

Mapping the World of Redress for Institutional Abuse of Children

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Further papers at

<https://www.griffith.edu.au/criminology-institute/our-researchers/professor-kathleen-daly>

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Overview

- I. Variation in redress, focus on monetary payment
- II. Stated purpose of payment
- III. Value of viewing redress comparatively

International redress project (ARC 2017-20)

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Preliminaries

Daniel Tremblay's question

'What basis did you use to come to the numbers?'

International Redress Project

- 65 cases ('whole response')
- 61 redress schemes (response that includes a monetary payment, at a minimum)
- 70 money logics (way a monetary payment is calculated)

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I. Variation in redress

A. CASES (N=65)

1. **Jurisdiction and region:** AU and CA 57%;
EU, UK, IRE, SCAND 36%; NZ and US 7%

2. **Justice mechanism:** redress scheme 45%,
inquiry and redress scheme 35%, inquiry 17%

3. **Case concerned with** abuse in closed settings 54%,
abuse in open and closed settings 29%, policy wrongs
and abuse 17%

Sexual abuse only 28%

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4. **Who led** govt (75%), non-govt (25%)

5. **When response began**

- average start year 2005
- by decade: 1979 to 1999 (28%), 2000 to 2009 (28%),
2010 to present (44%)

6. **Temporal patterns over time**

- sexual abuse share does not increase over the decades
- subject of redress does change

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B. PAYMENTS and MONEY LOGICS (N=70)

1. Payments by govt led schemes (71%)

- of govt led, 18% for sexual abuse only
- of non-govt led, 65% for sexual abuse only

2. Money logic

- individualised (76%), flat (13%), other formula (11%)

3. Eligible claimants and validation rate (N=36 individualised)

- claimants 85 to 30,659, mean (2,184), median (472)
- validation 46% to 98%, mean (79%)

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4. Maximum payment (N=45 individualised)

- range \$14.7k to \$441k (two outliers > \$400k)
- mean (\$92.6k), median (\$60k)
- mean without outliers (76.7k)

11 maxima \$147k or higher

- \$147k (2) Netherlands govt and non-govt
- \$150k (1) Canada govt
(5) Australia govt (NRS) and 4 non-govt
- \$200k (1) Canada govt
- \$430k (1) Canada govt (*IRS-IAP*)
- \$441k (1) Ireland govt (*RIRB*)

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5. Average payment (N=36 individualised)

- range \$8.7k to \$96.8k
- mean (\$38.3k) median (\$36.3k)
- top five
 - \$71k Australia non-govt (*Anglican Church*)
 - \$80k Netherlands govt (*National Statute Pathway*)
 - \$91.5k Ireland govt (*RIRB*)
 - \$94.7k Norway govt (*Stavanger municipal model*)
 - \$96.8k Canada govt (*IRS-IAP*)

Note: \$82k Australia govt (*NRS*) (data 24 May 2019)

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6. Maximum and average payment

- high correlation (.78)
- average payment about half (46%) the maximum
- as maximum increases, ratio of the average to the maximum decreases (from 60% to 22%)

7. Patterns in maxima and average payments?

- Country/regional differences in maxima, and to some degree, average payment
- No substantive differences in average payment for sexual abuse or more inclusive, govt led or not, abuse in closed institutions or both open and closed

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II. Stated purpose of payment

- tangible recognition of seriousness of hurt and injury
- recognition of past abuses and wrongs of institutions
- assistance to 'heal' and 'recover'
- neutral (tort 'pain and suffering' or met eligibility criteria)
- combinations

Relationship of stated purpose to maxima? (not for tangible recognition or recognition, but for assistance)
or to the average payment? (perhaps)

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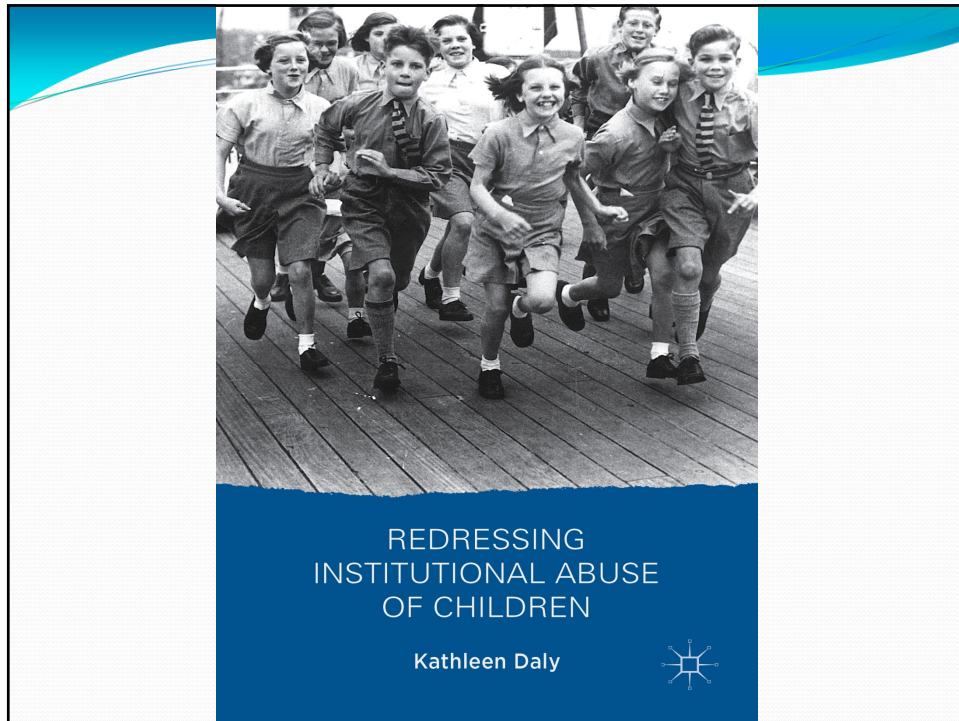
III. Value of viewing redress comparatively

1. See the big picture: maximum and average payments vary; on average, lower than many may imagine
2. Can determine if variation is related to other key variables (e.g., abuse focus, time, country or region)
3. Australia's NRS unique, but not recommended
4. Why similarities and differences?

Coming back to Tremblay's question ...

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K. Daly and J. Davis, Mapping the world of redress, SHCY conference, North Sydney, June 2019



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