



## NSW & ACT Baptist Churches Participation in the National Redress Scheme Frequently Asked Questions

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1. **The redress document indicates that a church is likely to need to contribute \$400 plus 0.01% of insured assets each year for ten years to the Redress Support Pool.**

### **How much would a typical church need to contribute?**

The required contribution will be affected by whether the church owns property and the value of buildings on church owned land. For churches with no property the expected contribution would only be \$400/year. Whereas some churches with significant property assets will be asked to contribute each year \$400 plus \$100 for every million in insured assets. For example, if a church has insured assets of \$3 million they would commit to contribute \$400 + \$300 each year.

2. **Can churches who don't use BIS access the Redress Support Pool?**

Nearly all of our churches insure with Baptist Insurance Services (BIS) because of the high levels of customer service offered by them and premiums that are generally cheaper.

However, there are a small number of churches who don't insure with BIS.

Being part of the Baptist Association of NSW & ACT Participating Group in the National Redress Scheme is not restricted to churches who use BIS. Churches who participate and pay the levy can access the Redress Support Pool regardless of who they insure with.

Churches who are not with BIS will have the same expected contributions and benefits provided as those who do use BIS, though they would need to supply some financial information to the Association in order to calculate the appropriate level of church contributions.

3. **Given that participation in the redress scheme opens the possibility of the church having to fund an initial contribution of between \$25,000 to \$45,000 if a Redress Claim is made against the church, should churches set aside this money through their budget processes?**

None of us can know with any certainty which local congregations might face one, or perhaps more redress claims. However, it would be wise financial management to recognise this potential liability, and to at least think through a plan as to how this could be funded if the need arose. If local church leaders are already aware of potential historic incidents that may give rise to a redress claim, then this would be prudent to actually budget for this possibility.

4. **Can a Baptist church choose to opt in to the National Redress Scheme separately without being part of the participating group formed by NSW & ACT Baptist Churches?**

The Commonwealth Government has advised that non-incorporated institutions cannot opt in to the National Redress Scheme alone, and must do so as part of a participating group. If a church is an Incorporated Association then they may choose to opt in as a lone institution however they would then not have access to the benefits of the Redress Support Pool and the support resources offered by the Baptist Association of NSW & ACT in the event of a claim being made against the church.

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**5. It appears that the church contributions may not provide sufficient funds to fully fund all of the redress claims that we expect we will receive across NSW & ACT Baptist Churches. Will local church congregations have to make up a funding shortfall for any redress claims they receive?**

The Baptist Association of NSW & ACT is committed to ensuring that the redress support pool will have adequate funds to fully cover any liability above the \$25k-\$45k initial contribution if needed. No participating church will be faced with a shortfall if they request the support of the Pool, but will only be required to pay the initial contribution requested (between \$25k-\$45k). The Association will be setting aside very substantial funds from its own resources to add to the support pool as required, so the expected number of claims can be funded.

None of us know with clarity how many redress claims we will be faced with across NSW & ACT Baptist Churches. Therefore, there is a possibility that the contributions from churches can be adjusted either up or down as required over the ten year duration of the scheme.

**6. What happens to the money contributed to the Redress Support Pool after 10 years if there is any surplus?**

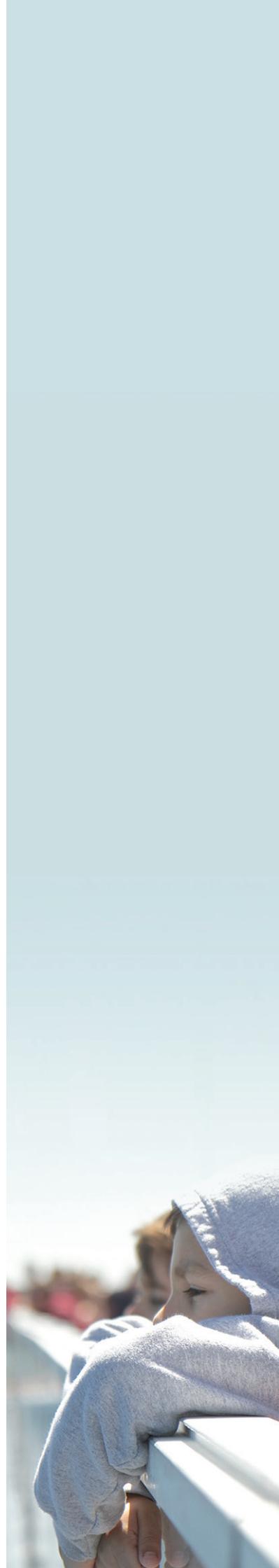
The annual levy to the Redress Support Pool may be adjusted over time to minimise the likelihood of surplus funds remaining at the end of the 10 year scheme. If there are surplus funds in the Redress Support Pool once all Redress liabilities have been paid and the Scheme has closed, these funds will be returned to the participating churches in proportion to the contributions they have made.

**7. Who will manage the Direct Personal Response to survivors?**

The Redress Operator will communicate with staff at the Baptist Association of NSW & ACT who will then liaise with local church leaders in the relevant congregation.

**8. How will local churches communicate to the Association that they intend to opt in to the redress scheme?**

If the proposed motion for the Association to opt in to the redress scheme is passed at the Assembly meeting on 15 September then each local church will be asked to complete an Opt In declaration indicating that they wish to opt in to the redress scheme, and to pay the initial redress support pool contribution. The declaration and initial financial contribution will need to be returned to the Baptist Ministry Centre by 30 November 2018. *CONTINUED...*



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**9. What date will we officially join the National Redress Scheme?**

Given that the various requirements of the opting in process will take some time, we expect that it will be likely that we won't formally be included in the National Redress Scheme until early 2019.

**10. If a local church chooses not to opt in by 30 November 2018 can they change their mind in future?**

Yes, they may be able to opt in as part of our Participating Group at a later date. However they will not have access to the benefits of the Redress Support Pool.

**11. I understand that if a church who has opted in to our redress support pool receives a redress claim then they are required to pay an initial contribution according to their capacity to pay. Who makes the determination about this capacity to pay amount?**

There will be a minimum contribution required of between \$25000 and \$45000 (see the Appendix to the Information Update document which explains how this works). Then if your church determines they can pay more they are free to do so, however the remainder of the financial liability will be picked up by the Redress Support Pool.

**12. Are Baptist schools or child care centres able to opt in to the Baptist Association participating group and Redress Support Pool?**

The Association's participating Group is designed for local churches – both incorporated and unincorporated. Incorporated organisations such as schools, child care centres, OOSH centres, and any historic children's homes/orphanages can choose to opt into the redress scheme as separate entities if they wish to do so. If they are not separately incorporated and exist only as part of the local church then they would be included if the local church chooses to opt in. Those that are separately incorporated would not become part of the participating group of NSW & ACT Baptist Churches and would not have access to the redress support pool. The Redress Support Pool is only for claims made against local Baptist congregations.

**13. Who decides if a Redress claim should be accepted and the amount of redress payment?**

One of the significant benefits of the National Redress Scheme is that the Commonwealth Government Redress Scheme Operator will appoint an Independent Decision Maker to make the decision about whether a redress claim meets the burden of proof at "reasonable likelihood" and will therefore be accepted. The National Redress Scheme has developed detailed policy to guide the Independent Decision Maker in this process. *CONTINUED...*



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**14. What is the likelihood for false allegations or vexatious claims?**

There is some potential for false allegations to be made and the Scheme Operator has a number of steps in the redress application process to confirm the veracity of claims they receive. It is also important to note that the experience of other denominations who have administered their own internal redress schemes for some years, as well as experts who work in this field, is that in the past the number of false allegations has been very low.

**15. If a local church receives multiple redress claims how is the initial minimum church contribution calculated?**

If a local church receives multiple redress claims then they would be expected to pay the same minimum initial contribution (between \$25000 and \$45000) for each redress claim received.

**16. If a redress claim is received are the relevant institution and the individual accused of the offence notified of the accusations?**

When a redress claim is first received the relevant institution is notified of the redress claim and given an opportunity to respond with relevant details. The individual accused of the offence is not notified. After a redress claim determination has been made then the relevant institution will be advised of relevant information so that they can consider whether risk management responses are required. The Redress Scheme Operator may also make a report to the Police to consider possible criminal charges. The individual accused of the offence will only be notified if the institution is required to consider implementing risk management measures, or if the Police choose to investigate. In both of these cases the individual accused will be given an opportunity to respond to the allegations and will not be considered to have committed the alleged offences unless a formal process of investigation substantiates the allegations.

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## Some additional FAQ provided by the Commonwealth Government

### **Q. Why would we join the Redress Scheme?**

**A.** Institutions have joined the Redress Scheme for many reasons. Most institutions see joining the Scheme as a means of addressing the mistakes of the past and demonstrating a commitment to future child safety. Many institutions have also seen the benefit of planning for the future, with some awareness of the amount of resources they will have to outlay to cover child sexual abuse claims.

### **Q. Can we still join the Redress Scheme if we do not have any claims made against us?**

**A.** Yes, many other institutions have contacted the Scheme without any claims made against them and in the belief that they will not receive any in the future.

### **Q. Who decides a claim?**

**A.** Independent Decision Makers are employed by the Scheme to make eligibility, monetary payment and counselling entitlement decisions. Applications must meet the test of reasonable likelihood. The Scheme seeks appropriate relevant information from the institution to verify the application.

### **Q. Can we dispute a claim?**

**A.** There is no opportunity for an external merits review. Your institution cannot challenge or seek a review of the decisions.

### **Q. What if abuse happened in more than one institution?**

**A.** Where two or more participating institutions share responsibility for the same instance of abuse they will pay redress according to their deemed level of shared responsibility. Where there is abuse in more than one institution, the responsible participating institutions will pay a proportionate share of redress.

