



National Redress Scheme for Institutional Child Sexual Abuse Direct Personal Response Framework Amendment (Partly-participating Institutions and Other Measures) 2025

I, Amanda Rishworth, Minister for Social Services, make the following instrument.

Dated 06.03.2025

Amanda Rishworth
Minister for Social Services

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1 Name

This instrument is the *National Redress Scheme for Institutional Child Sexual Abuse Direct Personal Response Framework Amendment (Partly-participating Institutions and Other Measures) 2025*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
The whole of this instrument	The day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under section 55 of the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018*.

4 Schedules

Each instrument that is specified in Schedule 1 to this instrument is amended as set out in the applicable items in Schedule 1, and any other item in Schedule 1 to this instrument has effect according to its terms.

Schedule 1—Amendments

National Redress Scheme for Institutional Child Sexual Abuse Direct Personal Response Framework 2018

1 Section 4 (note)

Repeal paragraph (d), substitute:

- (d) partly-participating institution;
- (e) survivor.

2 At the end of section 4

Insert:

complaint means an expression of dissatisfaction made to or about a responsible institution related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.

direct personal response facilitator means a neutral, independent third party who has the knowledge and skills to ensure the direct personal response process operates in accordance with best practice restorative justice and trauma-informed principles.

responsible institution:

- (a) a participating institution is a ***responsible institution*** in relation to the abuse of a person if the Operator has determined under paragraph 29(2)(b) of the Act that the institution is responsible for that abuse;
- (b) a partly-participating institution is a ***responsible institution*** in relation to abuse of a person if the Operator has determined under subparagraph 29(2)(j)(ii) of the Act that the institution is responsible for that abuse.

3 Section 5

Omit the words “participating institution (the ***responsible institution***)”, substitute “responsible institution”.

4 Section 5 (note)

Omit the words “participating institutions”, substitute “responsible institution”.

5 Section 6 (note)

After the word “Note”, insert “1”.

6 Section 6 (note)

Omit the words “participating institution”, substitute “responsible institution”.

7 At the end of section 6

Insert:

Note 2: Partly-participating institutions are not covered by the release from civil liability set out in section 43 of the Act.

8 Section 10 (note)

After the word “Note”, insert “1”.

9 At the end of section 10

Insert:

Note 2: A *representative* for the purposes of section 10 is an agent or employee of the responsible institution who will be providing a direct personal response on its behalf.

10 Paragraph 11(1)(c)

After the words “survivor’s needs”, insert “(including cultural needs)”.

11 Paragraph 11(1)(e)

Omit the words “the survivor”, substitute “or traumatising the survivor by prioritising and applying trauma informed principles of safety, trust, collaboration, choice and empowerment.”.

12 At the end of subsection 12(3)

Insert:

Note: A *representative* for the purposes of section 12 is an agent or employee of the responsible institution who will be providing a direct personal response on its behalf.

13 Section 13

Omit “participating institution”, substitute “responsible institution”.

14 Part 4 Heading

Repeal the heading, substitute:

Part 4—Review and reporting obligations of responsible institutions

15 Subsection 16(1)

Omit “participating institution”, substitute “responsible institution”.

16 Section 17

Repeal the section, substitute:

As soon as practicable after every 31 January and 31 July, each responsible institution must give the Operator, in the approved form, the following information:

- (a) the number of requests for direct personal responses made to the institution during the preceding 6 month period;

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- (b) the number of direct personal responses given by the institution during the preceding 6 month period;
 - (c) the types of direct personal responses requested of the institution during the preceding 6 month period;
 - (d) the types of direct personal responses given by the institution during the preceding 6 month period;
 - (e) whether a direct personal response facilitator was used for each direct personal response provided by the institution;
 - (f) the time between each request made to the institution for a direct personal response and the giving of the direct personal response;
 - (g) complaint details received by the institution during the preceding 6 months in relation to a direct personal response it provided, specifically:
 - (i) the number of complaints made to the institution in relation to direct personal responses;
 - (ii) the nature of the complaints; and
 - (iii) how the complaints were resolved.

Note: For the purposes of the 6 monthly reporting obligation, the preceding 6 months means July to December for the January reporting period and January to June for the July reporting period.