

3.3. Deputy M.R. Higgins of the Chief Minister regarding the Historic Child Abuse Redress Scheme:

Will the Chief Minister advise the Assembly the current position regarding the Historic Child Abuse Redress Scheme and, in particular, the number of claims accepted, rejected and in dispute, and in the case of the latter will he outline the nature of the disputes and the current position regarding the extension of the scheme to cover people who were abused while in foster care or abused by persons who either lived in the care homes or were visiting them?

Senator I.J. Gorst (The Chief Minister):

A total of 131 claims have been received by the scheme to date. As at 24th January 2012 a total of 27 offers have been accepted by the claimants. At the present time no applications have been rejected. The remaining claims are still at various stages of the process. The issue of claims which concern foster care is a matter which is to be referred to the Council of Ministers in due course. The Council of Ministers has previously decided that the claims received, which involve visitors to any care home, as well as certain cases involving abuse which happened away from the premises of the home are to be considered as part of the scheme.

3.3.1 Deputy M.R. Higgins:

Is the Minister aware that many of the claimants are being, to put it mildly, messed around by the scheme lawyers who appear to be acting as judge and jury in this case? Many people are being referred to psychiatric assessments and also many of the claimants are being disputed in terms of lost evidence by the police and other considerations. Is the Minister aware of these difficulties and would he advise the States of what he does know?

Senator I.J. Gorst:

I absolutely refute that any claimants are being messed around by the scheme lawyers. The scheme lawyers are acting on behalf of the States in a very professional manner. As we have said on previous occasions in this Assembly, these are not necessarily straightforward cases, extra evidence has to be gathered and brought together. Where there is not perhaps sufficient evidence then psychological reports can be undertaken. There is by nature a negotiation between the scheme lawyers and the lawyers representing potential claimants. I do not see it in the light that the Deputy portrays it.

3.3.2 Deputy M.R. Higgins:

It is a related point, and I hope you will allow it. On a previous question I asked the Chief Minister whether victims who were in financial difficulty could obtain some funds from the scheme in anticipation of a final settlement from it. The Chief Minister assured the House that that would be the case. In the case that I put to the scheme lawyers no such attempts have even been made to even contact the people. What does the Chief Minister have to say about that?

Senator I.J. Gorst:

Unless the Deputy, and I have not trawled Hansard to see whether that is the case... but it is my understanding that there has never been an interim payment available.