



**Mark Speakman**

Attorney General

Minister for Prevention of Domestic and Sexual Violence

## **MEDIA RELEASE**

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### **FAIRER COMPENSATION FOR CHILD ABUSE SURVIVORS**

Survivors of institutional child abuse can now pursue the compensation they deserve under new laws that came into effect today.

Attorney General Mark Speakman said the significant reforms, which have now passed Parliament, empower the courts to set aside unfair historical settlement agreements for sexual and serious physical abuse.

“We are righting the wrongs of the past to ensure survivors can access the civil justice they deserve and be properly compensated for the appalling mistreatment they suffered as children,” Mr Speakman said.

“Many survivors, who were often suffering trauma and had no legal advice, reported a significant power imbalance when negotiating claims. They felt forced to accept inadequate settlements under time pressures due to legal technicalities preventing them from suing responsible institutions.

“Today we are overhauling the legal frameworks that enabled this injustice in order to hold those institutions to account.”

The NSW Government introduced reforms in 2016 and 2018 that remove barriers for survivors seeking civil justice in response to recommendations from Royal Commission into Institutional Responses to Child Sexual Abuse. These included eliminating limitation periods for child abuse claims and abolishing the legal technicalities that shielded some institutions from lawsuits.

The *Civil Liability Amendment (Child Abuse) Act 2021* goes beyond the Royal Commission's recommendations by allowing survivors impacted by these legal barriers to have the same access to justice as those who brought a claim after the Government's 2016 and 2018 reforms.

The Bill will also remove restrictions on personal injury claims for survivors of child abuse that occurred in custody.

Alison Geale, Chief Executive Officer of Bravehearts welcomed the passage of the reforms through the NSW Parliament.

“For too long, survivors of child abuse have felt trapped in unjust agreements with powerful institutions. These settlements would often include signed deeds, which prevented survivors from taking further civil action against the perpetrators,” Ms Geale said.

“These are critical reforms for survivors, giving them the opportunity to escape these unfair deals and access the justice they have been denied.”

The NSW Government consulted survivors, legal groups and other affected members of the community on the reforms, which have enjoyed widespread support.

“I thank every survivor who courageously campaigned for these historic reforms. This would not have been possible without their advocacy and their bravery,” Mr Speakman said.