



Government of Western Australia

REDRESS WA GUIDELINES

Redress WA Guidelines

Guidelines to provide for an *ex gratia* payment to persons abused and/or neglected as children while in State care

As amended 15 February 2010¹

REDRESS WA GUIDELINES

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Part 1 – Preliminary

1. Short title

These Guidelines may be cited as the Redress WA Guidelines.

2. Commencement

The Redress WA Guidelines came into effect from 24 October 2008 based on approval of the Redress WA scheme by the Western Australian State Government on 3 December 2007, and have been amended on 17 April 2009 and 15 February 2010 subject to the number and severity of applications received.

3. Interpretation

In these Guidelines, unless the contrary intention appears —

“**abuse**” means physical abuse, sexual abuse or emotional and psychological abuse;

“**allied health professional**” means:

- (a) a psychologist as defined in the *Psychologists Act 2005*, section 3; or,
- (b) a counsellor, social worker, or other professional, who the Senior Redress Officer or Internal Member considers to be suitably tertiary qualified to provide a report pursuant to these Guidelines;

“**applicant**” means a person who makes an application for an *ex gratia* payment under the Redress WA Scheme pursuant to these Guidelines;

“**application**” means an application for an *ex gratia* payment under the Redress WA Scheme pursuant to these Guidelines in the prescribed form referred to in Schedule 4, or as determined by the Minister in exceptional circumstances and in the form and manner described in Part 2, Division 2, section 7(1)(d);

“**assessor**” means a person who is suitably qualified and who is appointed by the Director General of the Department for Communities and includes Senior Redress Officers, Team Leaders and Internal Members;

“**causal nexus**” means that the person as a child resided in State care in the residential situation in which they allege abuse and/or neglect occurred and that there is sufficient connection between the alleged abuse and/or neglect and the care provided;

“child migrants” means persons who are recorded on the “Former Child Migrants Referral Index” who came to Western Australia as unaccompanied child migrants between 1913 and 1968 and who were resident at one of the following children’s homes:

- (a) Bindoon;
- (b) Castledare;
- (c) Clontarf;
- (d) Fairbridge Farm;
- (e) Mofflyn;
- (f) Nazareth House;
- (g) St Joseph’s Orphanage;
- (h) St Vincent’s Foundling Home;
- (i) Swanleigh; or
- (j) Tardun;

or were otherwise placed in State care;

“closing date” means 5:00pm on 30 April 2009;

“Department” means and includes the State Children’s Department, Child Welfare Department, Department for Community Development, Family and Children’s Services, Department of Community Services and Community Welfare Department;

“Director-General” means the Director-General of the Department for Communities that principally assists the Minister for Community Services in the administration of these Guidelines;

“eligibility payment” means payment made, subject to sections 9, 10, 11, 12 and 13, for the benefit of an applicant who has deceased;

“eligible persons” means living persons who:

- (1) are aged 18 and over at the closing date; and
- (2) who were:
 - (a) Aboriginal and Torres Strait Islanders who were placed in State Care under the *Aborigines Act 1905* (WA), the *Native Administration Act 1936*(WA) or *Native Welfare Act 1954*(WA);

- (b) persons placed in State care under the *State Children Act 1907*(WA);
- (c) wards placed in State care pursuant to orders made under the *Child Welfare Act 1947*(WA) including those children placed under the control of the Department;
- (d) child migrants placed under the guardianship of the State in State care subject to the *Immigration (Guardianship of Children) Act 1946*(Cth) and the *Child Welfare Act 1947*(WA);
- (e) persons placed under the *Young Offenders Act 1994*;or
- (f) persons who the Internal Member is otherwise satisfied were placed in State care;

but does not include ineligible persons;

“emotional or psychological abuse” means any behaviour, verbal or non-verbal, that results in a significant impairment of another person’s emotional or psychological well-being, as a consequence of that person being in the care of the State and includes, but is not limited to:

- (a) belittling;
- (b) threatening;
- (c) humiliating;
- (d) blaming;
- (e) ignoring;
- (f) yelling;
- (g) inappropriate control;
- (h) isolating;
- (i) persistent hostility;
- (j) scapegoating;
- (k) rejecting; and/or
- (l) terrorising/tormenting.

“estate” means the lawfully authorised place of deposit for a deceased applicant’s property, or, in the case of an applicant who has no lawfully authorised place of deposit, the Executive Director may approve payment otherwise in special circumstances for direct payment of funeral expenses or to next of kin;

“executive director” means the Executive Director of Redress WA who principally assists the Minister for Community Services in the administration of these Guidelines;

“formal acceptance” means the receipt by Redress WA of an applicant’s signed acceptance of an eligibility, an interim or final payment offer, including acceptance of the terms and conditions of the payment offer, as required under the Scheme as set out in these Guidelines;

“harm” means any detrimental effect of a significant nature on a person’s wellbeing;

“health professional” means:

- (a) a medical practitioner within the meaning of the *Medical Act 1894(WA)*, section 3; or,
- (b) a dentist within the meaning of the *Dental Act 1939(WA)*, section 4;

“independent review panel member” means a person appointed subject to Schedule 1 of these Guidelines;

“ineligible persons” means:

- (a) persons who have not attained the age of 18 as at the closing date;
- (b) persons who were first placed in State care under the *Children and Community Services Act 2004(WA)* on or after 1 March 2006;
- (c) persons whose first incident of abuse or neglect occurred on or after 1 March 2006;
- (d) persons who experienced abuse or neglect while in a subsidised guardianship arrangement for a defined period of time in which only financial assistance was provided;
- (e) persons who experienced abuse or neglect while with persons receiving private foster carer subsidies for a defined period of time in which only financial assistance was provided;

- (f) persons who experienced abuse or neglect after an adoption order was made concerning that person, unless the person was placed elsewhere in the care of the State subsequent to the making of the adoption order;
- (g) relatives of a deceased eligible person who died before making an application under these Guidelines;
- (h) persons who have previously applied for or received an *ex gratia* payment under this Scheme;
- (i) persons admitted to a hospital but were otherwise not in State care as defined in these Guidelines;
- (j) persons alleging abuse that occurred at an educational facility but were otherwise not in State care as defined in these Guidelines, unless the facility was a “home” or “campus” school on site where the person resided in State care; or,
- (k) subject to the operation of sections 6 & 7, persons whose application is received after the closing date.

“injury” means bodily harm, mental harm, mental and nervous shock or pregnancy;

“interested person” in relation to an application or to an offer of payment made on such an application, means:

- (a) the applicant;
- (b) the applicant’s lawyer or their legal personal representative;
- (c) the applicant’s personal representative within the meaning of the *Guardianship and Administration Act 1990* (WA), or their lawfully appointed attorney;
- (d) a person authorised in writing by the applicant to obtain information on the applicant’s behalf;
- (e) the Public Trustee or their delegate; and,
- (f) the Director-General, or the Minister for Community Services;

“internal member” means an Internal Member who is a lawyer and appointed by the Director General of Department for Communities to assist in assessing severe and very severe applications;

“lawyer” means a person who is admitted and eligible to practice as a barrister and solicitor of the Supreme Court of Western Australia subject to the *Legal Profession Act 2008* (WA);

“**loss**” has the meaning given by section 4;

“**medical evidence**” means any medical report, letter or other document provided by a Health Professional or an Allied Health Professional that provides information relating to an applicant’s physical or psychological/psychiatric history, circumstances, diagnosis and treatment;

“**Minister**” means the Minister for Community Services;

“**neglect**” means failure on the part of a caregiver, being an employee, agent or servant of the State or who provided care where the applicant was otherwise placed in State care, to provide, arrange, or allow the provision of:

- (a) adequate care for the person including but not limited to emotional and psychological care, suitable accommodation, clothing, footwear, food and educational and training opportunities; or
- (b) effective medical, therapeutic or remedial treatment for the person;

which results in harm to the applicant;

“**person**” includes a child;

“**physical abuse**” means any act, regardless of intent, that results in a non-accidental physical injury to a person as a consequence of that person being in the care of the State and includes, but is not limited to:

- (a) hitting;
- (b) pinching;
- (c) shaking;
- (d) burning;
- (e) cutting;
- (f) beating;
- (g) attempted suffocation;
- (h) excessive discipline or corporal punishment;
- (i) inflicting burns;
- (j) pushing; and/or
- (k) physical restraint;

“**placed in State care**” means, for the purposes of this Scheme only, arrangements where the residential care of a person was provided, authorised, regulated, monitored or sanctioned by the Government of Western Australia:

- (a) under the *Aborigines Act 1905* (WA);
- (b) under the *Native Administration Act 1936* (WA);
- (c) under the *Native Welfare Act 1954*(WA);
- (d) under the *State Children Act 1907*(WA);
- (e) under the *Child Welfare Act 1947*(WA);
- (f) under the *Young Offenders Act 1994* (WA);
- (g) under the *Country High School Hostels Authority Act 1960* (WA);
- (h) under the *Immigration (Guardianship of Children) Act 1946* (Cth) subject to instruments of delegation to the State;
- (i) pursuant to private placements by parents or guardians in a care facility listed in Schedule 2 to these Guidelines;
- (j) pursuant to a legal order transferring guardianship to the Director/Secretary of the Department;
- (k) in a Departmental receiving home, family group home or foster care on a legal or voluntary basis;
- (l) in a relative or other placement approved and supervised by the Department at the request of another Commonwealth or State Department;
- (m) in an approved residential children’s home or facility (that is, facilities authorised under an Act for the residential care of children) on a legal or voluntary basis; in a juvenile correctional facility for which the Department was responsible prior to those facilities coming under the control of the Department of Justice in 1993; or
- (n) in such other circumstances as the Internal Member shall consider amounts to being placed in State care for the purposes of this Scheme;

“psychological evidence” means any report, letter or other document provided by a Health Professional or Allied Health Professional that provides information relating to an applicant’s psychological or psycho-social history and circumstances, which identifies or determines the nature and cause of the psychological or psycho-social injury, loss or harm suffered by the applicant in relation to their residence in State care;

“record” means any record of information, whether made on paper, electronically or otherwise and whether in writing or otherwise and subject to the *State Records Act 2000* (WA);

“Redress WA payment offer” means an *ex gratia* offer of payment made under the Scheme;

“residential care” means an approved place where the day to day needs, health and welfare of a child are met including children’s homes, missions, residential child care centres, foster care, correctional facilities, work placements which include residence, placements with parents and relatives, but does not include hospitals or private educational boarding houses;

“satisfied” means satisfied on the basis of reasonable likelihood;

“senior redress officer” means a Senior Redress Officer appointed by the Department for Communities to assist in assessing applications either as a permanent or a fixed term appointment public service officer or on a contract for services;

“sexual abuse” means any sexual activity involving a person for which consent is not or cannot be given, where a person has been exposed or subjected to sexual behaviours that are exploitative and/or inappropriate to their age and developmental level as a consequence of that person being in the care of the State and includes, but is not limited to;

- (a) fondling a person’s genitals;
- (b) sexual intercourse;
- (c) incest;
- (d) rape;
- (e) sodomy;
- (f) exposure to pornographic material;
- (g) exhibitionism;
- (h) voyeurism;
- (i) bestiality; and/or
- (j) commercial exploitation through prostitution.

“Scheme” means the scheme known as ‘Redress WA’ as established pursuant to the Cabinet decision of the Government of Western Australia on 17 December 2007 and as amended from time to time by the Minister for Community Services;

“State” means the State of Western Australia;

“State care” means where a child is placed by the State, or by their parent or relative, into residential care supervised, regulated, approved and/or subsidised by the State, and does not include admission to a hospital for medical treatment, attendance at an educational facility or private educational boarding house, or attendance at privately operated recreational or sporting camps, activities or programmes;

“Team Leader” means a person who is suitably qualified and who is appointed by the Director General of the Department for Communities to assist in assessing applications and to approve moderate and serious applications.

4. “Loss”, meaning of:

In the case of an applicant who is injured, “loss” means:

- (a) pain and suffering and loss of enjoyment of life and opportunities experienced by the applicant as a direct consequence of the injury suffered by the applicant; and
- (b) does not include any economic loss due to lack of employment, loss of wages or stolen wages.

Part 2 – Applying for a Redress Payment

Division 1 – General

5. Alleged abuse or neglect for which payment may be sought

- (1) An offer of payment under these Guidelines in relation to physical abuse, sexual abuse, emotional or psychological abuse and/or neglect may not be made unless:
 - (a) there is a causal nexus between the alleged abuse and/or neglect experienced by the applicant and the care being provided by the State; and,
 - (b) the applicant was an eligible person placed in State care prior to 1 March 2006; and,
 - (c) the abuse and/or neglect occurred before 1 March 2006;
- (2) A person may only make one application for an *ex gratia* payment under this Scheme, notwithstanding that the person may have experienced more than one instance of abuse and/or neglect while in the care of the State.

6. Time limit for making an application

An application must be received by Redress WA by the closing date, which is 30 April 2009.

Division 2 – How to make an Application

7. How to make an application

- (1) An application must:
 - (a) be made in writing on the prescribed application form referred to in Schedule 4 to these Guidelines; and
 - (b) include certified proof of the applicant's identity;
 - (c) be given to the Director-General;
 - (d) in exceptional circumstances, as determined by the Executive Director, an application may be made in the following manner:
 - (i) before 5.00 pm on 30 April 2009, registering an intent to lodge an application with Redress WA or a funded Redress service provider, by telephone or in writing by postal service, or by email, facsimile or other electronic means; and,
 - (ii) before 5.00 pm on 30 June 2009, lodging an application on the prescribed Redress WA application form as referred to in Schedule 4, which must be received by the Director General otherwise the registration of intent will become void *ab initio*.
 - (2) If a person entitled to make an application is a represented person within the meaning of the *Guardianship and Administration Act 1990 (WA)*, the application may be made on his or her behalf by the person's guardian or administrator appointed under that legislation;
 - (3) If a person entitled to make an application has granted a power of attorney to another person, the application may be made on his or her behalf by their attorney;
 - (4) Originals or certified copies of the documents set out in the annexure to the Application Form in Schedule 4 shall be deemed to be acceptable proof of identity for the purposes of this Scheme including Medicare Cards and documents certified by qualified Social Workers and employees and contractors of Redress WA service providers;
 - (5) Where a person's name has changed since they were placed in State care, then evidence will also need to be provided to Redress WA of the person's change of name to the satisfaction of the assessor;
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- (6) Where a person cannot verify their identity through the production of acceptable proof of identity as set out in this section, then the person must complete section 8 of the Application Form which must be signed by 2 referees who are not related to the applicant and who have known the applicant for at least 12 months. This information will then be further considered to confirm identity.
- (7) The Executive Director shall in special circumstances have discretion in determining whether any application will be accepted outside of the process outlined in subsection 7(1)

Division 3 – When and what payment may be offered

8. Offers of payment

- (1) An eligible person who experienced abuse or neglect, or both, while placed in State care may apply for an *ex gratia* payment under the Scheme;
 - (2) The Redress WA scheme is based on the principle that applicant's statements will be acknowledged as their personal experience in State care unless there is evidence to the contrary.
 - (3) Redress WA will make reasonable enquiry in researching personal histories that will be commensurate with the indicative level of abuse or neglect alleged.
 - (4) Where the assessor is satisfied that an eligible person has experienced abuse or neglect, or both, while placed in State care, they shall make a assessment for an offer of payment subject to the provisions of these Guidelines, on the basis that they are reasonably satisfied that it is likely that the abuse and/or neglect occurred, and, that the experience is likely to have resulted in injury, harm or loss.
 - (5) The assessor's assessment is then subject to approval by a Team Leader in the case of Level 1 (moderate) and 2 (serious) applications, or, the Independent Review Panel in the case of Level 3 (severe) and 4 (very severe) applications, as set out in sections 24 and 25 of the Guidelines before an offer of payment is made.
 - (6) If, before an application is made to Redress WA, the applicant has received an award of compensation (including criminal injuries compensation), or damages, or an *ex gratia* payment, from the State in respect of the abuse and/or neglect the subject of the applicant's application, then in deciding whether or not to make a Redress WA payment, or the amount of the payment, the assessor will take account of any previous award, compensation, damages or *ex gratia* payment that the applicant has received, in determining any payment offer.
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- (7) If, at any time prior to the acceptance by the applicant of an offer of payment, the assessor becomes aware that the applicant is to receive, or has received an award of compensation (including criminal injuries compensation), or damages, or an *ex gratia* payment, from the State in respect of the abuse or neglect the subject of the applicant's application, then in deciding whether or not to make a Redress WA payment, or the amount of the payment, the assessor will take account of any previous award, damages or *ex gratia* payment that the applicant has received, in determining any payment offer.

Division 4 Death of an applicant

9. Death of an Applicant

- (1) Upon the notification of the date of death of an applicant Redress WA shall stop processing an application except to the extent as set out in this Division 4.
- (2) Assessors may make any other determination that is required under this Part, or otherwise required under the Guidelines.
- (3) Subsection 7(1) applies even if an application was made by or on behalf of an applicant before the death of the applicant.
- (4) Where any payment is to be made pursuant to this Division 4 to or on behalf of the family or estate of an applicant the Executive Director shall at their discretion determine the appropriate person to whom payment shall be made and without limiting the generality of the foregoing;
 - (a) in consultation with the next of kin and at their direction, pay from the payment the reasonable funeral expenses of the applicant either to the funeral director and/or by reimbursement to any person who can prove to the reasonable satisfaction of the Executive Director they have paid such expenses or part thereof; or,
 - (b) if the applicant dies testate, make the payment less any funeral expenses already paid to:
 - (i) the executor or administrator of the will or estate of the deceased upon production of a certified copy of the grant of probate or letters of administration with the will annexed; or,
 - (ii) to the executor named in the will of the applicant upon production to the Executive Director of the will, death certificate and such further evidence by statutory declaration as the Executive Director may require as to the validity of that will and such indemnity or release as the Executive Director may in her discretion deem necessary;

- (c) if the applicant dies intestate, make the payment less any funeral expenses already paid to:
 - (i) the administrator of the estate upon production of a certified copy of the death certificate and grant of letters of administration on intestacy;
 - (ii) to the Public Trustee where the Executive Director is of the opinion that the assets of the applicant have vested in the Public Trustee pursuant to Section 35 *Aboriginal Affairs Planning Authority Act 1972*;
 - (iii) to the lawful surviving spouse of the applicant;
 - (iv) to the surviving *de facto* spouse of the applicant entitled pursuant to section 14 of the *Administration Act 1903*;
 - (v) to the beneficiaries of the applicant entitled pursuant to section 14 of the *Administration Act 1903*; or,
 - (vi) in accordance with the authority and direction in writing of the person or persons accepted by the Executive Director as the appropriate payee subject to such terms as the Executive Director considers appropriate.

10. Death before an interim or final payment is offered

- (1) If an applicant dies before an interim or final payment is offered, then an *ex gratia* 'eligibility payment' of \$5,000 shall be approved by the Executive Director subject to the applicant meeting the requirements of sections 5 and 7 and subject to section 9.

11. Death after interim payment is made

- (1) If an applicant dies after receiving an offer of an interim payment offer under section 26, but before Redress WA has received an acceptance of that offer, then an *ex gratia* payment equal to the interim payment offered shall be approved by the Executive Director and subject to section 9.
- (2) If an applicant dies after accepting an offer of an interim payment under section 26, then the offer shall be approved by the Executive Director and subject to section 9.
- (3) If an applicant dies after receiving an interim payment of less than \$5,000, the Executive Director shall determine that the applicant receives a further eligibility payment to take the total payment up to a maximum of \$5,000, subject to section 9, but otherwise the applicant will not be considered for a further final payment.

12. Death after final offer of payment made

- (1) If an applicant dies after receiving an offer of a final payment but before Redress WA has received an acceptance of that offer, then an *ex gratia* payment equal to the final payment offered shall be approved by the Executive Director and subject to section 9.
- (2) If an applicant dies after an offer of a final payment has been accepted by the applicant, then the final payment will be approved for payment by the Executive Director subject to section 9.

13. Death prior to 1 December 2009

If an applicant died prior to 1 December 2009 (the date upon which the Minister for Community Services approved 'eligibility payments'), and an interim payment of up to \$5,000 has not been made, and none of the other provisions of these Guidelines apply, an 'eligibility payment' will be made subject to the applicant meeting all the requirements under this Division 4.

Part 3 –Dealing with applications

Division 1 – Functions of Senior Redress Officer, Team Leaders and Internal members

14. General functions of Senior Redress Officers and Team Leaders

- (1) For the purposes of assisting applicants a Senior Redress Officer may carry out the following general functions as an assessor:
 - (a) ensure that each application is fully completed and that all available documentary evidence is provided including telephoning the applicant before the final Senior Redress Officer's report is completed to discuss the application;
 - (b) if the applicant is unavailable by telephone request the applicant to provide further information, documentation or comment by making the request in writing giving 28 days to reply, and, if no response is received the application will be processed;
 - (c) applications, which are fully completed including a statement of abuse and/or neglect and certified identification will then be assessed by the Senior Redress Officer as either a Level 1 (moderate), Level 2 (serious), Level 3 (severe) or Level 4 (very severe) application subject to Redress WA internal processes;

- (d) subject to subsections 14(a) & 14(b) applications that are still incomplete requiring a statement of abuse and/or neglect, further information of proof of being in care or certified identification, will be forwarded by the assessor to the Executive Director for their determination.
- (e) conduct informal telephone conferences with applicants to further assist the applicant in the presentation of their application if necessary;
- (f) assist applicants by accessing all available State Government records and other records;
- (g) in the case of Level 1 (moderate) and Level 2 (serious) applications the Team Leader will approve assessments for payment subject to section 8(5);
- (h) in the case of Level 3 (severe) and 4 (very severe) applications assist the Internal Member by providing to the Internal Member a summary of the applicant's experiences in care, the details of their statements; and,
- (i) generally provide information and assistance as necessary to applicants during the assessment process and after the final Redress WA decision has been made.

15. Internal Member's general functions

- (1) For the purposes of assessing an application, an Internal Member may do any or all of the following, either on the application of an interested person or on the Internal Member's own initiative, however subsection 15(3) shall be carried out for all applications.
 - (a) seek and receive any information or evidence that the Internal Member thinks necessary;
 - (b) make any inquiries and investigate any matters that the Internal Member thinks necessary;
 - (c) request the applicant to provide the Internal Member with information in relation to the application;
 - (d) defer deciding the application in order to obtain more information or until information requested under the above subsections (a), (b) and/or (c), is provided.
- (2) An Internal Member to whom a record is produced may inspect and make a copy of the record and for those purposes may keep a copy of the record for the applicant's Redress WA file.
- (3) An Internal Member shall assess Level 3 (severe) and Level 4 (very severe) applications and make a written determination subject to these Guidelines and remit the application to the Independent Review Panel for approval of payment.

Division 2 – General Procedures

16. Procedure, general matters

- (1) Assessors must determine applications expeditiously and without formality having regard to the requirements of natural justice as far as this is practicable under the scheme, and as required by these Guidelines.
- (2) In assessing an application assessors are not bound by rules or practice as to evidence or procedure but may inform themselves in any manner they think fit and determine a matter on the basis that they are reasonably satisfied that it is likely that the stated abuse and/or neglect occurred.
- (3) No right of reply is to be provided to any individual or organisation against whom or which abuse and/or neglect has been alleged.
- (4) In assessing applications the assessors shall not have regard to the circumstances which resulted in a person being placed in care.
- (5) Once the assessor has completed an assessment of the application they shall refer the assessment together with any relevant documentation to either the Team Leader, or the Independent Review Panel or the Executive Director for approval in accordance with these Guidelines.

17. Assessors

Decisions shall be made as follows:

- (1) Level 1 (moderate) and Level 2 (serious) applications shall be assessed by Senior Redress Officers and approved by Team Leaders.
- (2) Level 3 (severe) and Level 4 (very severe) applications shall be assessed by Internal Members and approved by the Independent Review Panel.
- (3) Eligibility payments for deceased applicants shall be assessed by Internal Members and approved by the Executive Director.
- (4) Ineligible applications shall be assessed by Internal Members and approved by the Executive Director.
- (5) Complaints in respect of decisions shall be dealt with according to the complaints process as set out under section 39.

18. Manner of determining applications

- (1) Applications may be decided on the basis of the applicant's written documentation, inspection of any relevant records, health professional or allied health professional reports, the Senior Redress Officer's report and any other relevant material record.
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- (2) An Internal Member, without conducting a telephone conference in respect of an application may make, or refuse to make, an offer of an interim, eligibility or final payment for Level 3 and 4 applications, subject to the approval of the Independent Review Panel or the Executive Director.

19. Telephone Conferences

- (1) A Senior Redress Officer, Team Leader or an Internal Member may conduct a telephone conference in respect of an application.
- (2) The telephone conference will be conducted informally to assist the applicant in further supporting and finalising their application.

20. Refusal to make offer of payment

- (1) An Internal Member shall refuse to make a determination to make an offer of payment to an applicant where:
 - (a) the Internal Member is not satisfied that the applicant was an eligible person;
 - (b) the applicant did not make a statement that they were abused and/or neglected;
 - (c) the Internal Member is not satisfied that the person experienced abuse and/or neglect while placed in State care; and,
 - (d) the applicant shall be given a further 28 days to provide further information before their application is finalised.

Division 3 Offers of Redress WA Payments

21. Offer of Redress WA payment to be in writing

- (1) An offer of a redress payment, or a decision to refuse to make an offer of payment, must be in writing and on the basis that the application has been assessed, and all admissions or rejection of any allegations made by the applicant, are for the sole purpose of assessing an *ex gratia* payment under the *Redress WA Guidelines*.
- (2) In assessing applications Redress WA did not have regard to the circumstances which resulted in a person being placed in care.
- (3) No right of reply has been provided to any individual or organisation against whom or which abuse and/or neglect has been alleged.

- (4) The *Redress WA Guidelines* do not require or make provision for hearings or negotiating an *ex gratia* payment because the intention of the Western Australian Government is to avoid the expense, delay and stress that any such processes necessarily involve.
- (5) The offer of an *ex gratia* payment is an expression of regret and is not intended to represent full reparation.
- (6) Neither the offer of payment nor the applicant's acceptance or rejection of the offer shall in any way affect the legal rights which the applicant may otherwise have.

22. Reasons for decisions

Reasons for decision shall only be provided on the request of the applicant.

23. Access to records

- (1) Once an application has been lodged with Redress WA, Redress WA staff shall undertake records searches of the Department for Child Protection and any other relevant agency on behalf of the applicant to substantiate details of the applicant's placement and the abuse and/or neglect the subject of the application.
- (2) Where records held by the Department or other agencies are required to be inspected by Redress WA staff for the purpose of determining an application under the Scheme, Redress WA shall issue a written notice to the Department or other agency requesting production of the relevant documents and/or files to the offices of Redress WA as soon as is practicable unless there is already in place an authority or a Memorandum of Understanding authorising access.
- (3) Inspections of records shall be limited to employees of Redress WA (Department for Communities) only, and applicants and their representatives shall not be permitted to have access to, or to inspect records produced to Redress WA.
- (4) Freedom of Information applications
 - (a) Redress WA can not release copies of the original files and any other relevant documents of the Department for Child Protection, or other agency, to the applicant, their legal personal representative or a person authorised by the applicant in section 9 of the Redress WA Application Form unless an application is made under the *Freedom of Information Act 1992* (WA); and

- (b) Under the *Freedom of Information Act 1992* (WA) copies of the original files or documents of the Department for Child Protection or other agency to the applicant, cannot be released unless identifying information in respect of third parties and notifiers (as defined in section 240(1) of the *Children and Community Services Act 2004* (WA) and in compliance with section 237 of that Act) have first been removed from the copy documents.
- (5) In the event that records provided to Redress WA are required by law to be produced to a court or tribunal, or to any other agency, to comply with a legal obligation, then Redress WA shall at all times act subject to the provisions of the *Freedom of Information Act 1992* (WA) and any other relevant Commonwealth or State legislation.
- (6) Applications and all supporting documents relating to the application become a State Government record and the keeping of the records, or archiving of the records, is subject to the *State Records Act 2000* (WA) and the record-keeping plan of the Department for Communities.
- (7) Subject to subsection (6) an applicant upon written application will be provided with a copy of the application they have lodged with Redress WA.

Division 4 – Approval of Assessments

24. Team Leaders

- (1) In the case of Level 1 (moderate) and Level 2 (serious), abuse and/or neglect applications a Team Leader shall, having considered the Senior Redress Officer’s assessment, and any relevant documentation provided by the applicant and by Redress WA, shall:
 - (a) approve the assessment; or
 - (b) amend the assessment and substitute their own decision.

25. Independent Review Panel

- (1) In the case of Level 3 (severe) and Level 4 (very severe) abuse and/or neglect applications the Independent Review Panel shall, having considered the Internal Member’s assessment and reasons for decision, and any relevant documentation provided by the applicant and by Redress WA, and without conducting a formal or informal hearing, shall:
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- (a) approve the Internal Member's determination; or
- (b) amend the assessment by substituting their own decision;
- (c) if the Independent Review Panel Members cannot agree then the Presiding Member's decision will prevail;
- (d) the Presiding Member may sit alone if no other Members are available.

Division 5 – Accepting Redress WA offer of payment

26. Requirement for accepting offer of Redress WA payment

- (1) The offer of payment shall remain open for a period of 28 days from the date of the offer of payment and within that time the applicant must give to Redress WA either:
 - (a) a written acknowledgement and confirmation that they accept the offer of a Redress WA payment, subject to whatever acknowledgements are set out within the Redress WA offer of payment and subject to these Guidelines; or,
 - (b) written notice that the offer is rejected.
- (2) If an applicant does not accept or reject a Redress WA offer of payment within 28 days of the offer of payment, and provided that reasonable attempts by Redress WA to locate the applicant have been made, the offer shall remain valid until 30 June 2011 and before that date attempts will be made to locate the applicant to complete the payment offer process.
- (3) Where an applicant makes a complaint under section 39, the offer of the payment will be suspended until the complaint is finalised, and, after the complaint is finalised the applicant will have a further 28 days in which to comply with subsections 26(1)(a) or (b).
- (4) All funds held by Redress WA for outstanding offers as at 30 June 2011 shall thereafter be held by the Department for Communities for any such time as approved by the Minister for Community Services or as required by law.

27. Process after acceptance of a final offer

- (1) Within 28 days of the date of receipt by Redress WA of the written acceptance of the Redress WA offer of payment, the following shall be forwarded to the applicant or their legal representative:
 - (a) notice that a Redress WA payment has been forwarded to their nominated bank account; and,

- (b) a personal apology signed by the Premier of Western Australia and the Minister for Community Services on behalf of the State of Western Australia.

Part 4 – Matters governing payment

Division 1 – Consideration of Severity of abuse and/or neglect and impact

28. Assessor’s general discretion

- (1) In assessing an application, the assessor shall have regard to any factors or circumstances that they think are relevant, including, but not limited to, the table set out in Schedule 3 and the Redress WA Manual for Internal Standards for Assessments, in determining the level and severity of abuse and/or neglect and the impact the experience had upon the applicant.
- (2) In making an assessment, the assessor is to also take account of any awards of compensation (including Criminal Injuries Compensation), damages or *ex gratia* payment that the applicant has received or will receive, before the offer is finalised, in respect of the same abuse, the subject of an application under this Scheme.

Division 2 – Payments to the Public Trustee

29. Offers of payment, directions

- (1) An offer of payment made under the Redress WA Guidelines may require that all or a specified part of the payment be held on trust for the applicant by the Public Trustee, and on any terms specified for the following categories of applicants:
 - (a) prisoners incarcerated in any State of Australia, or in a foreign jurisdiction;
 - (b) any applicant where it is apparent that the applicant is mentally incapable of managing their own affairs and there is not in place a guardianship order or any other similar order of the court; or,
 - (c) in any case where the assessor deems it necessary.
- (2) In the case of prisoners the Redress WA payment shall be held on trust until such time as the prisoner is released.
- (3) In the case of any other applicant the Redress WA payment will be held until such time as the Public Trustee deems necessary.

- (4) An assessor may at any time prior to 30 June 2011, for good reason amend or cancel a direction made under subsection 29(1).

Part 5 – Interim Payments

Division 1 Accepting Redress WA offer of payment

30. Interim payments, circumstances when can be made

- (1) An Internal Member may make an interim assessment and recommend to the Executive Director, or their delegate, an interim payment to an applicant prior to the closing date of the scheme or during the time the scheme operates, provided the Internal Member is satisfied the applicant is an eligible person who experienced abuse and/or neglect while placed in State care, and provided further that the applicant has given to Redress WA sufficient medical evidence showing:

- (a) the applicant has been diagnosed with a terminal illness; or
- (b) the applicant has been diagnosed with a life-threatening illness and it is highly likely that they would be deceased before 30 June 2011;

and the Internal Member considers an interim payment is appropriate.

31. Interim payment amount limit

The interim payment shall be made on a “without prejudice” basis and may be up to \$10 000.

32. Application to proceed to final assessment

After an interim payment has been made to an applicant, the application shall be progressed towards a final assessment in accordance with the provisions of these Guidelines.

33. Effect of interim payments on final offers of payment

Where the offer of payment determined in the final decision, as approved by the Team Leader or Independent Review Panel, is:

- (1) less than the amount of the interim payment made to the applicant, then there shall be no recovery of any overpayment from the applicant by Redress WA; or

- (2) equal to or more than the amount of the interim payment made to the applicant, then the interim payment shall be deducted from the offer of payment made in the final determination as assessed, and a net payment offer be made to the applicant.

Part 6 – Payments

34. Consolidated Account charged with payment

The Consolidated Account is charged with the payment of any offer of payment accepted under these Guidelines and is appropriated subject to the *Appropriation (Consolidated Account) Act No. 1, 2008 (WA)*.

35. Payment Levels

- (1) The level of payment will be determined according to the following:
- (a) an assessor will assess each applicant and determine a level of severity in accordance with the Redress WA Guidelines, any internal assessment manuals and Schedule 3 of these Guidelines; and,
 - (b) a Team leader or the Independent Review Panel will approve the level of severity assessed subject to the Guidelines.

36. Payment to be withheld pending acceptance

Payment under the Scheme is not to be made until Redress WA has received a written acceptance from the applicant subject to the requirements of the Redress WA Guidelines.

Part 7 – Review and Complaint Process

Division 1 – Review process

37. Objects of this Part

- (1) The object of this Part is to provide for a review and approval of the assessor's assessment by the Team Leader or the Independent Review Panel and provide a complaints process.

38. Review by the Team Leader and Independent Review Panel

- (1) After considering the applicant's formal application and the assessment prepared by the assessor, the Team Leader or the Independent Review Panel subject to sections 24 and 25 shall do one of the following:
 - (a) Approve the assessor's assessment; or,
 - (b) Substitute the assessor's assessment with their own assessment.

Division 2 – Complaint Process Regarding Redress WA Decision Making

39. Complaint Process

- (1) The approval by the Team Leader, Independent Review Panel or the Executive Director to make an offer of payment, or the approval of the Executive Director to refuse to make an offer of payment is subject to the Redress WA Guidelines, and is final.
- (2) The quantum of the *ex gratia* payment cannot be the subject of a complaint.
- (3) A complaint shall only be made on the following grounds:
 - (a) an error of process occurred; and/or
 - (b) an error of fact was made.
- (4) An applicant may make a complaint and the Redress WA Complaint's Manager will manage the complaint according to the Redress WA Complaints Internal Policy and Procedures Guidelines.
- (5) If the complaint is found to have merit under subsections 39(3) or (4) then the application will be remitted to the Independent Review Panel for a further review and a determination is to be made by the Panel to either dismiss the complaint or substitute their own decision.
- (6) An applicant not satisfied after making a complaint to Redress WA may make a complaint to the Department for Communities Complaint's Manager and the complaint will be managed according to the Department for Communities Internal Policy and Procedures Guidelines.
- (7) If an applicant is not satisfied with the outcome of their complaint under subsections 39(4), (5) and (6) then they have available to them a complaints process with the Western Australian State Ombudsman's office under the provisions of the *Parliamentary Commissioners Act 1971*.

Part 8 – Administrative matters

Division 1 – Appointments and allocation of work

40. Appointment of Independent Review Panel Members

Schedule 1 has effect.

41. Executive Director of Redress WA shall allocate work and give directions

The Executive Director, or their delegate, shall:

- (1) allocate and reallocate applications to the Team Leaders, Internal Member(s) and Independent Review Panel Member(s) to be dealt with in accordance with these Guidelines;
- (2) direct that an application be deemed to be void and direct that no further work be carried out on the application where an application remains incomplete after the procedures followed in these Guidelines fail to remedy the situation; and
- (3) direct that the processing of an application be temporarily ceased until the application is complete and can be properly assessed under the Guidelines.

Division 2 – Effect on legal rights

42. Effect on rights

Nothing in these Guidelines shall affect the legal rights that a person may otherwise have.

Part 9 – Miscellaneous

43. Confidentiality

- (1) Subject to subsection (2), all information and documentation provided by the applicant to Redress WA for the purposes of assessing and determining an application under these Guidelines shall remain confidential, save to the extent that it is required to be disclosed by Redress WA to locate the applicant's records or otherwise progress the application, provided always that the applicant has agreed in writing to authorise Redress WA to disclose such information to other persons, government departments or agencies.

- (2) Where Redress WA identifies any person who may be a risk to children and/or is alleged to have abused or neglected a child and may be currently caring for children in the care of the State, then Redress WA shall provide details from the applicant's application form and/or records to the Department for Child Protection and the Western Australian Police Service for the purposes of those agencies investigating whether children in care are at risk of harm.
- (3) Confidentiality must be maintained unless allowed under these Guidelines, or under a written law; or with the written consent of the Executive Director or the person to whom the information relates.

44. Costs

Assessors, Team Leaders, the Independent Review Panel or the Executive Director do not have power to award costs to applicants for any of the costs of preparing their application or making a complaint.

45. False information, effect of giving

- (1) In this section:
 "information" means any information given:
 - (a) in an application; or
 - (b) in a written or verbal response to a request made, or a notice given, to the applicant or their personal representative or attorney.
- (2) Where the Executive Director is satisfied that an applicant has provided information to Redress WA, in their application form or otherwise, knowing that it is false, the application may be rejected or dealt with in a manner as directed by the Executive Director.

46. Applicants with Incomplete Applications who cannot be located

- (1) If reasonable attempts have been made to contact the applicant and the applicant cannot be located then the Executive Director shall not process the application further.
 - (2) The Executive Director may consider that special circumstances apply to make a payment where the applicant has been located or the necessary information provided at a later date, and the applicant accepts the Redress WA payment offer before 30 June 2011.
 - (3) If the applicant cannot be located before the Scheme closes on 30 June 2011 then their application shall not be considered a valid application and their application shall lapse.
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47. Opportunity to Tell Story

- (1) All applicants to the Scheme will have the opportunity to tell their story, regardless of whether they have received an offer of payment under the Scheme, or not.
- (2) Subject to State Government legislative requirements for the management of the Department for Communities records, the applicant may decide whether their story will also be placed into other appropriate governmental archives.

48. Referral to Police and/or Department for Child Protection

Provided that the applicant has not objected, where an application includes an allegation that a criminal offence (which is not of a minor nature) has been committed against the applicant when the applicant was a child, then Redress WA may refer the matter to the Department for Child Protection and/or the Western Australia, or other Police service for investigation.

49. Information relating to child protection issues

Information related to any person who Redress WA reasonably believes is currently caring for children shall be referred to the Western Australian Police and the Department for Child Protection, irrespective of whether permission has been obtained from the applicant or his/her legal personal representative, subject to section 129 of the *Children and Community Service Act 2004* (WA).

50. Guidelines, amendments of

These Guidelines may be amended from time to time with the approval of the Minister for Community Services.

Schedule 1 Appointment and Provisions for Independent Review Panel Members

1. Appointment of Independent Review Panel Members

The Minister shall appoint Independent Review Members to carry out the prescribed functions under these Guidelines subject to the qualification requirements as set out in Clause 2 below.

2. Qualifications of the Independent Review Panel Members and Constitution of Panels

An Independent Review Panel may be comprised of one or more of the following members depending on requirements:

- (1) a legal member being a lawyer of at least 5 years standing and practice, who is admitted or eligible for admission to the Supreme Court of Western Australia; and
- (2) a social work member being a qualified social worker of at least 5 years standing with relevant experience in the child protection area; and
- (3) a health professional or allied health professional being a medical practitioner or psychiatrist, a psychologist or a counsellor with suitable tertiary qualifications specialising in or with substantial experience in the area of child abuse and neglect; and
- (4) a public member being a person with relevant knowledge and experience of abuse in care.

3. Presiding Members and Ordinary Members

- (1) Each panel shall have a Presiding Member and the legal member shall be appointed as the Presiding Member of each Independent Review Panel.
- (2) In the case of only one member sitting as a panel this member shall be the Presiding Member.

4. Conditions of appointment

- (1) A panel member may be appointed to work full-time or other than full-time.
- (2) A person may be re-appointed as a member after an initial term of appointment is discharged or terminated.

- (3) A member is entitled to such remuneration and allowances as are determined from time to time by the Public Sector Commissioner.

5. Termination and resignation

- (1) The Minister may terminate a panel member's appointment if satisfied the panel member:
 - (a) is incapable of properly performing the duties of a member of the Independent Review Panel Member;
 - (b) has shown himself or herself to be incompetent to properly perform, or has neglected, those duties; or
 - (c) has acted in conflict of interest or otherwise been guilty of misconduct.
- (2) An Independent Review Panel Member may resign from office at any time by notifying the Minister in writing.

Schedule 2 — Regulated and Subsidised Care Facilities*

The list of facilities in this Schedule may not be exhaustive and other facilities may be included subject to the discretion of the assessors under Section 3- Interpretation and “placed in State care”.

A. Departmental Facilities (Department for Child Protection and Predecessors, including Department for Native Welfare) – Source: Signposts

Albany Group Home
Bedford Hostel
Bennett House (also Jack Davis House)
Bentley House
Boulder (Millen Street) Boys’ Employment Hostel
Bridgetown Group Home
Bridgewater Care and Assessment Centre, Applecross
Bunbury Group Home (Canowindra)
Carnarvon Group Home (Waran-ma)
Catherine House, Broome
Charles Perkins (Yurag-Man-Gu) Hostel, Halls Creek
Collie Group Home (Kooloongaruna/Koolingar-Mia)
Cosmo Newbury (up to 1940s when it was handed over to Baptist Union)
Darlington Cottage
Derby Group Home
Derby School Hostel
Doubleview (Metropolitan Division) Group Home
Fitzroy Crossing Group Homes (Burawa Hostel)
Fourteen (also Francis Street Hostel)
Geraldton Boys’ Employment Hostel (also Aboriginal Boomerang Council Youth Hostel)
Geraldton (Westview) Group Home
Gilliamia Hostel, Onslow
Gilmore House Group Home, Medina
Goldfields Group Home (Boulder)
Gwynne Lea, adjacent to Nyandi (transferred to Ministry of Justice in July 1993)
Kalgoorlie Group Home
Kalgoorlie (Graeme St) Hostel
Katanning (Kartanup) Hostel
Kewdale House
Koorana (non-residential)
Kyarra Hostel, Cue
Laverton (Craigie Street) Hostel
Longmore Remand and Assessment Centre
Longmore Training Centre
McCall Centre
Medina Education and Employment Hostel
Meekatharra Education and Employment Hostels (Darlot St and Consols St)
Moola Bulla Station
Moorgunyah Hostel, Port Hedland
Myera House, Subiaco
Nabberu Hostel, Leonora

Ngangganawili Group Home, Wiluna
 Nindaebai Education Hostel, Boulder
 Northam (Departmental) Group Home
 Nyandi
 Oolanyah Hostel, Marble Bar
 Pineview (long stay programme within the Nyandi Maximum Security Unit)
 Port Hedland Group Home
 Rangeview Remand Centre
 Riverbank, Caversham
 South Hedland Group Home
 Stuart House
 Tudor Lodge
 Victoria Park (Riverbank) Annexe
 Walcott Centre (Government Receiving Depot/Home: Mt Lawley Reception Home, included Stuart House and Tudor Lodge, Andrew House, Cawley House – transferred to DOJ in July 1993)
 Waringarri Group Home, Kununurra
 Warralea Education and Employment Hostel for Boys, Yokine (also Mount Yokine Hostel)
 Warramboos Hostel, Yalgoo
 Warramia Group Home, Badgingarra
 Watson Lodge
 Weeriana Hostel, Roebourne

B. Departmental Facilities Jointly Managed with a Private Agency

Note: Department of Native Welfare (in all its forms) is considered as
Departmental

Name of Facility	Name of Agencies
Alvan House (Katukutu)	Department of Native Welfare then the Baptist Union
Applecross Cottage / Hostel	Methodist Overseas Mission on behalf of the Department of Native Welfare, then the Community Welfare Department
Ardross House	Methodist Overseas Mission on behalf of the Department of Native Welfare, then Departmental / Uniting Family and Children's Services / Mogumber / Sister Kate's
Bamburra Hostel (Mt Yokine Education and Employment Hostel for Girls)	Predecessors to DCP / The Australian Churches of Christ Indigenous Ministries (formerly Churches of Christ Federal Aborigines Mission Board Inc.
Cooinda (Cooinda Education and Employment Hostel and possibly Rangeview)	Methodist Homes for Children on behalf of Department of Native Welfare, then Mofflyn/Sister Kate's Child and Family Services (subsequently Manguri) until 1987 when it was handed over to the Department
Cosmo Newberry	Probably Department of Native Welfare / United Aborigines Mission
Derby (Amy Bethel) Hostel	United Aborigines Mission / predecessors to DCP
Fitzroy Crossing Hostel	Department for Community Welfare
Greenmount (Innaminka) Hostel	Predecessor of DCP / Methodist Overseas Mission / Uniting Church Family and Children's Services / Sister Kate's (subsequently Manguri)
Hamilton Hill (Frederick Street) Hostel	Predecessors to DCP / Uniting Church

Hillston (Stoneville Boys' Home)	Departmental predecessors to DCW/Anglican Diocesan Council
Karingal	Churches of Christ Christian Welfare Centre / Departmental predecessors to DCW
Katanning Group Home (Scatter Cottage of Marribank)	Set up at behest of predecessors to DCP, sponsored by Baptist Union
Katukutu Employment Hostel	Private initiative by Mr R. McKeich, predecessors to DCP / Baptist Union
Kyewong Hostel (Youth Equip), Como	Predecessors to DCP / Baptist Aborigines Mission (under the auspices of the Baptist Union)
McDonald House	Native Welfare Department / Child Welfare Department / Anglican Church / Methodist Church / Riverbank and the Wesley Central Mission
Nollamara Children's Respite Home	Mogumber Methodist Training Centre / Aboriginal Hostels Ltd / predecessors to DCP
Oceanview (Beach Street) Hostel	Pallotines / Native Welfare Department (for some time annexe of Bridgewater)
Pukulari Cottage, Boulder (also known as Kurrawang Mission)	Christian Brethren / Predecessor to DCP
Warminda	Mofflyn / Native Welfare Department / Community Welfare Department
Wollaston Group Home, Bunbury	Predecessor to DCP who leased the facility to Roelands Mission (Council of Native Mission Farm Roelands, affiliated with the Missionary Fellowship), then the Churches of Christ Federal Aborigines Mission Board
Yaandina Family Centre, Roebourne	Sisters of St John of God / Yaandina Board / Ieramugadu Group / Departmental – predecessors to DCD

C. Facilities Subsidised by the State – Child Welfare Act 1947 (Source: CWA1947)

Catholic

Catherine McAuley Centre (previously known as St Joseph's Girls Orphanage, St Joseph's Boys Orphanage, St Vincent's Foundling Home) – Sisters of Mercy
 St Vincent's Orphanage, Castledare – Christian Brothers
 St Joseph's Trade and Farm School Bindoon/ Bindoon Boy's Town – Christian Brothers
 Pallotine Mission Tardun/St Mary's Agricultural School Tardun – Christian Brothers
 St Joseph's Home, Kellerberrin – Sisters of St Joseph
 "Salvado"
 Christian Community Inc.
 Clontarf/Clontarf Boy's Town – Christian Brothers
 Home of the Good Shepard (Leederville) - Sisters of Good Shepard
 Good Shepherd Teen Centre (also Neuville, Forrest Street Family Centre)
 Holy Child Orphanage - Broome
 Pallotine Centre Rossmoyne

Catherine House Inc
Balgo Mission
Beagle Bay Mission
Benedictine Mission Kalumburu (Drysdale River)
La Grange Mission (also known as Bidyadanga)
Lombardina Mission
Nazareth House Geraldton – Poor Sisters of Nazareth
Pallotine Mission Tardun
St. Francis Xavier’s Native Mission (also known as Wandering Mission)
St. Joseph’s Hostel Derby
St Mary’s Mission (also known as New Norcia Mission and St Marys College)

Anglican

Parkerville Children’s Home (Inc.) – including Fremantle Cottage also known as Whitegum Cottage, Jenny House, Swanleigh
Padbury Boys’ Farm School, Stoneville (a branch institution of Swan Homes)
Forrest River Mission (Oombulgurri)

Baptist

Katukutu Hostel
Marribank Mission
Mt Margaret Mission
Cosmo Newbury Mission (previous to 1940s operated by State Government as a penal facility for Aboriginal persons who absconded from missions)

Christian Brethren Assemblies

Kurrawang Aboriginal Christian Centre Inc. – also known as Karrawang Native Mission, Kurrawang Mission Kalgoorlie, Yamatji-Ngura Centre, Kurrawang Aboriginal Christian Centre, Pukulari Cottage

Churches of Christ

Bamburra Hostel
Churches of Christ Ingada Village – Carnarvon
Churches of Christ Aborigines Mission – Norseman
Churches of Christ Roelands Village
Fairhaven Training Hostel Esperance

Methodist

Mofflyn (including Meribah Cottage and others)
Allendale
Werribee
Bourkedale (Mofflyn)
Cooinda
Meribah
Warminda
Mogumber Training Centre
Applecross Cottage
Ardross Hostel

Greenmount Hostel (Innaminka)
Mt. Yokine Hostel
Nollamara Cottage
Methodists Girls' Homes, Mofflyn

Presbyterian

Sister Kate's Children's Homes (Inc.) – including Lawley Street Hostel, Yokine Cottage
Collins (Carine) House

Salvation Army

Hollywood Children's Village (Salvation Army Boys' Home and Salvation Army Girls' Home also known as Kia Ora)
"Cottesloe House" (in Hollywood Children's Village)
"Seaforth" Home

Seventh Day Adventist

Wiluna Mission

Non-denominational

Chidley Education Centre
Fairbridge Farm School (also known as the Fairbridge Society)
Mount Margaret Mission (later sponsored by United Aboriginal Mission and taken over by the State in 1971).
Ngala Mothercraft Home and Training Centre (Inc.)
Wanslea Hostel
Yaandina Babies and Children's Centre Inc
WA Deaf School

D. Facilities Operated Subject to the Country High Schools Authority Act 1960 – Past and Present

Current Residential Colleges

Albany Residential College
Broome Residential College
Esperance Residential College
Geraldton Residential College
Katanning Residential College
Merredin Residential College
Narrogin Residential College
Northam Residential College
St James' Residential College Moora

Schedule 3 — Assessment Table

Redress WA Assessment Levels

1. The amount of the offer of payment to be awarded is to be assessed according to the severity of the abuse and/or neglect and the degree of harm, injury and loss suffered by the applicant.
2. In assessing applications for payment, assessors shall have regard to the Redress WA Manual of Internal Standards for Assessments and the scale set out below in this Schedule and use the scale to assist in determining a level of abuse and/or neglect and the degree of harm, injury and loss suffered by the applicant as compared to other applicants.

Scale

<p>Level 4 Very Severe abuse or neglect with ongoing symptoms and disabilities</p>
<p>Level 3 Severe abuse or neglect with ongoing symptoms and disabilities</p>
<p>Level 2 Serious abuse or neglect with some ongoing symptoms and disabilities</p>
<p>Level 1 Moderate abuse or neglect</p>

Schedule 4 — Application Form

Refers to Application form on website at www.redress.wa.gov.au

Schedule 5 — Decision Making Table

Category of Assessment	Assessor	Approval of Assessment
‘Notice of Eligibility Payment Decision’ - payments to deceased applicant.	Internal Member	Executive Director
‘Notice of Interim Assessment Decision’ - interim payments to applicants with terminal or life-threatening illness.	Internal Members	Executive Director
Notice of Assessment Decision’ - final payment offer.	Senior Redress Officer – Level 1 (Moderate) and Level 2 (Serious) applicants	Team Leader - Level 1 (Moderate) and Level 2 (Serious) applicants
	Internal Member – Level 3 (Severe) and Level 4 (Very Severe) applicants	Independent Review Panel – Level 3 (Severe) and Level 4 (Very Severe) applicants
‘Notice of Assessment Decision’ - ineligible for payment subject to the Guidelines	Internal Member	Executive Director

Notes

¹ This is a compilation of the *Redress WA Guidelines* and includes amendments approved by the Minister for the Department for Community Services as required.

Compilation table			
Title	Number and Year	Approved	Commencement
Redress WA Scheme		3 December 2007	1 May 2008
Redress WA Guidelines	1 of 2008	24 October 2008	24 October 2008
Redress WA Guidelines	1 of 2009	17 April 2009	17 April 2009
Redress WA Guidelines	1 of 2010	15 February 2010	15 February 2010