



CARE LEAVERS AUSTRALASIA NETWORK

CLAN is a National, Independent, Peak Membership Body which supports, represents and advocates for people who were raised in Australian Orphanages, Children's Homes, Foster Care & Other Institutions.

PO Box 164, Georges Hall, NSW, 2198

PUTTING LIPSTICK ON A PIG

CLAN's Feedback Regarding the NRS Application for Redress and the Redress Nominee Form

Submitted 14 January 2021

- Firstly, CLAN are of the belief that a review SHOULD NOT be taking place regarding the Redress forms at present. We are currently waiting for the reports of two Redress reviews and the recommendations that they will make. We should not be wasting taxpayer money making amendments to forms now, and then again in a few months time when these reviews/inquiries reports are handed down. Once a new form is created we urge the NRS to road test this form by letting CLAN obtain Care Leaver feedback.
- Secondly CLAN strongly supports the creation of a brand-new form for Care Leavers only. The form needs to be Care Leaver informed and Care Leaver sensitive. The current form is not only inappropriate for Care Leavers but is traumatic and distressing to them also.
- Overall, the language in both forms can be complex and confusing. Simplifying the language to 'easy English' and explaining questions or explaining what will be done with the information provided will help Care Leavers to answer the questions more concisely.
- The application presents as inquisitorial in nature. It does not reflect the values that a Redress Scheme should. For many Care Leavers, the fact they feel they must prove themselves or will not be believed hinders them from making an application.
- Simplifying the application form and requiring less traumatic detail will greatly improve the uptake rate.

Issues with the Redress Application Form:

- **Question 1** – 'other given names' has been confusing for Care Leavers who were renamed or given the name of their foster carers etc. Some Care Leavers misunderstand and place their names from care in this section. Perhaps "middle name" or "current legal name" etc. perhaps a note stating that this is not their names from care but what they go as now?
- **Question 10** - can confuse Care Leavers as it is similar to the "prior payments section".
- **Question 25** - The word disability is not defined and the majority of Care Leavers suffer from a multitude of both physical and mental health issues. They are unsure if their health issues fall into the category of disability without a definition.
- **Question 26** - Having to provide a CRN to confirm identity. Some Care Leavers do not have a CRN and obtaining one can be a hassle. Perhaps providing an alternative for those who do not have a CRN like 100points of id – Medicare, licence passport etc.
- **Question 31** – Many Care Leavers miss the reminder to photocopy the pages if they are writing about more than one institution. This reminder should be bigger and bolder. **This is a prime example of where Care Leavers should be provided with a different Application Form.**
- **Question 32** – Many Care Leavers had numerous names whilst in care. The spacing on this question allows for one first name, last name and nickname. This leads many Care

Leavers to choose only one name. Although there is a box under it, the wording on top of the box does not specify 'more names' and some Care Leavers would be hesitant to place this information here.

- **Question 33** – Asking Care Leavers the dates they were in the institution can cause some distress. For many this was a long time ago and due to their childhoods can have a difficult time remembering. Others have literacy and numeracy difficulties. Perhaps it is better to ask how old they were at the time as it is easier and less distressing to try and work that out.
- **Question 36** – It needs to be made clear if only one response is required or if multiple boxes can be ticked. For many Care Leavers it is appropriate to tick more than one box. Furthermore we have found that some of our Care Leavers who were privately placed in institutions do not have a box to tick and there is nowhere to explain this situation. This sort of care arrangement should be addressed in this section. **This is another example of the need for an Application Form tailored to the experiences of Care Leavers.** CLAN would argue that the inclusion of a 'Care Leaver' tick box is necessary, if not in this question, somewhere in this form.
- **Question 44** – CLAN believe it should not be necessary for Care Leavers to be retraumatised by going into this amount of detail. For some Care leavers they have never delved into their abuse in this much detail and it is an extremely confronting and traumatising process to do so. As soon as Care Leavers are required to describe their abuse in this much detail, the NRS goes from a supportive scheme to an Inquiry that is not Care Leaver based. It is our firm belief that this section should consist more of a tick box scenario to detail the type of abuse and sign a declaration attesting to this fact, similar to the Scottish advance payment application forms. If however, the NRS continues to require this level of detail, there needs to be more information about the different types of sexual abuse and the detail the NRS requires. Perhaps including the assessment matrix will help Care Leavers to see what sort of detail is expected. In this section more information needs to be given about what the NRS considers sexual abuse, definitions of terms, and scenarios the NRS does not cover. It is extremely distressing for Care Leavers to take the time to fill in this section and relive their trauma only to find out their abuse is not covered by the NRS. The meaning of the key word 'responsible' is critical to fair treatment.
- **Question 45** – It would help if Care Leavers knew what was going to happen with this information after they disclose it. Many think it means the NRS is going to contact the person they have listed; they wonder whether they should be including contact details etc. For some the ambiguity hinders them from disclosing this information as they are afraid of what the person may say or do if they find out they put their name down.
- **Question 46** – The wording in this question needs to be clearer. It does not state if at the time someone else knew, or if they had disclosed to someone recently and they want these details.

- **Question 47** – This can again be confusing to many Care Leavers as multiple options may be applicable. Also, many state wards were placed in places considered ‘Youth detention’ or remand centres even if they had not committed a crime. The fact that these are categorised in this way suggests a bias whether conscious or not may be applied to the answer. It may be simpler to ask what institutions were involved.
- **Question 49 – 57 Prior Payments** – This section is very confusing for Care Leavers. Many Care Leavers are unaware what mechanism the compensation/redress etc came through. Many Care Leavers we assist with applications ask us to work out who the prior payment was from. This leads us to believe that those Care Leavers who undertake the form on their own may be getting these answer’s wrong. Since it is clear that the NRS do their own investigations of these payments it is probably more effective to condense this section, ask if they have had a prior payment from any source, list the different sources as a tick box options as well as a not sure option and investigate upon receipt of paperwork.
- **Part 3** – the consent to share part 3 should be bigger and bolder and brought to the attention of Care Leavers. It should also make clear in this section and not the notes at the front that it is possible for this information to still be shared with insurance companies etc and will not be kept confidential. The fact that this vitally important information is hidden in the notes make it seem underhanded as if the NRS has something to hide.
- **Question 58** – This question should have more options of words to circle. If there were more applicable options Care Leavers may not feel it necessary to write something down causing more pain than circling words. Words such as:
 - Attempted suicide
 - Unplanned pregnancy
 - Abortion
 - Admission to mental health wards.
- **Stat Dec** – this is unnecessary and promotes disbelief. It also distresses Care Leavers having a stranger (or someone they know) see their redress documents or know what they are doing. It is an invasion of privacy about the most traumatic experiences of a person’s life. We don’t ask those applying for pensions and government benefits to fill out stat decs. The Scottish advance application form only requires the applicant to sign a declaration that they were abused. Something similar to this would limit the re-traumatisation of Care Leavers.

Issues with the Redress Nominee Form:

- **CLAN firmly believe the nominee form should be part of the application form.** If it was, there would not be a double up on basic personal information and contact

details. It could most likely be placed on page 8 after question 29 which enquires if the applicant would like to appoint a nominee.

- **CLAN have become increasingly frustrated at the amount of nominee forms that seem to be lost or misplaced at the NRS, or Care Leavers who do not realise it is a different form. If the nominee form is to continue as a separate form it is necessary to place the heading 'Nominee Form' in bigger, bolder print. Perhaps even a different colour to draw attention to the fact it is a different form from the application form.**
- **Furthermore, the fact that nominee information may also arrive separately to the application means it is processed separately and often a lot slower than the receipt of an application form.** We have at times not been contacted at all because a nominee form has been misplaced and the Care Leaver has been distressed having to handle the NRS on their own. **At other times we have received confirmation letters regarding CLAN as nominee for a Care Leaver AFTER the Care Leaver has received an outcome.** This scenario exemplifies the numerous issues which not only create extra paperwork, but results in the distress and re-traumatisation of Care Leavers. **If the nominee questions were included in the original application form, in most cases the issues of losing the forms or not processing the forms would be moot.**
- The old application forms can still be used for those who wish to have a nominee later on in the application process, but for the majority who choose this at the outset having the one set of paperwork would be beneficial to all parties.