



Mark Speakman
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MEDIA RELEASE

Wednesday, 17 March 2021

NEW LAWS TO OVERTURN UNFAIR CHILD ABUSE PAYOUTS

Many survivors of institutional child abuse will be empowered to pursue fairer compensation, under reforms to be introduced to NSW Parliament today by Attorney General Mark Speakman.

“Our Bill provides a clear pathway for survivors to be properly compensated for the appalling mistreatment they suffered as children,” Mr Speakman said.

“We know from the harrowing accounts heard by the Royal Commission that many survivors, often suffering significant trauma, felt they had no choice but to accept inadequate settlements due to legal technicalities preventing them from suing responsible institutions.

“This Bill will give the courts the power to set aside certain settlement agreements for sexual abuse, serious physical abuse other connected abuse and enable survivors to access the civil justice they deserve.”

In response to the Royal Commission’s recommendations, the NSW Government introduced reforms in 2016 and 2018 removing barriers for survivors seeking civil justice. These included eliminating limitation periods for child abuse claims and abolishing the legal technicalities that allowed some institutions to avoid civil liability.

Today’s *Civil Liability Amendment (Child Abuse) Bill 2021* will allow 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.

The NSW Government consulted survivors, legal groups and other affected members of the community on the proposed reforms.

“There has been widespread support across the community for these reforms,” Mr Speakman said.

“I’m very thankful to the survivors that brought this issue to the Government’s attention and am pleased to be taking this critical step today.”

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