

8 Applying for redress for people under 18

This fact sheet helps people who are under 18 understand whether they can apply for the National Redress Scheme (NRS). **TasVOCAL** can provide free legal advice about the NRS and compensation for child sexual abuse.

What is the National Redress Scheme?

The National Redress Scheme (NRS) was established by the Australian Government following the Royal Commission into Institutional Responses to Child Sexual Abuse.

The NRS:

- acknowledges that many children were sexually abused in Australian institutions
- holds institutions accountable for this abuse
- helps people who have experienced institutional child sexual abuse gain access to justice and redress.

The NRS can provide:

- a payment of up to \$150,000 depending on each survivor's experiences
- counselling and other support services
- a direct personal response from the institution (e.g. an apology).

Can I apply to the NRS if I am under 18?

If you are under 18 you can apply for redress under the NRS. However, you can't make a decision about an offer until you have turned 18. This is to make sure you are old enough to fully understand the consequences of the decision.

The NRS will stop accepting applications after 30 June 2027 unless the special process applies.

Your options are different depending on if you were born, before or after 30 June 2010.

People born AFTER 30 June 2010

If you are born after 30 June 2010, you are not eligible to apply for the NRS. You will not turn 18 in time to make a decision about accepting an offer. There may be other compensation options available to you. For information about these options, please call 1300 366 611 and ask for **TasVOCAL**.

People born ON or BEFORE 30 June 2010

If you were born on, or before, 30 June 2010 you are eligible to apply to the NRS if you experienced sexual abuse before 1 July 2018. There is a 'special process' for these applications.

If you are 17 years and 8 months or older when making an application, your application will be processed as if you were an adult.

What is the 'special process'?

The NRS will do a 'preliminary assessment' of the application before a survivor turns 18.

The survivor and the institution(s) are told the outcome of the preliminary assessment. This indicates whether the survivor may be eligible for redress after turning 18, and estimates any possible payment. This is not the same as a formal offer.

You should get legal advice and financial counselling at this point to help you understand your options. For free legal advice, please call 1300 366 611 and ask for **TasVOCAL**.

The NRS will make a final decision on the application soon after you turn 18. If there is an offer of redress, it may be different to the estimate in the preliminary assessment.

Can young people apply towards the end of the NRS?

If you are eligible for the special process, you can apply after 30 June 2027, but before the NRS shutdowns on 30 June 2028. However, if you apply after 30 June 2027 the NRS might not have enough time to process the application.

Applying to the NRS early will give the NRS time to consider your application. You should apply to the NRS as early as possible.

We strongly recommend that if you will be turning 18 in the 12 months BEFORE the NRS shuts down, get legal advice. Please call 1300 366 611 and ask for **TasVOCAL** for free legal advice.

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Other compensation options

If you are under 18, you may be able to file a civil claim for damages for injury and loss arising from the sexual abuse you suffered. An experienced civil lawyer can provide legal advice about this. **TasVOCAL** can refer you to a civil lawyer. You should consult a civil lawyer before making a decision about redress.

About TasVOCAL

TasVOCAL provides free and independent legal advice and support for survivors of child sexual abuse.

How to contact **TasVOCAL**

- Visit: www.legalaid.tas.gov.au
- Free call: **1300 366 611** ask for **TasVOCAL**
- Email: TasVOCAL@legalaid.tas.gov.au

Disclaimer

This fact sheet should not be used as substitute for legal advice. No responsibility is accepted for any loss, damage or injury, financial or otherwise, suffered by any person acting or relying on the information contained within this fact sheet, or omitted from it. You should seek legal advice about your own particular circumstances.

Tasmania Legal Aid acknowledges and pays our respect to the Palawa/Tasmanian Aboriginal people as the Traditional Custodians of the land and waters of Lutruwita/Tasmania, where we live and work.

Need legal help?

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Monday to Friday, 9am – 5pm



1300 366 611 Ask for **TasVOCAL**



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