'miss out' on making a claim.⁷ This is particularly exacerbated by the inevitable winding down of resources.

14. To avoid this scenario, the ALA supports in principle the extension of the National Redress Scheme for at least five years. The rationale for this extension is relatively uncontroversial and straightforward:

- a. Survivor readiness to apply is often delayed by trauma, societal stigma, mental and physical health, housing and employment instability, disability, incarceration, language barriers and lack of documentation;
- b. The Scheme's own performance data indicates timeliness issues that are inconsistent with claimant expectations or Scheme objectives; and
- c. An extension is thus necessary to avoid the compounding harm flowing from administrative closure.

15. We note that this recommendation is in principle, in so far that the extension must include consequential amendments to the application cut-off and sunset deadlines, and should be accompanied by a fully funded and published delivery plan with identifiable and measurable targets, to avoid the extension simply postponing an inappropriately managed backlog.⁸

16. A hard conclusion date, without a meaningful extension, risks excluding survivors who are eligible but not yet able to apply, and may incentivise rushed applications, placing additional pressure on support services and Scheme administration. Extension is also necessary to

⁶ Australia. Royal Commission into Institutional Responses to Child Sexual Abuse. (2017). *Final report*. <https://nla.gov.au/nla.obj-571561518>

⁷ <https://www.theguardian.com/australia-news/2024/nov/27/dangerous-crunch-point-abuse-survivors-risk-being-denied-justice-due-to-delays-in-australias-redress-scheme?>

ensure that outstanding applications and determinations can be resolved in a manner that maximises just outcomes.

17. Recommendation 1: Extend the Scheme for at least five years beyond the current settings, accompanied by:

- a. consequential amendments to the cut-off and sunset dates; and
- b. a publicly available delivery plan with measurable timeliness targets.

Processing delays and their impacts

18. The ALA is concerned that processing delays have ‘blown out’ across key stages of the Scheme. Survivors commonly approach the Scheme with the expectation of it being a quicker and simpler alternative to civil claims. In practice, prolonged delays instead prolong the uncertainty, distress and repeated engagement with traumatic material, for applicants.
19. The Scheme’s own public guidance indicates the overall process ‘*can take between 12 – 18 months*’ to receive an outcome, but this time frame is often longer in reality, particularly where information requests are repeated, or where matters inevitably sit unallocated to decision makers for extended periods.
20. Publicly available reporting supports concerns about the trajectory and scale of delays. The ANAO reported that, from commencement to 30 June 2025, the average processing time for completed applications was 16.3 months, with the longest taking 81 months.⁹
21. Timeliness is not merely a measure of administrative efficiency. A truly trauma-informed redress system must provide survivors with predictability, dignity, and (where possible) finality. Delays can frustrate survivor expectations of acknowledgement and closure and have disproportionate impacts on older survivors and those experiencing acute vulnerability (including disability, unstable housing, or serious health issues).
22. In this way, the ALA is particularly concerned about process opacity during periods of delay, including where there are unclear allocation pathways, conflicting or contradictory information, inconsistent explanations for where an application is sitting, and limited visibility

⁹ <https://www.anao.gov.au/work/performance-audit/department-of-social-services-management-of-the-national-redress-scheme>

of 'next steps'. Often no clear timeframe for either allocation or a decision is provided to the applicant. In a supposedly survivor-centred Scheme, the operational reality of delay should not translate into a resultant information vacuum for applicants.

23. Further, delay is in itself a form of harm akin to retraumatisation, and the Scheme should adopt explicit service standards to reduce instances of avoidable distress caused by the protracted processing.
24. In order to restore confidence and improve survivor experience, the ALA supports clear, stage-by-stage service standards that are publicly available, measurable and coupled with escalation pathways when targets have not been met.
25. Those standards should be supported by appropriate resourcing and workflow redesign, including additional assessment capacity and stronger case management continuity (so survivors are not required to essentially 'start again' with a new staff member, with each new contact point). This should include specific controls for repeated or avoidable information requests.
26. The ALA also supports a formal triage or fast-track stream for priority cohorts (including elderly survivors, urgent medical circumstances, and other acute vulnerabilities) with the redesigning of processes around survivors' needs, including triage and 'multiple touchpoints' to prevent vulnerable applicants 'falling out' of the process.
- 27. Recommendation 2: Establish and publish stage-by-stage service standards with quarterly public reporting against those standards and clear escalation pathways where standards are not met.**
- 28. Recommendation 3: Introduce a formal triage/fast-track stream for priority cohorts supported by dedicated staffing and clear eligibility criteria.**

Publicly available data, transparency and accountability

29. ALA supports the Committee's focus on publicly available data. The Scheme publishes performance measures and updates which, when read alongside independent review (including the ANAO audit), demonstrate the urgency of reform.¹⁰

¹⁰ Ibid

2. However, current public reporting remains insufficient for the purposes of supporting accountability and continuous improvement. In particular:
 - a. it is difficult to identify where delays arise;
 - b. there is limited visibility of cohort impacts and equity of access (e.g., disability, First Nations status, care leavers, prisoners); and
 - c. survivors and advocates have limited capacity to predict realistic timeframes for progression
3. Improved reporting should also capture institutional response performance. Where delays are driven by institutional information-provision, those delays should be visible and measurable so they can be addressed through the appropriate governance and escalation pathways.
4. **Recommendation 4: Publish a standardised monthly reporting:**
 - a. **median and percentile timeframes by stage,**
 - b. **backlog volumes by stage,**
 - c. **institutional response performance (time-to-respond distributions), and**
 - d. **cohort breakdowns (de-identified and aggregated), with clear methodological notes that remain stable over time (including when the clock starts/stops for each stage). Reporting should be sufficiently granular to identify bottlenecks and to measure whether reforms are improving outcomes for survivors.**

Timely, trauma-informed outcomes

5. The Scheme is intended to operate in a trauma-informed way that recognises the harm done to survivors and seeks to avoid (so far as possible) further harm or traumatisation through the Scheme process. In practical terms, trauma-informed administration requires settings that

prioritise safety, trustworthiness and transparency, choice and control, and survivor empowerment.¹¹

6. As addressed in the preceding sections on processing delays and data transparency, prolonged processing times can keep survivors in a prolonged state of uncertainty, at the point where acknowledgement and finality are of particular importance. A growing body of scholarship recognises that institutional processes can inadvertently produce secondary harms; not by re-enacting the original abuse, but by exposing survivors to potentially avoidable uncertainty, inconsistent communication, and the burdens of repeat engagement that survivors will experience as dismissive, opaque or destabilising to their mental health.¹²
7. ALA members have indicated in the course of their dealings with survivors is that a key driver of this avoidable harm is down to information-request churn and administrative rigidity, particularly in cases where historical recordkeeping gaps and the passage of time make documentation inherently difficult to obtain. In those circumstances, expectations related to evidence and information gathering should remain proportionate; a truly trauma-informed process should strive to limit repeated retelling as well as minimise unnecessary ‘stall’ points in the process that, to a survivor, would exacerbate feelings of instability and emotional drift.
8. The ALA believes that satisfactory trauma-informed administration requires a posture that is distinct from adversarial litigation in that there needs to be clear upfront guidance about what is required, consistent case management, bounded request cycles, and proactive communication.
9. **Recommendation 5: Implement process reforms to reduce avoidable information request churn, including clearer guidance, consistent case ownership, proportional evidentiary settings where records are unavailable, and time-limited request cycles with escalation mechanisms.**

¹¹See Substance Abuse and Mental Health Services Administration (SAMHSA), *SAMHSA’s Concept of Trauma and Guidance for a Trauma-Informed Approach* (2014) (principles include safety; trustworthiness and transparency; peer support; collaboration and mutuality; empowerment, voice and choice; cultural, historical and gender issues). <https://www.nctsn.org/sites/default/files/resources/resource-guide/samhsa_trauma.pdf>; See also Blue Knot Foundation, *Trauma-Informed Practice and Service Delivery* <<https://professionals.blueknot.org.au/resources/key-concepts-for-working-with-a-trauma-lens/being-trauma-informed/>>

¹² See Elizabeth K Hopper, Ellen L Bassuk and Jeffrey Olivet, ‘Shelter from the Storm: Trauma-Informed Care in Homelessness Services Settings’ (2010) 3(1) *The Open Health Services and Policy Journal* 80, 85.

10. Further, these reforms should be supported by staff capability and co-design, including mandatory trauma-informed training and structured consultation with survivor advocacy groups to test whether procedural changes reduce harm in practice.

Conclusion

1. The ALA welcomes the opportunity to have input to the Committee on this Inquiry.
2. The ALA emphasises that the National Redress Scheme remains a critical mechanism for justice for survivors of institutional child sexual abuse.
3. However, the Scheme's credibility and trauma-informed intent are being undermined by delays, uncertainty and insufficient transparency about the decision-making processes.
4. With the application cut-off and sunset day approaching, 'deadline harm' is now a clearly foreseeable, and thus preventable, risk. Subsequently, the Committee is urged to approve the extension of the Scheme for at least five years, and recommend immediate operational reforms that reduce processing times, improve communications with institutional abuse survivors and strengthen the transparency of their decision making, to ensure that these vulnerable cohorts of society are not left behind.
5. The ALA would welcome the opportunity to provide further assistance to the Committee on the issues raised in this submission.



Ian Murray

President

Australian Lawyers Alliance