

National Redress Scheme Participant and Cost Estimates

Royal Commission into Institutional
Responses to Child Sexual Abuse

July 2015

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Institutional Responses to Child Sexual Abuse
PO Box 5283
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Dear Leigh

National Redress Scheme Participant and Cost Estimates

We are pleased to enclose our report on the indicative participant volumes, costs and funding requirements associated with an Australian National Redress Scheme for victims of institutional sexual abuse.

We would be pleased to discuss any aspect of this report with you.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Estelle Pearson', with a long horizontal flourish extending to the right.

Estelle Pearson

A handwritten signature in black ink, appearing to read 'Justin Portelli', with a large, stylized loop at the end.

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National Redress Scheme Participant and Cost Estimates

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Part I Executive Summary

The purpose of this report is to provide an estimate of the volume of participants that might report into an Australian¹ National Redress Scheme covering the victims of institutional child sexual abuse as well as an estimate of the possible profile of these participants. In addition, this report discusses the potential cost of such a scheme, considering the monetary payments, counselling and support services and administrative costs together with an estimate of where the burden of funding responsibility might fall depending on the scheme structure. This report is intended to facilitate discussion and inform estimates to be presented in the Royal Commission's final paper on redress and civil litigation, likely to be presented to Government in August 2015 ("the Commission report").

We note that it is not possible to estimate the volume of participants and costs of a theoretical National Redress Scheme with any certainty. Actual outcomes are heavily dependent on a broad range of largely unknown factors including the number of institutional child sexual abuse victims, the numbers that will participate in a National Redress Scheme as well as the severity of abuse experienced by victims and the impact that this has had. The outcomes for a Scheme will also be impacted by the details and design of the Scheme itself including eligibility criteria, administrative processes adopted, the level of evidence required and the monetary payments available. There is limited information on which to develop assumptions and significant extrapolation from known statistics using judgement has been required. Deviations from our estimates are expected and could be material.

The Reliances and Limitations are an important part of this work and are contained in full in Section 12.

Indicative Volume of Participants

In order to estimate participant volumes for a National Redress Scheme we considered three previous Australian redress schemes - Redress WA, the Queensland ex gratia scheme and the Tasmanian Abuse in Care ex gratia scheme. These are each described in detail in the Commission report. To estimate participant numbers for a National Redress Scheme we have taken each of the existing schemes and adjusted the participant volumes to allow for coverage (in terms of the type of abuse and types of institutions covered) and potential under-reporting. We have then extrapolated each of these estimates to the national level based on our estimates of potential historical levels of exposure.

In our view, the previous Australian redress schemes should be the best indicator of the possible volume of participants in a National Redress Scheme where eligibility is based on a standard of proof well below the civil standard and with an administrative assessment process. However there are significant differences between the previous schemes and the National Redress Scheme discussed in the Commission report (including the much broader institutional coverage and potentially higher monetary payments of the National Redress Scheme). These differences increase the risk that our estimates of participant volumes will be wrong and particularly that participant volumes may be higher than we have estimated. Regardless, we believe that the previous schemes remain the best indication of the experience of a National Redress Scheme. However it is important that the risks inherent in using these schemes as a starting point for our estimates are acknowledged and responded to in the detailed design of a National Redress Scheme.

¹ Our estimates are for either a single National scheme or the combination of separate nationally consistent schemes in each State and Territory.

Based on the analysis described in Section 5 we have adopted an indicative volume of participants in a National Redress Scheme of 60,000. This represents a point estimate within a range of possible outcomes that we consider to be reasonable.

Our estimate of the National profile of participants summarised by jurisdiction and type of operator is shown in Table 1 below. The analysis underlying the estimated profile of participants is described in detail in Section 4 of this report.

Table 1 – National Estimated Participant Volumes by State and Operator Type

State / Territory	Operator Type		Total
	Govt ¹	Non-Govt	
NSW	7,150	14,730	21,880
WA	2,300	4,110	6,410
QLD	2,950	5,520	8,470
VIC	5,290	10,690	15,980
SA	1,150	2,650	3,800
TAS	590	1,160	1,750
ACT	290	840	1,130
NT	240	340	580
Total	19,960	40,040	60,000

¹Note that the Government includes both State and Federal Government operated institutions

The estimates shown in Table 1 are based on the institution where the abuse originally took place. We acknowledge, however, that the funding structure of a National Redress Scheme might need to be designed such that the public sector acts as a funder of last resort in circumstances where the institution operator cannot be identified, no longer exists or is otherwise unable to finance their allocated contribution. This would increase the public sector proportion from the figures detailed above.

Our estimate of the number of scheme participants, adjusted for public funding as a last resort is shown in Table 2 below. Our rationale for the impact of the last resort public funding is contained in Section 11.

Table 2 – National Estimated Participant Volumes: Government as Funder of Last Resort

State / Territory	Operator Type		Total
	Govt ¹	Non-Govt	
NSW	10,370	11,510	21,880
WA	3,120	3,290	6,410
QLD	4,190	4,280	8,470
VIC	7,250	8,730	15,980
SA	1,740	2,060	3,800
TAS	850	900	1,750
ACT	490	640	1,130
NT	290	290	580
Total	28,300	31,700	60,000

¹Note that Government includes State and Federal Government operated institutions and last resort funding by both the State and Federal Governments

Indicative National Redress Scheme Costs

Section 6 of this report examines the abuse severity distribution observed in Redress WA based on the assessment values for the participants in that scheme where the type of abuse reported included sexual abuse. Section 7 considers the payment assessment process put forward in the Commission report.

Combining this with the assumed severity distribution we determine the shape of the payment scale producing an average monetary payment \$65,000 as considered in the Commission report.

Applying this average monetary payment to the indicative participant volume of 60,000 provides indicative aggregate scheme payments of \$3.9 billion. Based on information collated by the Royal Commission on civil claims as well as payments from past redress schemes we estimate that around \$400 million² of redress payments have already been made to victims of institutional child sexual abuse. These amounts might be expected to be offset against any monetary amounts from a National Redress Scheme giving a funding requirement for the scheme of \$3.5 billion.

Section 8 of this report describes our approach to estimating the cost of provision of counselling services, based on our analysis of services provided under the NSW Victims of Crime Scheme. The present value of future counselling services is estimated to be around \$330 million in total or \$5,500 per participant. This estimate represents the total cost of counselling services and does not take into consideration that a variety of existing public services are already available to victims of sexual abuse such as the Better Access initiative and Access to Allied Psychological services (ATAPS) as well as mainstream and specialist services funded by the States and Territories.

The administration costs required to support a National Redress Scheme will be dependent on the structure of the scheme, the complexity of the abuse assessment and other processes, the length of time over which the scheme operates as well as the types and breadth of additional services that the scheme provides. We have considered the costs of administering similar historical redress schemes including the Queensland ex gratia scheme, the Tasmanian abuse in care ex gratia scheme and the Irish Residential Institutions Redress Scheme. Based on this analysis, we estimate an average cost per participant of \$3,000 giving a total administration cost of \$180 million for a National Redress Scheme. Section 9 of this report describes in further detail our approach in determining this estimate.

The estimates described above, produce an apportionment of funding responsibility for a National Redress Scheme as shown in Table 3 below split by type of payment, jurisdiction and funding operator before allowance for last resort public funding.

² Where known payments to individuals have exceeded \$200,000, we have capped payments at \$200,000 in determining this estimate of \$400 million.

**Table 3 – Estimated Combined Costs of National Redress Scheme:
Before Last Resort Public Funding**

	State								
	NSW	WA	QLD	VIC	SA	TAS	ACT	NT	Total
<i>Number of Scheme Participants</i>									
<i>Government</i>	7,150	2,300	2,950	5,290	1,150	590	290	240	19,960
<i>Non-Government</i>	14,730	4,110	5,520	10,690	2,650	1,160	840	340	40,040
<i>Total Participants</i>	21,880	6,410	8,470	15,980	3,800	1,750	1,130	580	60,000
<i>Monetary Payments¹ (\$m)</i>									
<i>Government³</i>	442	65	145	327	67	8	18	15	1,086
<i>Non-Government</i>	880	258	333	644	160	73	42	22	2,414
<i>Total Monetary</i>	1,322	323	478	971	228	81	60	37	3,500
<i>Administration Costs (\$m)</i>									
<i>Government</i>	21	7	9	16	3	2	1	1	60
<i>Non-Government</i>	44	12	17	32	8	3	3	1	120
<i>Total Admin</i>	66	19	25	48	11	5	3	2	180
<i>Total Monetary & Administration Costs (\$m)</i>									
<i>Government</i>	464	72	154	343	71	9	19	16	1,146
<i>Non-Government</i>	924	271	350	676	168	77	44	23	2,534
<i>Total Monetary & Admin</i>	1,388	342	503	1,019	239	86	63	39	3,680
<i>Counselling Services (\$m)</i>									
<i>Government</i>	39	13	16	29	6	3	2	1	110
<i>Non-Government</i>	81	23	30	59	15	6	5	2	220
<i>Total Counselling</i>	120	35	47	88	21	10	6	3	330
<i>Total Government</i>	503	84	170	372	77	13	21	17	1,256
<i>Total Non-Government</i>	1,005	293	380	735	183	83	49	25	2,754
<i>Grand Total</i>	1,508	378	550	1,107	260	96	70	42	4,010

¹Excludes estimated payments made to date by Government and non-Government entities

This table shows that the total funding requirement for monetary payments and administration costs for a National Redress Scheme is estimated at \$3.7 billion. The cost of counselling and psychological needs of participants represents a further \$330 million and while part of this cost is already funded through existing public services, we understand that there are potentially large gaps and unmet needs under these services.

Table 4, shows the same information but after allowance for last resort public funding.

**Table 4 – Estimated Combined Costs of National Redress Scheme:
After Last Resort Public Funding**

	State								
	NSW	WA	QLD	VIC	SA	TAS	ACT	NT	Total
<i>Number of Scheme Participants</i>									
Government	10,370	3,120	4,190	7,250	1,740	850	490	290	28,300
Non-Government	11,510	3,290	4,280	8,730	2,060	900	640	290	31,700
Total Participants	21,880	6,410	8,470	15,980	3,800	1,750	1,130	580	60,000
<i>Monetary Payments¹ (\$m)</i>									
Government	651	118	225	454	106	24	31	18	1,629
Non-Government	671	205	253	517	122	56	29	19	1,871
Total Monetary	1,322	323	478	971	228	81	60	37	3,500
<i>Administration Costs (\$m)</i>									
Government	31	9	13	22	5	3	1	1	85
Non-Government	35	10	13	26	6	3	2	1	95
Total Admin	66	19	25	48	11	5	3	2	180
<i>Total Monetary & Administration Costs (\$m)</i>									
Government	683	127	238	476	111	27	33	19	1,713
Non-Government	705	215	266	543	128	59	31	20	1,967
Total Monetary & Admin	1,388	342	503	1,019	239	86	63	39	3,680
<i>Counselling Services (\$m)</i>									
Government	57	17	23	40	10	5	3	2	156
Non-Government	63	18	24	48	11	5	4	2	174
Total Counselling	120	35	47	88	21	10	6	3	330
Total Government²	740	144	261	516	120	32	35	21	1,869
Total Non-Government	769	233	289	591	139	64	34	21	2,141
Grand Total	1,508	378	550	1,107	260	96	70	42	4,010

¹Excludes estimated payments made to date by Government and non-Government entities

²Contributions assume Government as funder of last resort

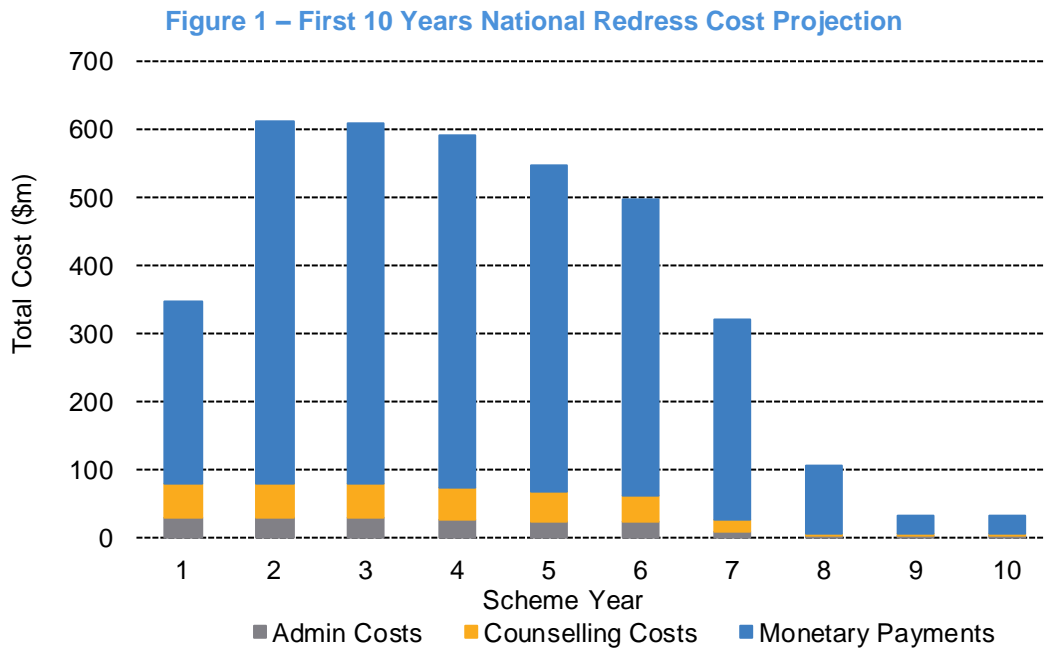
The overall costs are unchanged from those shown in Table 3, however the Government responsibility increases from \$1.3 billion to \$1.9 billion while the non-Government responsibility reduces from \$2.8 billion to \$2.1 billion.

Payment Projection

Under a National Redress Scheme with a long term window for applications, scheme participants will likely report into the scheme over a number of years. In addition, there will be some delay following report before monetary payments are awarded. The pattern of payments to be made under a National Redress scheme is largely dependent on the scheme design as well as many societal forces including community attitudes and participant behaviour. Using the Irish Residential Institution Redress Board experience as a starting point, we have estimated a hypothetical pattern of reporting and payments. This is detailed further in Section 10.

Figure 1 below shows this hypothetical estimate of potential scheme costs over the first ten years of a National Redress Scheme assuming no closing date for applications and that the value of counselling

and psychological care costs for each participant is paid up into a trust fund as described in the Commission report.



After the initial year of the scheme we are projecting payments of around \$600 million for three years dropping to \$500 million by the sixth year of the scheme. Projected payments in the first ten years of the scheme represent more than 90% of the total estimated payments of \$4.0 billion.

Part II Detailed Findings

1 Background and Approach

1.1 Scope of Report

The purpose of this report is to provide an estimate of the volume of participants that might report into an Australian³ National Redress Scheme for victims of institutional child sexual abuse as well as the costs that might be required to be funded, considering the potential monetary payments, counselling services and administrative costs of such a scheme. This report also includes an estimate of where the burden of funding responsibility might fall, especially between Government and non-Government institutions. This report is intended to facilitate discussion and inform estimates to be presented in the Royal Commission's final report on redress and civil litigation, likely to be presented to Government in August 2015 ("the Commission report").

1.2 Approach

1.2.1 Estimation Challenges

It is challenging to make estimates of the potential cost of a National Redress Scheme since there are no directly comparable schemes either in Australia or overseas. There is limited data on the numbers of children exposed to sexual abuse and the prevalence of abuse in different institutional settings. The volume of past civil claims (even if compiled fully) provides little indication of the likely number of participants in a National Redress Scheme because of the difficulties of initiating civil claims as well as the typically long delays before sexual abuse is reported. There have been a number of State-based redress schemes in Australia and we have relied heavily on the experience of these schemes (extrapolated to a National position) in making estimates of the number of participants and the cost of a National Redress Scheme. There are a number of significant differences between these past schemes and the National Redress Scheme discussed in the Commission report including:

- The National Redress Scheme will only cover victims where abuse included sexual abuse (although other types of abuse suffered by these victims will be taken into account in assessing redress payments); the State schemes also covered victims who suffered only physical abuse, emotional abuse or neglect.
- The National Redress Scheme will cover victims of sexual abuse in any institutional setting and is therefore much broader (in terms of the exposed population) than the State schemes which only covered victims of abuse in a residential setting (sometimes including foster care).
- The National Redress Scheme is expected to be open to applications for a reasonably long period of time whereas the State based schemes had limited reporting periods.
- The monetary payment amounts modelled in the Commission report are higher than those available in any of the previous State redress schemes.

These differences increase the risk that our estimates of participant volumes will be wrong and particularly that actual participation will be higher than we have estimated. Regardless, we believe that the State schemes remain the best indication of the experience of a National Redress Scheme. However

³ Our estimates are for either a single National scheme or the combination of separate nationally consistent schemes in each State and Territory.

it is important that the risks inherent in using these schemes as a starting point for our estimates are acknowledged and responded to in the detailed design of a National Redress Scheme.

1.2.2 Overview of Approach

An overview of our approach is described below.

Number of Participants

We estimated participant numbers using the Western Australian, Queensland and Tasmanian State Redress schemes adjusted for coverage differences, population differences and under-reporting. This involved:

- Determining the number of participants in each scheme where the type of abuse suffered included sexual abuse (as opposed to victims suffering only physical or emotional abuse or neglect). This is covered in Section 5.
- Making an estimate of the proportion of the total number of institutional child sexual abuse victims covered by each State scheme; in particular the proportion of sexual abuse victims from residential care institutions compared with all institutions. This is covered in Section 4.
- Making an assessment of the relative size of each State (in terms of potential victims of sexual abuse) compared with the National position. This is covered in Section 3 and Section 4.
- Allowing for under-reporting due to the cut-off dates of the State schemes and recognising the significant behavioural impacts of a cut-off date. This is covered in Section 5.

Severity of Abuse

We relied heavily on information provided on the assessment values for the participants of Redress WA to determine a distribution of the severity of abuse for participants of a National Redress Scheme. We also examined the severity of abuse suffered by claimants from different institutional settings using claims paid by the Catholic churches' Towards Healing scheme. This is covered in Section 6.

Payment Scales

The Royal Commission has asked us to model a payment scale with a maximum of \$200,000 and an average of \$65,000. The Royal Commission also asked us to model a payment assessment process which gives:

- Values of up to 40 for the severity of abuse
- Values of up to 40 for the impact of abuse
- Value of up to 20 for additional elements.

We have transformed the Redress WA values to align with the Royal Commission assessment process and developed a payment scale which produces an average monetary payment of \$65,000.

This is covered in Section 7 of the report which also combines these averages with the estimated number of participants to produce an indicative cost of monetary payments for a National Redress Scheme.

Counselling Costs

We used information from the NSW Victims of Crime Scheme as a starting point in developing an annual cost of counselling for participants of a National Redress Scheme adjusting this for limitations in the coverage of the NSW scheme compared with the National Redress Scheme. We combined the annual cost with assumptions about intensity of service, mortality, inflation and interest rates to estimate a lifetime cost per participant. This is covered in Section 8.

Administrative Costs

We have considered the administrative costs per participant of a number of redress schemes and our understanding of the administrative arrangements for these schemes compared with a National Redress Scheme to determine a cost per participant. This is covered in Section 9.

Payment Pattern

Payments from the scheme will depend on the rate of reporting to the scheme as well as the time taken to assess applications. We examined the reporting to the Irish redress scheme to develop an indicative reporting pattern. We then made an allowance for the time taken to assess applications and for payments to be made. This is covered in Section 10.

Funding Implications

We have combined our assessment of the indicative cost of monetary payments with the profile of sexual abuse victims developed in Section 4 to estimate the spread of costs across the operators of institutions by State and for Government and non-Government operators. We made two adjustments to these figures as follows:

- Allowance for Government to act as a funder of last resort where an organisation no longer exists or does not have sufficient funds
- Allowance for payments already made (since we understand that any lump sum monetary payments already received by participants will be offset from National Redress monetary payments).

This is covered in Section 11 of our report.

2 Data

Following are the key pieces of data used in our assessment:

Populations and Exposure	Comment
Queensland ex gratia scheme modelling	Includes residential care and foster care population estimates from 1946 to 1999. These figures have been extrapolated to the National population using ABS child population statistics by State.
AIHW Child Protection Reports	Includes residential and foster care population statistics for all States from 1992 to 2013. Also includes out of home care statistics for Indigenous ⁴ and non-Indigenous children for 1996/97.
ABS Student Population Statistics	Includes details of Government versus independent school students by State from 1956 to 2013. For independent schools from 1962 onwards also includes Catholic versus other independent schools. Prior to 1956, these figures have been extrapolated using ABS child population statistics by State.
ABS Population Statistics	Includes child population statistics by State from 1933 to 2011. Prior to 1971, these statistics are only available intermittently at census dates occurring every five to fifteen years. Population volumes between these census dates have been interpolated. Also includes population statistics split between Indigenous and non-Indigenous by State for 1933 to 2011.
Australian Catholic Regular Mass Attendance Statistics	Includes the total number of Australian Catholics regularly attending Mass at survey dates between 1947 and 2011. Volumes between survey dates have been interpolated.
Profile, Source and Severity of Claims	Comment
Royal Commission Private Sessions	Includes close to 2,900 private sessions to early March 2015, conducted by the Royal Commission.
Civil Claims	Includes close to 3,200 claims resolved between 1995 and 2014. Around 2,700 of these contain known compensation amounts. The claims data includes claims resolved by Government bodies and various institutions and general insurance groups including Catholic Church Insurance, Suncorp, Allianz, IAG, Ansvar and the Salvation Army.
Towards Healing	Catholic Church Redress Scheme. Includes more than 800 claims records with known compensation amounts, resolved between 1997 and 2013. Many of these claims are duplicated in the civil claims data (those insured by Catholic Church Insurance).
Melbourne Response	Catholic Church Melbourne Diocese Redress Scheme. Includes more than 300 claims recorded with known compensation amounts, resolved between 1994 and 2013. Many of these claims are duplicated in the civil claims data (those insured by Catholic Church Insurance).
Other Catholic Sources	Includes individual claims records from the Christian brothers and Marist Brothers. These organisations were both insured by Catholic Church Insurance and are duplicated in the civil claims data.

⁴ For the sake of brevity we have referred throughout to the Aboriginal and Torres Strait Islander population as the Indigenous population

Number of Claims	Comment
Redress WA	This scheme covered all facilities that were subsidised, registered, monitored or approved by the WA Government and included foster homes. The scheme had over 5,000 participants.
Queensland ex gratia scheme	This scheme covered facility-based residential care abuse in Queensland. The scheme had over 7,000 participants.
Tasmanian Abuse in Care ex gratia scheme	This scheme covered abuse in State care in Tasmania. The scheme had close to 2,000 participants.
Reporting	Comment
Child Exposures, Molestation and Liability Insurance – Moran, Nicholls and Konstantinidis (2005)	This study considers the nature of child abuse insurance claims and the issues of latency and reporting delays. The study refers to the Spokane Diocese study, considering delay from first abuse to report and including claims reported between 1972 and 2004.
The Nature and Scope of Sexual Abuse of Minors by Catholic Priests and Deacons in the US 1950-2002 – John Jay College of Criminal Justice	This study considers the volume and prevalence of child sexual abuse perpetrated by Catholic priests in the US. Reporting delay statistics have been derived from Figure 5.2.3 in the report. The study also contains statistics of the prevalence of child sexual abuse within the Catholic Church expressing the proportion of priests with a child sexual abuse allegation that is not known to be false.
Other	Comment
Child Sexual Abuse and the Churches: A Story of Moral Failure – Patrick Parkinson	This paper considers the extent of child sexual abuse in church settings and particularly comments on the prevalence of child sexual abuse in the Catholic Church compared to other churches.
Irish Residential Institutions Redress Scheme	This Irish scheme covered victims of abuse while resident in institutions covered under the <i>Residential Institutions Redress Act</i> . More than 14,000 awards were made.
Cost of Counselling	Comment
NSW Victims of Crime Scheme	Includes close to 20,000 records of compensation and counselling claims relating to child sexual abuse. All records were attached with lodgement dates, date of abuse and claimants' date of birth. The counselling claims also had the number of counselling hours approved and invoiced.
Accident Compensation Corporation (ACC) New Zealand	This claims summary provides the cost of counselling, service volumes, support duration, and types of counselling for the sensitive claims and sexual abuse claims from ACC NZ.

3 Population

In this section we catalogue the information used to build a picture of the population of children exposed to abuse in different institutional settings. This is important because:

- There can be long delays before child sexual abuse is disclosed
- The populations exposed in each setting have changed over time (for example between residential and foster care in the out of home care sector)
- It is important to understand the relative level of under-reporting in each institutional setting.

3.1 Populations by State

3.1.1 Child Population by State

The Australian Bureau of Statistics publishes the National population estimates by State/Territory and age since 1901. Table 3.1 below shows the average number of children aged between five and nineteen by decade and by State/Territory.

Table 3.1 – Average Child Population by Decade and State (000)⁵

Decade	State								AUS
	NSW	VIC	QLD	SA	WA	TAS	NT	ACT	
1930's	734	477	277	154	124	69	2	3	1,839
1940's	691	451	265	144	121	65	2	4	1,743
1950's	847	595	344	198	168	83	4	9	2,248
1960's	1,126	864	468	303	245	110	10	26	3,154
1970's	1,287	1,020	570	346	324	119	27	54	3,749
1980's	1,302	1,009	652	323	358	112	40	68	3,864
1990's	1,292	950	717	302	390	106	45	71	3,874
2000's	1,342	987	816	300	423	101	49	68	4,087

3.1.2 Indigenous Population by State

Based on figures published by the Australian Bureau of Statistics we have estimated the proportion of Indigenous Australians as a percentage of the total population in each State/Territory. These estimates are shown in Table 3.2 below.

Table 3.2 – Indigenous Population as a Proportion of Total Population (%)⁵

Decade	State								AUS
	NSW	VIC	QLD	SA	WA	TAS	NT ¹	ACT	
1930's	0.4%	0.1%	1.6%	0.4%	2.2%	0.1%	75.0%	0.6%	0.7%
1940's	0.4%	0.1%	1.3%	0.4%	2.0%	0.1%	75.0%	0.6%	0.7%
1950's	0.4%	0.1%	1.5%	0.4%	2.0%	0.0%	72.8%	0.5%	0.7%
1960's	0.4%	0.1%	1.7%	0.6%	2.4%	0.0%	51.7%	0.2%	0.8%
1970's	0.7%	0.3%	1.9%	0.7%	2.2%	0.5%	25.2%	0.3%	1.0%
1980's	0.9%	0.3%	2.2%	0.9%	2.5%	1.2%	23.1%	0.4%	1.3%
1990's	1.5%	0.4%	2.7%	1.3%	2.8%	2.6%	24.7%	0.8%	1.8%
2000's	2.0%	0.6%	3.2%	1.6%	3.0%	3.4%	25.4%	1.2%	2.2%

¹Northern Territory Indigenous population figures estimated for pre-1954 periods

⁵ Australian Bureau of Statistics – Australian Historical Population Statistics, 2014

The proportion of Indigenous Australians (and Indigenous children) varies by State. This is relevant because of differences in the prevalence of Indigenous children in out of home care and the impact that this might have on the residential care exposure in one State compared with another.

3.2 Child Population in Out of Home Care

3.2.1 Care Population after 1991

From 1997 the Australian Institute of Health and Welfare publishes figures on the number of children in out of home care by State. Earlier records (from 1991) are available upon request. The average figures for each State and nationally are summarised below in Table 3.3 and Table 3.4.

Table 3.3 – Average Number of Children in Facility Based Residential Care 1991-2013⁶

Years	State								AUS
	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	
1991-1994	370	669	235	52	68	65	5	10	1,474
1995-1999	286	564	167	126	40	73	10	17	1,282
2000-2004	296	447	61	154	43	76	24	11	1,111
2005-2009	289	391	259	124	114	36	49	16	1,278
2010-2013	426	481	614	152	261	24	41	23	2,021

Table 3.4 – Average Number of Children in Foster Care 1991-2013⁶

Years	State								AUS
	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	
1991-1994	1,622	1,213	2,142	565	893	255	26	78	6,793
1995-1999	3,960	2,103	2,212	817	982	316	109	95	10,593
2000-2004	7,479	3,535	3,360	1,310	1,145	404	215	174	17,622
2005-2009	11,597	4,497	6,007	2,065	1,480	593	357	330	26,924
2010-2013	16,346	5,460	7,158	2,806	2,095	909	508	555	35,835

By 1991 foster care had replaced residential care as the predominant setting for out of home care. Unfortunately we have only had access to limited statistics before 1991 on the number of children in out of home care.

Table 3.5 below compares the number of children in out of home care as a proportion of the total child population by State for Indigenous and non-Indigenous children. This information is based on figures published by the AIHW in their 1996/97 Child Protection Australia publication.

Table 3.5 – Indigenous vs Non-Indigenous Children in Out of Home Care⁶

State	No of Children			Rate per 1,000 children		
	Indigenous	Non-Indigenous	Total	Indigenous	Non-Indigenous	Total
NSW	1,270	4,147	5,417	25.6	2.7	3.4
VIC	304	3,089	3,393	30.5	2.7	3.0
QLD	549	166	715	11.7	2.0	2.5
WA	318	732	1,050	12.8	1.6	2.2
SA	219	930	1,149	22.9	2.7	3.2
TAS	39	422	461	5.5	3.6	3.7
ACT	28	145	173	20.8	1.8	2.1
NT	58	53	111	2.6	1.5	1.9
Australia	2,785	9,684	12,469	16.3	2.5	3.0

⁶ Australian Institute of Health and Welfare – Historical Child Protection Publications

Our key conclusions from this table are:

- The rate of Indigenous children in out of home care during this period is 7 to 10 times the level for non-Indigenous children
- Despite this large difference and the differences in the Indigenous population by State there is not a large difference in the number of children in out of home care per 1000 children by State. This was surprising and may not be indicative of earlier experience when there were different government policies in place.

3.2.2 Care Population Prior to 1991

We have not been able to find or access information on the numbers of children in out of home care prior to 1991 for each State. We have therefore used information compiled by Queensland in modelling the ex gratia scheme and extrapolated this to other States and also an Australia-wide level. In doing this extrapolation we:

- Assumed that the rate of Indigenous children in care was 10 times the rate for non-Indigenous children and this was consistent for each State
- Allowed for the Indigenous population proportions in each State from Table 3.2.

This approach implicitly assumes that the rate of children in out of home care was the same in each State historically adjusted only for the Indigenous population proportion.

The historical numbers including the actual figures from Queensland and the estimated figures for other States are summarised in Table 3.6 and Table 3.7 below.

Table 3.6 – Average Estimated Number of Children in Facility Based Residential Care 1946-1990⁷

Decade	State								
	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	AUS
1940's	2,639	1,736	1,033	481	552	253	17	8	6,719
1950's	2,631	1,843	1,069	520	612	259	28	11	6,974
1960's	2,918	2,238	1,213	636	786	285	69	26	8,171
1970's	2,971	2,351	1,304	740	802	276	121	61	8,626
1980's	1,338	1,040	666	366	333	115	70	41	3,969

Table 3.7 – Average Estimated Number of Children in Foster Care 1946-1990⁷

Decade	State								
	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	AUS
1940's	871	573	341	159	182	84	6	3	2,217
1950's	786	550	319	155	183	77	8	3	2,083
1960's	1,903	1,466	792	418	515	186	48	18	5,346
1970's	3,664	2,903	1,630	925	984	339	157	80	10,680
1980's	3,134	2,428	1,570	863	777	269	165	98	9,303

The above tables highlight the predominant role of residential care in the 1940's to 1960's and the relative decline after the 1970's. We note that the figures for residential based care and foster care are not mutually exclusive since many children would spend time in both settings and particularly in the 1940's to 1960's we would expect only a small proportion of children to have only been exposed in a

⁷ Department of Communities – Out of Home Care Population Estimate Model (QLD only)

foster care setting. We also note that these tables will overstate the exposure of children in care since some placements are for periods shorter than a year. Our analysis however is concerned with relative exposures over time rather than absolute levels of exposure so this does not impact our work.

3.3 School Student Population

The Australian Bureau of Statistics publishes the National school student statistics from 1956 split by year, State and operator (type of school – Government, Catholic and other independent). The average number of students by decade, State and operator are summarised in Table 3.8 to Table 3.10 below. Prior to 1962, the split between Catholic and Other Independent School student is not available and has been extrapolated from the available data.

Table 3.8 – Average Number of Full Time Equivalent Students – Government Schools (000)⁸

Decade	State								AUS
	NSW	VIC	QLD	SA	WA	TAS	NT	ACT	
1950's	544	372	219	147	108	60	3	6	1,459
1960's	656	497	263	198	142	71	7	15	1,849
1970's	788	610	324	231	195	78	19	33	2,279
1980's	770	564	372	199	209	68	25	40	2,247
1990's	718	497	409	174	224	62	26	38	2,148
2000's	746	536	457	170	230	62	29	36	2,266
2010's	748	545	498	166	243	58	29	35	2,322

Table 3.9 – Average Number of Full Time Equivalent Students – Catholic Schools (000)⁸

Decade	State								AUS
	NSW	VIC	QLD	SA	WA	TAS	NT	ACT	
1950's	150	115	55	22	25	8	1	4	379
1960's	181	141	68	26	30	10	1	5	463
1970's	187	152	76	27	34	10	3	10	498
1980's	206	172	84	32	41	11	4	15	565
1990's	208	167	93	36	51	12	4	15	588
2000's	237	182	111	45	61	13	5	17	672
2010's	246	196	137	48	67	15	5	17	731

Table 3.10 – Average Number of Full Time Equivalent Students – Other Independent Schools (000)⁸

Decade	State								AUS
	NSW	VIC	QLD	SA	WA	TAS	NT	ACT	
1950's	24	30	10	9	6	4	0	1	82
1960's	29	37	13	11	7	4	1	1	102
1970's	34	47	16	12	10	4	1	2	125
1980's	54	68	28	18	16	6	1	4	194
1990's	80	80	55	27	28	8	2	5	285
2000's	124	107	87	38	47	9	4	7	423
2010's	142	124	110	45	61	9	6	9	506

Catholic school students have represented around 20% of the student population throughout this period. The Government school student proportion has fallen from over 75% in the 1950's to under 70% in the 2010's with other independent schools increasing from around 5% to over 10% of all students.

⁸ Australian Bureau of Statistics – Schools, Australia (1960-2013)

3.4 Religious Institution Attendance

Table 3.11 below shows the number of Catholics regularly attending Mass at various survey dates. While we acknowledge this measure does not consider other church denominations, it has been considered as a proxy for relative levels of attendance at religious institutions such as churches over time.

Table 3.11 – Number of Catholics Attending Mass⁹

Year	Number of Catholics Regularly Attending Mass
1947	998,000
1954	1,525,129
1961	1,386,700
1978	1,081,529
1996	864,000
2001	764,310
2006	708,618
2011	578,000

According to these estimates, the number of Catholics regularly attending mass peaked at over 1.5 million in the 1950's and has gradually declined in the years following to less than 600,000 in 2011.

⁹ The Swag (Vol. 23, No. 3), Journal of the National Council of Priests of Australia

4 Profile of Sexual Abuse Victims

The profile of sexual abuse victims by institutional setting and State is used in a variety of ways in our work including:

- To extrapolate information on redress claims from State schemes to the National level covering all institutions.
- To estimate the proportionate split of claims in a National Redress Scheme between Government and non-Government sectors.
- To estimate the proportionate split of the claims in a National Redress Scheme between the different institution and organisation types including facility based residential care, education, foster care, other religious institutions (including churches) etc.

We had two sources of information on the profile of victims – the private session data and information derived from the Royal Commission’s claims project. Both of these are discussed below.

4.1 Private Session Profile

A selection of profiles from the private session information which are relevant to our work are shown in Table 4.1 and Table 4.2 below.

Table 4.1 – Private Sessions: State of Abuse

State	Number of Survivors	% of survivors
NSW	1313	36.9%
WA	371	10.4%
QLD	496	13.9%
VIC	921	25.8%
SA	225	6.3%
TAS	81	2.3%
ACT	56	1.6%
NT	29	0.8%
Overseas	5	0.1%
Unknown	66	1.9%
Total	3,563	100.0%

Table 4.2 – Private Sessions: Type and Operator of Institution

Institution Type	Operator		Total
	Govt	Non-Govt	
Residential Care	10.6%	25.1%	35.7%
Foster Care	7.7%	0.0%	7.7%
Education	6.1%	21.4%	27.4%
Other Religious Institutions	0.0%	14.9%	14.9%
Recreation / Sport	0.2%	3.6%	3.8%
Health and Allied	1.2%	0.6%	1.8%
Other/unknown	3.9%	4.8%	8.7%
Total	29.7%	70.3%	100.0%

There are a number of potential biases in this information since:

- It represents only those who have come forward to the Royal Commission and might not be representative of all those who have been subject to child sexual abuse in an institutional setting especially given the publicity about certain locations through the case studies.
- Given the long delay typically associated with abuse occurring and being disclosed, the Royal Commission private sessions are likely to under-represent abuse occurring more recently; this could mean that:
 - ▶ Foster care may be under-represented as since the 1980's the proportion of children in foster care has been growing compared with the proportion in residential care.
 - ▶ Faith-based institutions may be over-represented given the changes in out of home care as well as the declining number of ordained priests (the number of Catholic priests in Australia peaked at 3,895 in 1971, was above 3,800 from 1968 till the early 1980's and has declined by around 22% from its peak in 1971 to 2014)¹⁰. In addition to this, there has been a marked reduction in the proportion of Catholics who regularly attend Mass (approximately 63% in 1947, down to approximately 11% in 2011)¹¹.

4.2 Royal Commission Claims Project Profile

The profile of claims from the claims project is compared with the private session data in Table 4.3 and Table 4.4 below. The claims project collected sexual abuse claims resolved between 1995 and 2014 from various government bodies, institutions and general insurance groups including Catholic Church Insurance, Suncorp, Allianz, IAG, Ansvar and the Salvation Army as well as the Catholic redress schemes, Towards Healing and the Melbourne Response. Note that in presenting this profile, we have eliminated duplicate claims between the various claims sources where identifiable.

We have used text mining as well as research and investigation to allocate institutions to a sector. In doing this we allocated institutions based on the entity of the organisation operating the institution rather than the insurer. Note that some claims included multiple institutions – particularly multiple residential institutions or a combination of residential institutions and foster care. Where both residential and foster were included we allocated the claim to residential.

Table 4.3 – Claims Project vs Private Sessions: State of Abuse

State	Claims Project	Private Sessions
NSW	20.0%	36.9%
WA	11.3%	10.4%
QLD	12.5%	13.9%
VIC	40.7%	25.8%
SA	9.9%	6.3%
TAS	1.5%	2.3%
ACT	2.5%	1.6%
NT	0.8%	0.8%
Overseas	0.0%	0.1%
Unknown	0.7%	1.9%
Total	100.0%	100.0%

¹⁰ Australian Catholic Bishops Conference – Pastoral Research Office

¹¹ The Swag (Vol. 23, No. 3), Journal of the National Council of Priests of Australia

Table 4.4 – Claims Project vs Private Sessions: Type of Institution

Institution Type	Operator		Total Claims Project	Total Private Sessions
	Govt	Non-Govt		
Residential Care	8.3%	35.4%	43.7%	34.6%
Foster Care	1.7%	0.0%	1.7%	7.6%
Education	4.1%	30.1%	34.1%	28.1%
Other Religious Institutions	0.0%	15.1%	15.1%	16.6%
Recreation / Sport ¹	0.0%	0.0%	0.0%	4.2%
Health and Allied	0.5%	0.1%	0.6%	2.1%
Other / Unknown	3.1%	1.7%	4.9%	6.8%
Total	17.7%	82.3%	100%	100%

¹Nil Identifiable from claims project data

Our observations on this claims project information are that:

- With the notable exceptions of NSW and Victoria, the distribution by State is not inconsistent with the private session data.
- Residential Care is more heavily represented in the claims project data than in the private session data.
- There are very few identifiable foster care claims in the claims project data compared to the private session data (note that a number of the other/unknown claims in the claims project may be foster care and also where both residential and foster care settings were included on a claim we have allocated this to residential).
- The Government sector is less heavily represented in the claims project data than in the private session data.
- The claims project data does not contain full coverage of exposure outside the Government, Catholic and Salvation Army sectors especially for independent secular institutions and recreation/sport; however we do not believe the volume of claims from these missing exposures would be significant.

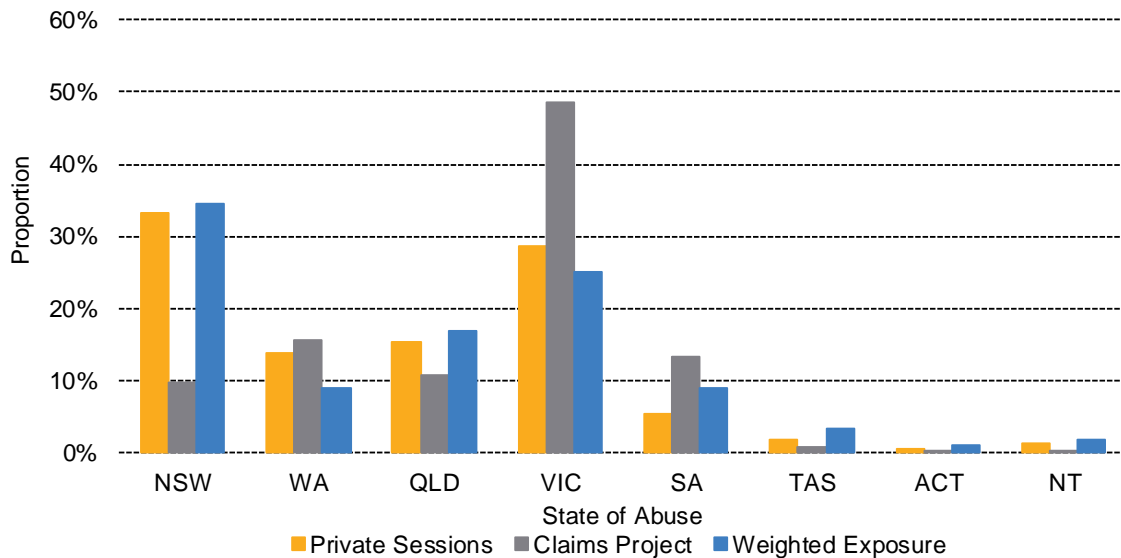
4.3 Estimated Profile of Claims

4.3.1 Over and Under Representation in the Data by State

In order to determine an appropriate estimate of the National profile of claims it is important to consider the potential biases and shortcomings of the known information.

Figure 4.1 below compares the proportion of out of home care claims (including foster care) represented in each State and Territory as well as a comparative measure of residential care exposure in each State. The exposure measure shown represents the proportion of children estimated to be in out of home care in each State since the 1940's, weighted by the incidence of abuse in each decade (based on the private session data).

Figure 4.1 – Out of Home Care: Child Sexual Abuse by State

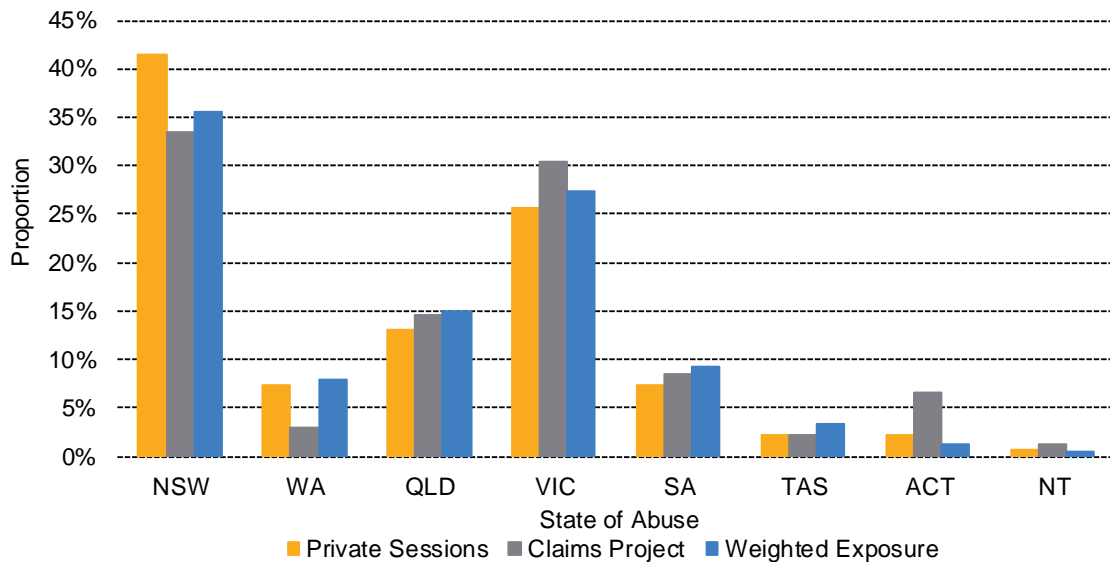


We observe the following:

- The claims project data appears to be materially under-represented in NSW compared to the private session information and the relative levels of estimated exposure. This is consistent with suggestions made in submissions to the Royal Commission regarding the difficulties of making claims in NSW.
- The claims project data appears to be over-represented in Victoria compared to the private session information and the relative levels of estimated exposure. This is at least partially explained by a disproportionately large number of Salvation Army claim records in Victoria, the majority of which relate to abuse originating from a small number of residential care facilities. Further to this, the higher observed representation of Victorian child sexual abuse claims from residential institutions may be in part influenced by the historical access of victims to the Catholic Melbourne Response redress scheme.
- There is a very low representation of identifiable foster care claims in the claims project data. This may affect the observed proportions of claims by State.
- Considering the shortcomings of the claims project data, the private session data appears to be more reasonable in determining an appropriate estimate of the relative incidence of abuse in out of home care by State and Territory.

Figure 4.2 below compares the proportion of education claims represented in each State and Territory as well as a comparative measure of education exposure in each State. The exposure measure shown represents the proportion of children in both Government and non-Government schools since the 1950's, weighted by the relative incidence of abuse in each decade.

Figure 4.2 – Education: Child Sexual Abuse by State

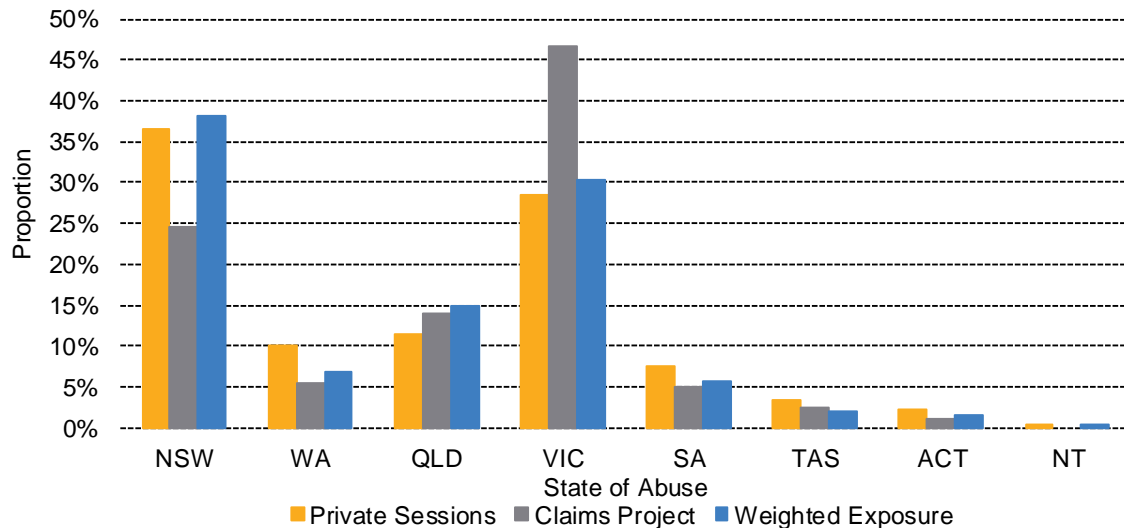


We observe the following:

- The representation of education claims by State is broadly similar under the claims project data and the private session data with some exceptions including greater representation in NSW in the private session data and greater representation in the ACT in the claims project data (albeit with relatively small volumes).
- Both the private session and claims project data are broadly consistent with the measure of exposure shown. This consistency provides some credibility to the estimated relative incidence of abuse in an educational setting by State.
- The claims project data may not contain complete coverage of independent schools claims data, particularly from non-Catholic sources. However, we note that other independent schools account for a relatively small proportion of total schools (ranging from 4% in the early 1960's to 14% in 2013). In addition to this, the student exposure representation of other independent schools in each State and Territory is not dissimilar to the student representation observed in Government and Catholic schools which are more comprehensively represented in the claims data.
- As such, both the private session data and the claims project data appear to be reasonable in determining an appropriate estimate of the relative incidence of abuse in educational settings by State and Territory.

Figure 4.3 below compares the proportion of claims arising from abuse in other religious institutions (such as churches, presbyteries etc.) represented in each State and Territory as well as a comparative measure of exposure in each State. There is some difficulty in determining an appropriate measure of exposure of children in the context of other religious institutions by State. The exposure measure used here represents the proportion of children in Catholic schools since the 1950's, weighted by the relative incidence of abuse in each decade. While there are some shortcomings to this measure of exposure, we consider that it remains a useful proxy for the number of children exposed in this context, particularly given the historically strong relationship between systemic Catholic schools (which represent a very large proportion of observed claims) and associated church congregations.

Figure 4.3 – Other Religious Institutions: Child Sexual Abuse by State



We observe the following:

- With the exception of NSW and Victoria, the proportion of claims by State arising from abuse in other religious institutions is broadly similar between the private session and claims project data as well as the chosen measure of exposure.
- The claims project data appears to be comparatively under-represented in NSW and over-represented in Victoria. The higher observed representation of Victorian child sexual abuse claims may be in part influenced by the historical access of victims to the Catholic Melbourne Response redress scheme.
- There are plausible arguments (yet difficult to measure) which suggest that faith based institutions, including other religious institutions, may be over-represented in the private session data due to the particular recent publicity of certain faith-based institutions and in particular, Catholic institutions. Despite this however, there is no indication that this possible over-representation, if it did exist, would be more prevalent in any particular State.
- As such, the private session data appears to be reasonable in determining an appropriate estimate of the relative incidence of abuse in the context of other religious institutions by State and Territory.

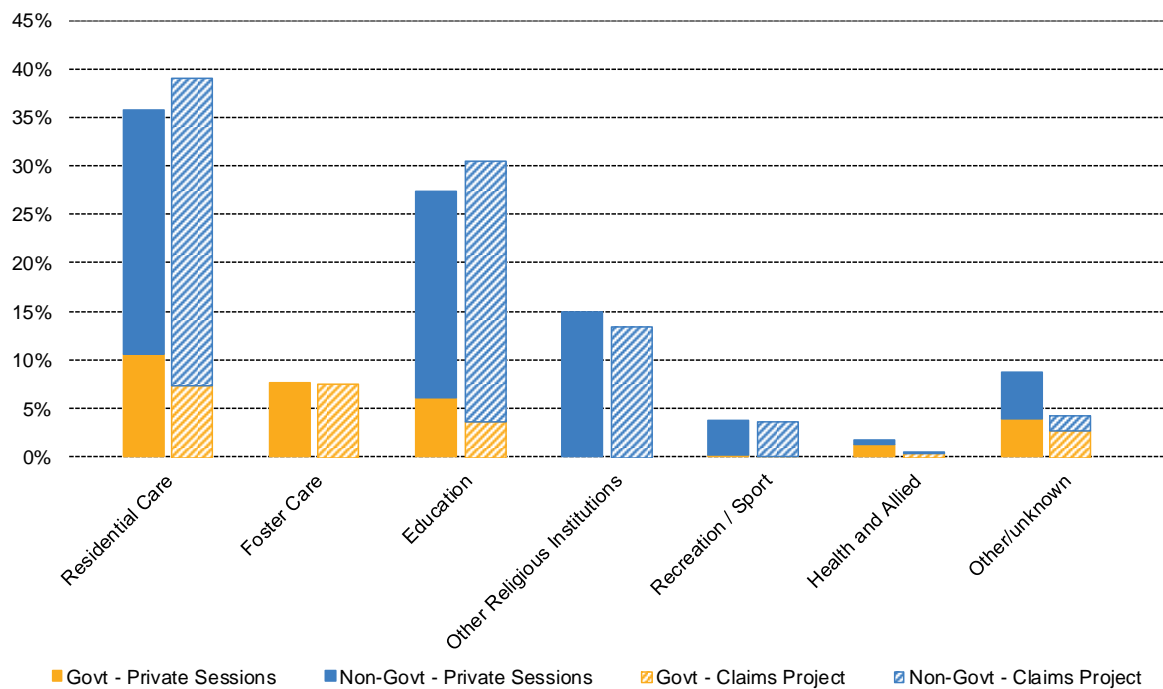
4.3.2 Over and Under Representation in the Data by Institution

Before comparing the private session and claims project data by institution we need to adjust the claims project data for the information by institution that is known to be excluded, particularly recreation/sport claims, and a proportion of foster care claims. In making these adjustments we assumed foster care and recreation/sport representation is as observed in the private session profile. While the claims project data may not contain complete coverage of non-government, non-Catholic claims in other institution types such as residential and education, we have not made any adjustment as we consider that the volume of missing claims information is relatively small; noting that at least one study has suggested that prevalence in non-Catholic settings is less than 20% of the Catholic sector¹².

Figure 4.4 compares the private sessions and claims data by institution type and by operator after making these adjustments.

¹² Child Sexual Abuse and the Churches: A Story of Moral Failure – Patrick Parkinson

Figure 4.4 – Child Sexual Abuse by Institution Type – After Adjusting Claims Data for Gaps



After adjustment, the proportions of child sexual abuse occurring in different institution types observed in the claims project data is broadly similar to the proportions observed in the private session data.

The residential care and education segment is more highly represented in the claims project data, particularly for the non-Government sector).

We have used both the private session information and the adjusted claims project information in our subsequent work.

4.3.3 Dealing with the Reporting Delays

It is well known that there can be a considerable delay between child sexual abuse occurring and being disclosed. This impacts both the private session and the claims project information. If exposure to sexual abuse in different institutional settings had been consistent over time then this would not impact our work (since we are trying to estimate the proportion of abuse in each setting not the absolute level). However we know that exposure has changed differently over time in the various settings (for example foster care has increased while residential care has reduced) and the prevalence of sexual abuse should also have changed with improved screening and risk management practices as well as a change in community attitudes.

In order to adjust both sets of data we have estimated “gross-up” factors for each institutional setting. It is important to understand that these gross-up factors are intended to allow for the relative level not the absolute level of under-reporting by institutional setting. Our approach to estimating the gross-up factors has been:

- Compile the claims data by period of abuse and delay to resolution by institution type – residential, education, other religious institutions and foster care
- Use an assumed reporting pattern to allow for unresolved/unreported claims

- Calculate the total number of claims per unit of exposure for each setting for each period of abuse
- Select a total number of claims per unit of exposure for each period of abuse noting that projected figures for more recent periods of abuse are the least reliable given the low number of resolved claims and the possible changes in reporting patterns in more recent periods.

Further detail of this estimation is included in Appendix A.

The adopted gross-up factors for each institution type and by operator are shown in Table 4.5 below.

Table 4.5 – Unreported/Unresolved Gross-up factors

Institution Type	Operator	
	Government	Non-Government
Residential Care	20%	20%
Foster Care	100%	n/a
Education	100%	30%
Religious Institutions	n/a	60%
Recreation / Sport	100%	100%
Health and Allied	100%	100%
Other/unknown	60%	60%

Generally, we have adopted higher gross-up factors for institution types with more recent exposures.

4.3.4 Adjusted Claims Profile

Table 4.6 below shows the institutional profile both before and after adjustment for reporting delays, based on the average of the private session and claims project data profiles.

Table 4.6 Adjusted Institutional Profile

Institution Type	Combined Profile	Grossed Up Profile
Residential Care	37%	31%
Foster Care	8%	11%
Education	29%	28%
Other Religious Institutions	14%	16%
Recreation / Sport	4%	5%
Health and Allied	1%	2%
Other/unknown	7%	7%
Total	100%	100%

Adjusting the profile for the relative reporting delay increases the representation of institution types with more recent exposures (foster care goes from 8% of all sexual abuse to 11%) and reduces the representation of older exposed institutions (residential care goes from 37% of all sexual abuse to 31%).

Table 4.7 below shows the State profile, both before and after adjustment for reporting delay. Due to the limitations of the claims project data in determining a State profile, we have only considered the private session data when looking at the State profile.

Table 4.7 Adjusted State Profile

State of Abuse	Private Sessions	Grossed Up Profile
NSW	37.6%	36.7%
WA	10.6%	10.7%
QLD	14.2%	14.2%
VIC	26.4%	26.8%
SA	6.4%	6.4%
TAS	2.3%	2.3%
ACT	1.6%	1.9%
NT	0.8%	1.0%
Total	100.0%	100.0%

Allowing for reporting delays for different institution types has a limited impact on the State profile.

5 Number of Redress Participants

We considered three Australian redress schemes - Redress WA, the Queensland ex gratia scheme and the Tasmanian Abuse in Care ex gratia scheme. These are each described in detail in the Commission report. To estimate the number of claims for a National Redress Scheme we have taken each of these schemes and adjusted the number of participants to allow for coverage in terms of the type of abuse and types of institutions covered. We then extrapolated each of these estimates to the National level based on population differences. Finally we considered whether a further adjustment for under-reporting should be included.

The previous Australian redress schemes should be the best indicator of the likely volume of participants in a National Redress Scheme where eligibility is based on a standard of proof well below the civil standard and with an administrative assessment process. Outcomes for a National Redress Scheme will be heavily dependent on the actual eligibility criteria and assessment process as well as the level of compensation so where we are extrapolating from an existing scheme we are assuming implicitly that these conditions will be similar.

5.1 Redress WA

The Redress WA scheme ran from 2008 to 2011 (applications open for one year and three months) and was open to adults who, as children, were abused in State care in a residential setting before 1 March 2006. The scheme covered physical, sexual, emotional or psychological abuse or neglect.

The scheme covered all facilities that were subsidised, registered, monitored or approved by the WA Government and included foster homes. While the standard of proof for access to the scheme was described as “balance of probabilities”, it is our understanding that in reality it was closer to “plausibility”. Originally payments were set in the range \$10,000 and \$80,000, however this range was reduced to \$5,000 to \$45,000 after the applications were received.

We understand that there is some criticism that the scheme was not open for long enough and that because of this some eligible survivors did not submit applications.

5.1.1 Abuse covered

Redress WA covered many types of abuse not only sexual. We received detailed information indicating the type of abuse for each participant of Redress WA. Table 5.1 below shows the numbers of claims at each payment tier as well as the mean and median payment amounts both for all participants and also for the participants whose abuse included sexual abuse.

Table 5.1 – Redress WA Payment Summary¹

Payment Tier	All Abuse		Sexual Abuse	
	Payments Made	Amount Paid (\$000)	Payments Made	Amount Paid (\$000)
1 - \$5,000	861	4,305	258	1,289
2 - \$13,000	1,813	23,569	759	9,797
3 - \$28,000	1,505	41,916	925	25,892
4 - \$45,000	1,123	50,535	949	42,691
Total	5,302	120,325	2,891	79,669
Mean Payment Amount (\$)		22,694		27,558
Median Payment Amount (\$)		13,000		28,000

¹Includes 90 Country High School Hostel payments which had slightly different payment tier levels

Of the 5,300 Redress WA participants, around 2,900 (55%) involved sexual abuse. This figure compares with just 228 claims for WA from the claims project from residential or foster care (another 76 have institution unknown and a large proportion of these are probably from out of home care) and 208 individuals from the private sessions. The large disparity in these numbers (possibly 10 to 14 times more Redress WA participants than civil claims) highlights the dangers of using any information on sexual abuse civil claim reports to date to predict the number of participants in a redress scheme.

5.1.2 Institutions Covered

Redress WA covered most residential institutions (Government and non-Government run) as well as foster care. From Section 4 we estimate that child sexual abuse from residential care and foster care represents between 56% (private session profile) and 69% (claims profile) of all institutional child sexual abuse in WA.

5.1.3 Extrapolation to National Position

We have used two sources of population exposure figures which give the following:

- Child population figures from Section 3 suggest that the WA exposure is 8% of the National position
- The private session data (discussed in Section 4) suggests that the WA exposure is 11% of the National position.

We have adopted a population for WA of between 8% and 11% of the National level.

5.1.4 Late Reporting

Anecdotally we understand that some eligible participants did not make applications to Redress WA because the scheme was open only for one year and three months. We have seen from the Irish scheme that reporting patterns are heavily impacted by cut-off dates. That scheme was initially open for three years and there were:

- 14,500 applications received before the initial scheme closure date in December 2005 with 6,000 of these applications received in the six weeks prior to the closure date
- A further 2,800 late applications received over the next six years of which 2,200 were accepted into the scheme (i.e. a further 15% of accepted applications); more than half of the late applications were received in the year before final close-off.

Reporting cut-off dates have significant behavioural impacts in terms of reporting. It is unclear that being open for one year rather than three years would have a significant impact on reporting. To allow for potential under-reporting we have increased the Redress WA reports by between 15% and 30%. The 30% figure may be thought of as also allowing a higher proportion of sexual abuse than reported (anecdotally we understand that it is possible some participants may not have disclosed sexual abuse since the scheme covered other types of abuse).

We tested the suitability of the factors for under-reporting by analysing the rate of abuse by decade from the Redress WA reports. Combining this with a reporting pattern gave an estimate of the proportion of abuse which might not have been reported to the scheme. This analysis supported the under reporting factors adopted and can be found in Appendix B.

5.1.5 National Estimates based on Redress WA

Table 5.2 below summarises the calculations described above.

Table 5.2 – Adjusted Redress WA Extrapolation to National Redress Scheme

Total Number of Participants	5,300							
Sexual Abuse Participants	2,900							
	(Based on Redress WA participant database)							
Coverage	56%				69%			
	Private Sessions (WA)				Claims Project (WA)			
Grossed up for Coverage	5,200				4,200			
WA Population	8%		11%		8%		11%	
	Child Population		Private Sessions		Child Population		Private Sessions	
Grossed up to National	63,200		48,400		51,100		39,100	
Under Reporting	15%	30%	15%	30%	15%	30%	15%	30%
	Irish	Irish x 2	Irish	Irish x 2	Irish	Irish x 2	Irish	Irish x 2
National Estimate	72,700	82,200	55,700	62,900	58,800	66,400	45,000	50,800

The extrapolated number of participants for a National Redress Scheme ranges from 45,000 to 82,000. The wide range results mainly from the much lower coverage ratio implied by the private session data (56%) compared with the claims project (69%).

5.1.6 Adjustment for Indigenous Population Difference

The final Redress WA report notes that 51% of participants were Indigenous. From the more detailed information on participants we know that around 44% of participants where the type of abuse included sexual abuse were Indigenous. By 1996/97, the proportion of children in out of home care in WA that were Indigenous was around 30%¹³. Considering the changes in government policies since the key exposure periods, a figure of 44% does not appear unreasonable as representative of the proportion of Indigenous children in out of home care over the key exposure periods.

We understand that the proportion of Indigenous people who have come forward in the private sessions is lower than implied by the high representation in the Redress WA experience. Using this information to gross-up the Redress WA information may therefore overstate the National position. In Section 3 we calculated that the Indigenous population proportion in WA was 2.3% over the key exposure periods compared with 1% nationally. We have therefore adjusted the number of Redress WA participants for the Indigenous population difference before extrapolating to the National level. The adjustment factor was calculated as $44\% \times 1.0\% / 2.3\% + 56\% = 75\%$. This reduces the number of participants in Redress WA to 2,200 (i.e. normalised to National Indigenous exposures).

When grossing up this adjusted figure for coverage it is appropriate to use a National coverage ratio rather than a WA specific coverage ratio.

¹³ Australian Institute of Health and Welfare – Historical Child Protection Publications

Table 5.3 – Adjusted Redress WA Extrapolation to National Redress Scheme

Total Number of Participants	5,300							
Sexual Abuse Participants	2,900							
	(Based on Redress WA participant database)							
Indigenous Representation	44%							
	(Based on Redress WA participant database)							
WA Indigenous Population	2.3%							
National Indigenous Population	1.0%							
Indigenous Adjustment Factor	75%							
Adjusted Participants	2,200							
Coverage	44%				46%			
	Private Sessions (National)				Claims Project (National)			
Grossed up for Coverage	5,000				4,800			
WA Population	8%		11%		8%		11%	
	Child Population		Private Sessions		Child Population		Private Sessions	
Grossed up to National	60,800		46,500		58,400		44,700	
Under Reporting	15%	30%	15%	30%	15%	30%	15%	30%
	Irish	Irish x 2	Irish	Irish x 2	Irish	Irish x 2	Irish	Irish x 2
National Estimate	69,900	79,000	53,500	60,500	67,200	75,900	51,400	58,100

The extrapolated number of participants for a National Redress Scheme ranges from around 51,000 to 79,000. The bottom of the range is slightly higher than the original extrapolation but the range of estimates is narrower.

5.2 Queensland ex gratia Scheme

The Queensland ex gratia scheme ran from 2007 to 2010 (applications open from 1 October 2007 to 30 September 2008) and was open to persons experiencing abuse or neglect in detention or in licensed Government or non-Government children's institutions covered by the Forde inquiry. It did not cover foster care, institutions providing care for children with disabilities or acute health problems. Applicants were required to have been released from care and to have turned 18 years of age on or before 31 December 1999. There was no assessment of the plausibility of abuse or neglect for Level 1 payments. A greater burden of proof was required for Level 2 payments with an assessment of the extent of the severity and impact of abuse. Payments were set in the range of \$7,000 and \$40,000.

5.2.1 Abuse covered

The Queensland ex gratia scheme covered neglect as well as both physical and sexual abuse. Table 5.4 below shows the numbers of claims at each payment tier as well as the mean and median payment amounts.

Table 5.4 – Queensland ex gratia Payment Summary

Payment Tier	Payments Made	Payment Level (\$)	Amount Paid (\$000) ¹
Level 1 only	3,676	7,000	25,732
Level 1 + Level 2 - 1	1,455	13,000	18,915
Level 1 + Level 2 - 2	1,254	21,000	26,334
Level 1 + Level 2 - 3	616	29,000	17,864
Level 1 + Level 2 - 4	167	40,000	6,680
Total	7,168		95,525
Mean Payment Amount (\$)			13,327
Median Payment Amount (\$)			7,000

¹Excludes deferred Level 1 payments to applicants who were unsuccessful for Level 2 payments

Of the 3,492 participants who received both Level 1 and Level 2 payments, we know that around 1,800 (52%) experienced sexual abuse. We do not have detailed information for the type of abuse experienced by the 3,676 participants that received a Level 1 payment only (referred to here as Level 1 payments for brevity), however, we did receive a sample of more than 120 Level 1 payment applications. This sample suggests that around 16% of Level 1 payment participants disclosed experiencing sexual abuse. Anecdotally we understand that some Level 1 payment participants may not have disclosed the full extent of the abuse experienced while in care (including sexual abuse) as this was not required to obtain an ex gratia payment and disclosure of this abuse may have been a cause of unnecessary re-traumatisation. As such, we have assumed that 20% of participants receiving Level 1 payments experienced sexual abuse. This suggests a total of around 2,600 (36%) of participants in the Queensland ex gratia scheme experienced sexual abuse.

5.2.2 Institutions Covered

The Queensland ex gratia scheme covered residential institutions (Government and non-Government run) and juvenile detention facilities covered under the Forde Inquiry. From Section 4 we estimate that these institutions represent around 34% to 35% of all institutional child sexual abuse in Queensland.

5.2.3 Extrapolation to National Position

The population figures in Section 3 together with the profile information in Section 4 suggest that the Queensland exposure is:

- 15% of the National position (based on child population statistics)
- 14% of the National position (based on the private session data).

We have adopted a population for Queensland of between 14% and 15% of the National level.

5.2.4 Late Reporting

We understand that the Queensland ex gratia scheme was only open for one year and have made the same allowance for under-reporting as for Redress WA (i.e. between 15% and 30%).

5.2.5 National Estimates based on Queensland ex gratia

Table 5.5 – Queensland ex gratia Extrapolation to National Redress Scheme

Total Number of Participants	7,200							
Sexual Abuse Participants	2,600							
	(Based on QLD ex gratia participant database and Level 1 only sample)							
Coverage	35%				34%			
	Private Sessions (QLD)				Claims Project (QLD)			
Grossed up for Coverage	7,500				7,600			
QLD Population	15%		14%		15%		14%	
	Child Population		Private Sessions		Child Population		Private Sessions	
Grossed up to National	49,400		52,800		50,100		53,500	
Under Reporting	15%	30%	15%	30%	15%	30%	15%	30%
	Irish	Irish x 2	Irish	Irish x 2	Irish	Irish x 2	Irish	Irish x 2
National Estimate	56,800	64,200	60,700	68,600	57,600	65,100	61,500	69,600

The extrapolated number of participants for a National Redress Scheme ranges from 57,000 to 70,000.

5.2.6 Adjustment for Indigenous Population Difference

We know that Queensland also had a higher than average Indigenous population in the exposure period for residential care. Based on the detailed information on participants receiving both Level 1 and Level 2 payments we know that around 30% of these participants were Indigenous Australians.

The Indigenous population proportion for Queensland was 1.8% over the key exposure periods compared with 1% nationally. We have therefore adjusted the number of participants for the Indigenous population difference before extrapolating to the National level. The adjustment factor was calculated as $30\% \times 1.0\%/1.8\% + 70\% = 86\%$.

As with Redress WA we have then replaced the coverage proportions with the National figures rather than the Queensland figures.

Table 5.6 reiterates the previous calculations allowing for the Indigenous adjustment.

Table 5.6 - Adjusted Queensland ex gratia Extrapolation to National Redress Scheme

Total Number of Participants	7,200							
Sexual Abuse Participants	2,600							
	(Based on QLD ex gratia participant database and Level 1 only sample)							
Indigenous Representation	30%							
	(Based on QLD ex gratia participant database)							
QLD Indigenous Population	1.8%							
National Indigenous Population	1.0%							
Indigenous Adjustment Factor	86%							
Adjusted Participants	2,200							
Coverage	32%				34%			
	Private Sessions (National)				Claims Project (National)			
Grossed up for Coverage	6,900				6,400			
WA Population	15%		14%		15%		14%	
	Child Population		Private Sessions		Child Population		Private Sessions	
Grossed up to National	45,500		48,500		42,200		45,000	
Under Reporting	15%	30%	15%	30%	15%	30%	15%	30%
	Irish	Irish x 2	Irish	Irish x 2	Irish	Irish x 2	Irish	Irish x 2
National Estimate	52,300	59,200	55,800	63,100	48,500	54,900	51,800	58,500

After making the adjustment for the Indigenous population the extrapolation of the Queensland ex gratia scheme gives a National Redress participant range of 49,000 to 63,000 which is lower than the original extrapolation.

5.3 Tasmanian Abuse in Care ex gratia Scheme

The Tasmanian abuse in care ex gratia scheme operated for 10 years over four separate rounds and was open to persons who experienced sexual, physical or emotional abuse while in State care, including foster care. While later descriptions of the standard of proof for access to the scheme referred to “balance of probabilities”, it is our understanding that in reality it was closer to “plausibility”.

5.3.1 Abuse covered

The Tasmanian abuse in care ex gratia scheme covered sexual, physical or emotional abuse. Table 5.7 below shows the numbers of claims and payments for each round as well as the mean payment amounts.

Table 5.7 – Tasmanian abuse in care ex gratia Payment Summary

Round	Payments Made	Amount Paid (\$)	Average Payment (\$)
1 (2003-04)	247	9,400,000	38,057
2 (2005-06)	423	14,600,000	34,515
3 (2007-10)	784	25,300,000	32,270
4 (2011-13)	394	5,500,000	13,959
Total payments	1,848	54,800,000	29,654

In Round 4 of the scheme, the maximum payment was reduced from \$60,000 to \$35,000 and this is reflected in the lower average payment for this round.

We know that in Round 4 of the scheme, 42% of participants disclosed experiencing sexual abuse while in care.¹⁴ While we have not received any comprehensive information regarding Round 1 to Round 3 of the scheme, we did receive a sample of more than 260 participants from the four rounds. This sample suggested that around two thirds (66%) of participants experienced sexual abuse which is much higher than what we know about Round 4 of the scheme (42%), Redress WA (55%) and Queensland ex gratia (36%) where we have more complete information. Given this, we have assumed that around 780 (42%) of Tasmanian abuse claims involved sexual abuse, consistent with Round 4 of the scheme.

5.3.2 Institutions Covered

The Tasmanian ex gratia scheme covered most residential institutions as well as statutory foster care (not informal foster care). From Section 4 we estimate that child sexual abuse from these institutions represents around 30% (in each of the claims profile and private session profile) of all institutional child sexual abuse in Tasmania.

5.3.3 Extrapolation to National Position

The population figures in Section 3 together with the profile information in Section 4 suggest that the Tasmanian exposure is:

- 3.3% of the National position (based on child population statistics)
- 2.3% of the National position (based on the private session data)

We have adopted a population for Tasmania of between 2.3% and 3.3% of the National level.

5.3.4 Late Reporting

As the Tasmanian ex gratia scheme was open over 10 years, there would have been considerable opportunity for eligible participants to make claims. As such we have not made any explicit allowances for additional late reporting.

5.3.5 National Estimates based on Tasmania Abuse in Care ex gratia

Table 5.8 – Tasmania ex gratia Extrapolation to National Redress Scheme

Total Number of Participants	1,800			
Sexual Abuse Participants	780			
	(Estimated based on Round 4 payments)			
Coverage	30%		30%	
	Private Sessions (Tas)		Claims Project (Tas)	
Grossed up for Coverage	2,600		2,600	
TAS Population	3%	2%	3%	2%
	Child Population	Private Sessions	Child Population	Private Sessions
Grossed up to National	77,800	115,400	77,800	115,400
Under Reporting	No Allowance			

¹⁴ Review of Claims of Abuse of Children in State Care: Final Report – Round 4 November 2014

The extrapolated number of participants for a National Redress Scheme ranges between 78,000 and 115,000. The wide range is driven primarily by the different population proportions and especially the relatively low proportion implied by the private session data.

If we assumed a higher proportion of the Tasmanian claims involved sexual abuse in line with the limited claim sample (66% instead of 42%), this would increase these estimates by over 50%. The potentially wide range of results using the Tasmanian scheme highlights the significant uncertainties involved in extrapolating small populations to National levels.

5.4 Adopted National Participants

Considering the analysis described in this section, we have adopted an indicative number of participants to a National Redress Scheme of 60,000. This is around the average of the ranges extrapolated from Redress WA and Queensland ex gratia schemes but is lower than the range extrapolated from the Tasmanian abuse in care ex gratia scheme. In adopting an indicative figure we have relied heavily on the Redress WA and Queensland ex gratia extrapolations since:

- We have the most complete data for these two schemes and are therefore making fewer assumptions (compared with the Tasmanian abuse in care ex gratia scheme)
- Both these schemes are larger than the Tasmanian scheme and as such the extrapolations are likely to be more reliable.

The sensitivities in Section 11 present a range of participants of between 40,000 and 80,000. This represents a range of around 33% above and below the indicative figure. The extrapolated ranges represent a wider spread than this and demonstrate the uncertainty in the indicative number of participants. In view of the uncertainties involved, outcomes outside the sensitivity range considered are also plausible. We have noted in Section 1 some of the risks of extrapolating participants of a National Redress Scheme from the State schemes and especially the risk that such an extrapolation might understate the actual outcome. Understanding these risks is important when designing (and implementing) the detail of a National Redress Scheme.

5.4.1 Indicative Participants by State and Institutional Setting

Table 5.9 and Table 5.10 take the indicative number of participants and distribute this by State and institution type using the profile developed in Section 4¹⁵.

Table 5.9 – National Estimated Participant Volumes by State and Operator Type

State / Territory	Govt ¹	Non-Govt	Total
NSW	7,150	14,730	21,880
WA	2,300	4,110	6,410
QLD	2,950	5,520	8,470
VIC	5,290	10,690	15,980
SA	1,150	2,650	3,800
TAS	590	1,160	1,750
ACT	290	840	1,130
NT	240	340	580
Total	19,960	40,040	60,000

¹Note that the Government includes both State and Federal Government operated institutions

¹⁵ The estimated number of Tasmanian participants is higher than implied in the State / institution profiles presented in Section 4 applied to 60,000 participants nationally. The Tasmanian allocation has been adjusted for consistency with the volume of participants estimated to have participated in the Tasmanian abuse in care ex gratia scheme.

Table 5.10 – National Estimated Participant Volumes by Institution and State

Institution Type	State of Abuse ¹								Total
	NSW	WA	QLD	VIC	SA	TAS	ACT	NT	
Residential Care	6,050	2,610	2,890	5,390	950	630	130	290	18,940
Foster Care	2,060	890	990	1,840	320	210	40	100	6,450
Education	6,970	1,310	2,290	4,490	1,230	360	470	130	17,250
Other Religious Institutions	3,330	960	1,070	2,700	690	300	250	40	9,340
Recreation / Sport	1,180	190	430	720	280	90	80	0	2,970
Health and Allied	320	90	120	300	40	40	0	0	910
Other	1,970	360	680	540	290	120	160	20	4,140
Total	21,880	6,410	8,470	15,980	3,800	1,750	1,130	580	60,000

¹Note that the Government includes both State and Federal Government operated institutions

6 Severity of Abuse

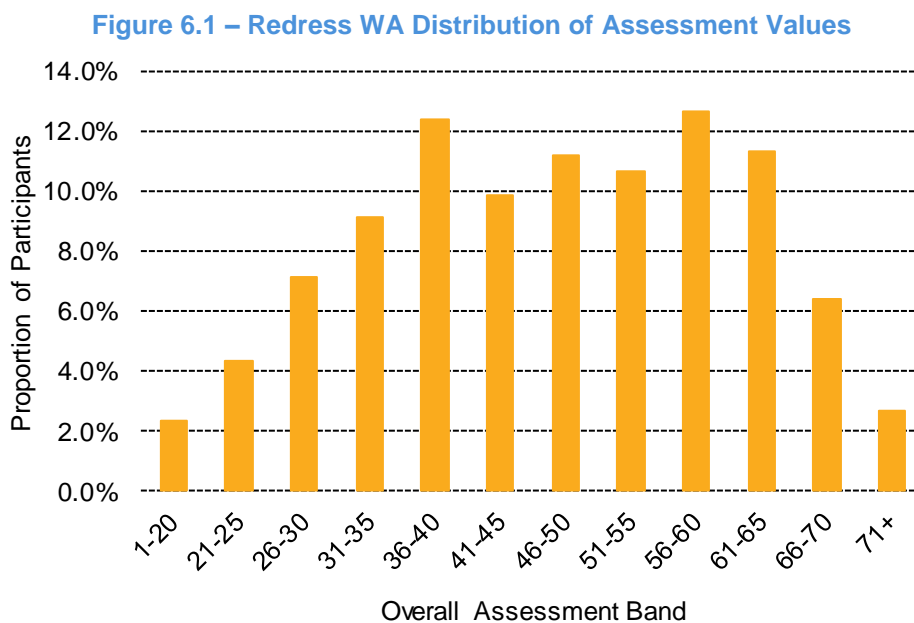
The purpose of this section is to examine the likely severity of sexual abuse suffered by the participants of a National Redress Scheme.

6.1 Redress WA

We were provided with the assessment values for all Redress WA participants as well an indication of the type of abuse. Redress WA participants were assessed under four categories with a maximum value of 20 in each. The categories were:

- Severity of abuse/neglect
- Compounding or ameliorating factors
- Consequential harm
- Aggravating factors

Figure 6.1 below shows the proportion of participants in bands of assessment values between 1 and 80. It relates only to participants where the type of abuse included sexual abuse.



This indicates that:

- 2% of participants received an overall assessment of 20 or less
- 23% of participants received an overall assessment of 35 or less
- 56% of participants received an overall assessment of 50 or less
- 80% of participants received an overall assessment of 60 or less
- 3% of participants received an overall assessment over 70

We have used this severity distribution in our subsequent modelling of different payment options.

6.2 Non-Residential Care Severity

Redress WA covered only residential care (including foster care). The National Redress Scheme is intended to cover all institutional settings. We have used information from Towards Healing to investigate differences in severity for different institutional settings (based on payment outcomes).

From review of the claims information and research into the schemes we understand that under Towards Healing financial reparation is negotiated through facilitation. There are no specified monetary limits, or categories of payment, however there are very few claims greater than \$200,000 (around 3% of claims). To look at the payment distribution we capped claims at \$200,000.

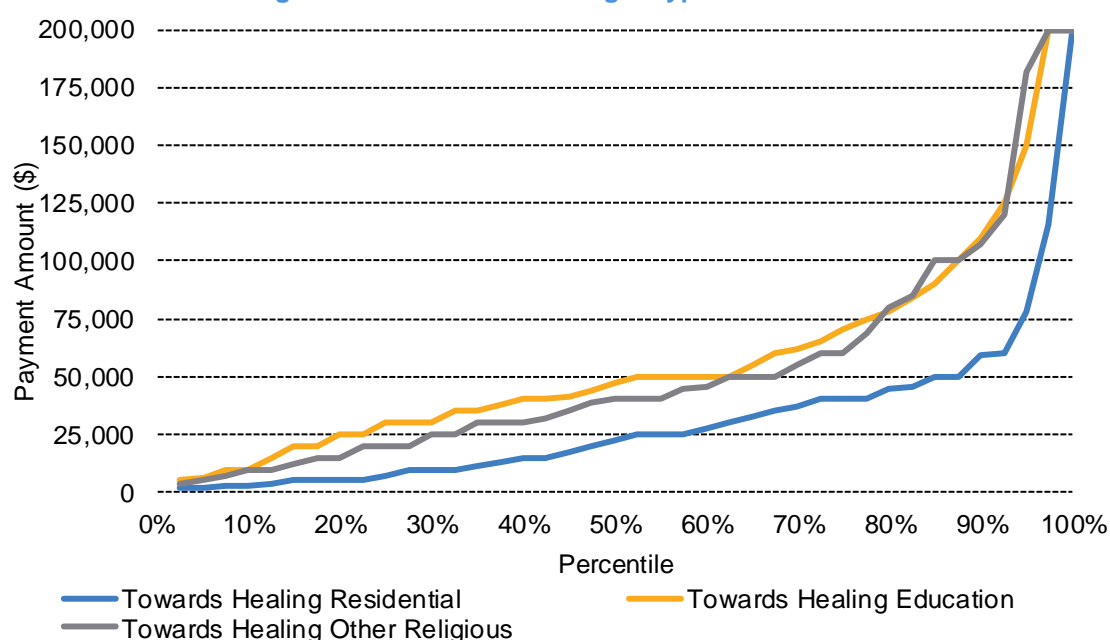
Table 6.1 below shows the number of claims resolved in five yearly bands for Towards Healing. Only resolved claims where a known compensation amount was recorded have been considered.

Table 6.1 – Claims Resolved Under Towards Healing

Resolution Period	Towards Healing
1995-1999	14
2000-2004	205
2005-2009	338
2010-2014	314
Unknown	10
Total	881
Total Payments (\$m)	\$42.5
Average Payment	\$48,300
Average Payment (capped at \$200k)	\$45,000
Median Payment	\$35,000

We sorted payments from Towards Healing from the lowest to the highest payment amount within each institutional setting (residential, education and other religious institutions). Figure 6.2 below shows the resulting payment distributions.

Figure 6.2 – Towards Healing – Type of Institution



If payment amount is an appropriate measure of severity, the Towards Healing information suggests that the severity of abuse was on average less for claimants from an institutional setting compared with an education or other religious setting. Average payments (capped at \$200,000) are approximately \$30,000, \$55,000 and \$50,000 respectively.

We note that this outcome is inconsistent with private session information about the type of sexual abuse by institutional setting which points to a higher severity of abuse in residential settings compared with education and other religious institutions.

7 Payment Scales

The Royal Commission asked us to model a payment scale with a maximum of \$200,000 a minimum payment of \$10,000 and an average payment of \$65,000. The Royal Commission also asked us to model a payment assessment process which gives:

- Values of up to 40 for the severity of abuse
- Values of up to 40 for the impact of abuse
- Values of up to 20 for additional elements.

In this section we examine the potential impact of the assessment process on the severity distribution and the shape of the payment scale to achieve an average payment amount of \$65,000.

7.1 Payment Assessment Process

The information on Redress WA participants included the individual values within each assessment category. The categories used and the scale of values does not coincide exactly with the payment assessment process discussed in the Commission report. To understand the potential impact of the assessment process we transformed the Redress WA values into indicative National Redress Scheme values by:

- Mapping individual assessment categories from Redress WA to the categories discussed in the Commission report (note that not all categories were mapped)
- Scaling the Redress WA values to be consistent with the maximum values discussed in the Commission report (for example the individual categories mapped from Redress WA to “severity of abuse” had a maximum value of 20 so the total assessment for a participant was grossed-up by 40/20).

The diagram below summarises the mapping used.

Figure 7.1 – Mapping Redress WA Assessments to a National Redress Scheme

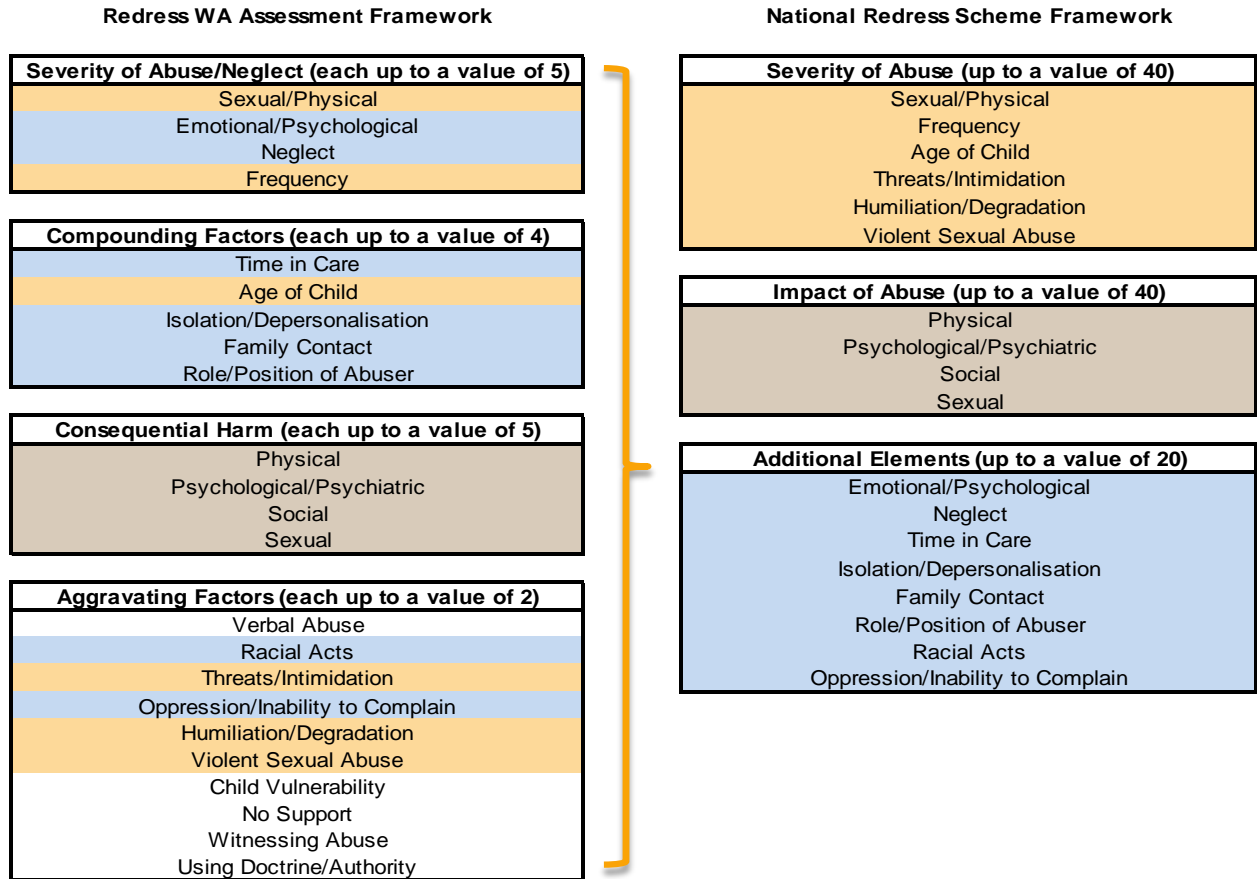
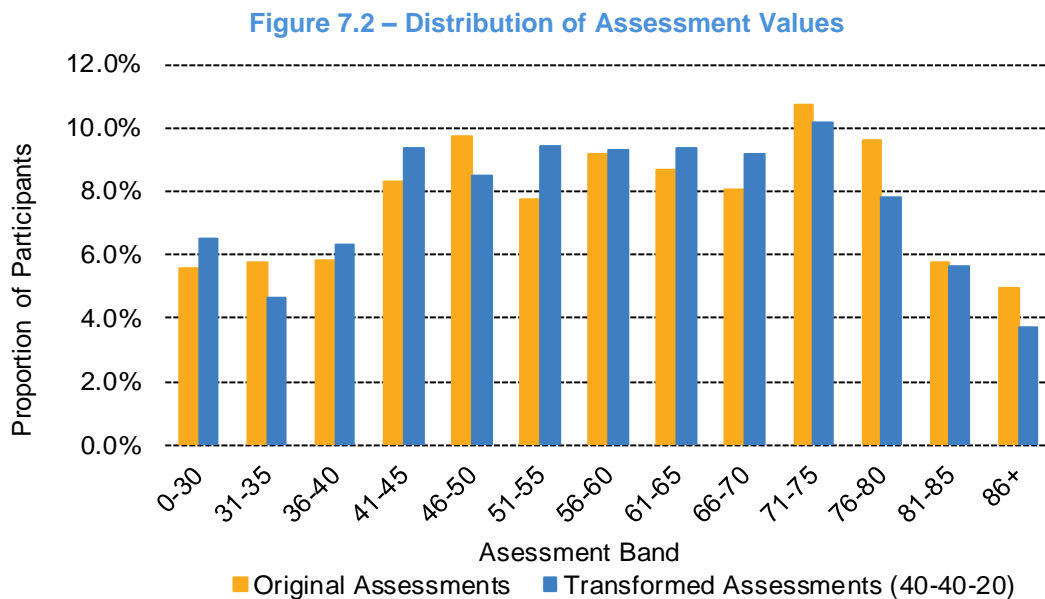


Figure 7.2 shows the resulting distribution of participants by assessment band with the maximum combined amount now being 100. This is compared with the distribution of the original assessment from Redress WA scaled up by a factor of 100/80.



The transformation does not have a major impact on the distribution (after scaling up Redress WA assessments to 100). Note that we looked at the sensitivity of this distribution to the inclusion and

exclusion of different assessment categories from the mapping and this did not have a major impact. This does not mean that there is not uncertainty in mapping the Redress WA assessments to a National Redress Scheme since there is inherent subjectivity in any assessment and outcomes are dependent on how a scheme interprets and applies assessment values.

7.1.1 Allowing for Non-Residential Care

All the Redress WA participants are from a residential care setting (including foster care). Therefore the distribution derived previously relates to this setting. A number of the additional elements (e.g. time in care, isolation, family contact) will tend to have more relevance in a residential care setting compared with other institutional settings. We might expect that assessments for this category will be higher for participants from a residential care setting compared with other settings. The information from Towards Healing suggests that the severity of claimants from education and religious settings is higher than the severity of claimants from a residential care setting (based on the payment amount). This might indicate that assessments for severity and impact of abuse will be higher for participants from these settings (although we note that there is some conflicting information from the private sessions on this).

Considering all of the above we have adopted the assessment distribution shown in Figure 7.2 for all participants in examining the shape of the payment scale discussed in the Commission report.

7.2 Payment Scale

Figure 7.3 and Table 7.1 below indicate the shape of the payment scale required to achieve an average monetary payment of \$65,000 assuming a minimum payment of \$10,000 and a maximum payment of \$200,000.

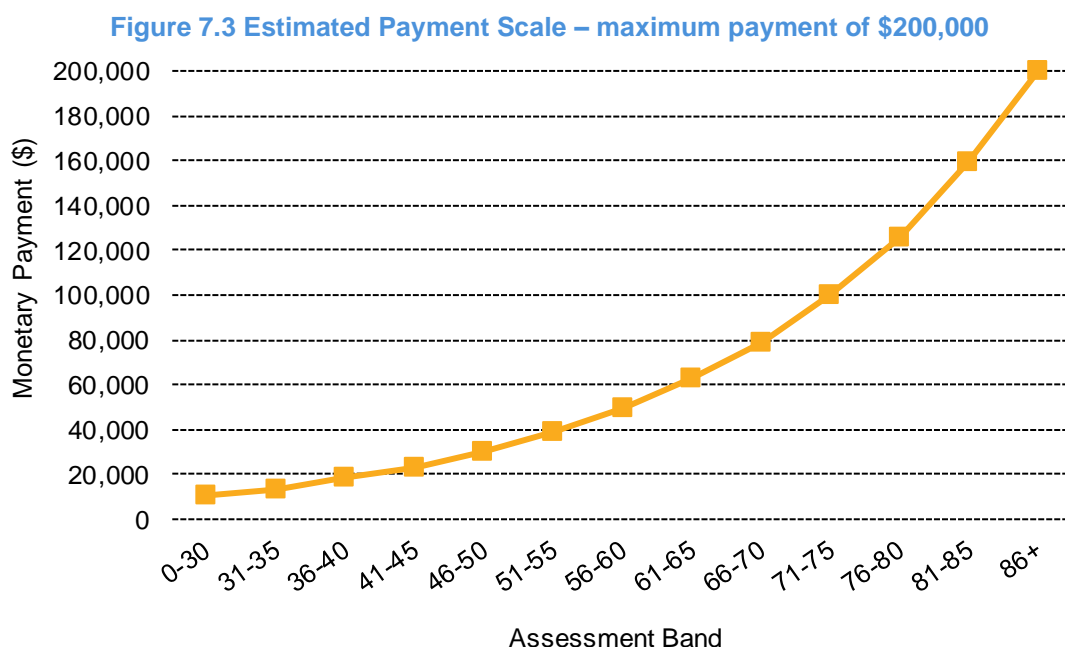


Table 7.1 - Estimated Payment Scale – maximum payment of \$200,000

Assessment Value	Proportion Participants	Cumulative Proportion	Average payment
0-30	7%	7%	10,000
31-35	5%	11%	13,000
36-40	6%	17%	18,000
41-45	9%	27%	23,000
46-50	9%	35%	30,000
51-55	9%	45%	39,000
56-60	9%	54%	49,000
61-65	9%	63%	63,000
66-70	9%	73%	79,000
71-75	10%	83%	100,000
76-80	8%	91%	126,000
81-85	6%	96%	159,000
86+	4%	100%	200,000
Total	100%		65,000

Under this payment scale 7% of participants with the lowest assessments (values of 30 or less) receive the minimum payment and the 4% of participants with the highest assessments (values of more than 85) receive the maximum payment. The outcome of this payment scale is that a higher proportion of total payments are directed to those most seriously affected by abuse and a lower proportion of total payments are directed to those least seriously affected by abuse. For example the 54% of participants with an assessment value of 60 or less receive around 24% of total monetary payments while the 46% of participants with an assessment value over 60 receive around 76% of total monetary payments.

7.3 Payment Scale Considerations

The minimum and maximum payments as well as the payment scale are a policy matter. From a risk perspective the following considerations are relevant:

- A higher minimum payment (combined with the eligibility criteria, assessment process and evidence requirements) is likely to result in more participants than a lower minimum payment.
- Bracket creep (i.e. higher assessment values than anticipated) is a large risk to the National Redress Scheme and this is exacerbated where increases in payment amounts are large for each additional value; this suggests a more rigorous assessment and evidentiary process as values (and payments) increase.
- More generous assessments over time (often called “superimposed inflation” in compensation schemes); this suggests that assessment processes should where possible be objectively based and carefully monitored over time.

7.4 Indicative Cost of Monetary Payments

Combining the indicative number of participants to a National Redress Scheme (60,000) with an average monetary payment of \$65,000 gives an indicative cost of monetary payments of \$3.9 billion.

7.4.1 Redress Already Paid

Monetary payments have already been made to a number of victims of institutional child sex abuse through Government and non-Government redress schemes, Victims of Crime schemes and civil claims.

From the information collected by the Royal Commission¹⁶ total payments already made relating to sexual abuse amount to around \$410 million. Capping these payments at \$200,000 gives a total of around \$370 million. The information collected by the Royal Commission on claims is not complete; in particular there is incomplete coverage of some religious institutions, secular institutions and sporting clubs/community associations. We have assumed total payments to date of around \$400 million (i.e. a 5% to 10% increase) to allow for these omissions. This compares with the indicative cost of a National Redress Scheme of \$3.9 billion.

The indicative cost of monetary payments from the National Redress Scheme after allowing for redress payments already made is therefore around \$3.5 billion. In Section 11 we examine how this cost may be spread across different States and institution types and between Government and non-Government.

¹⁶ Also includes the recent class action settlement reached in the Supreme Court against the Federal and State Governments and the Fairbridge Foundation.

8 Counselling Needs

We have analysed information from NSW Victims of Crime to assist in estimating the cost of counselling. We used data from the New Zealand Accident Compensation Scheme as a check on some of our assumptions and to benchmark the lifetime cost estimate.

8.1 NSW Victims of Crime

The NSW Victims of Crime data included all claims involving sexual abuse lodged since January 2000 where the victim was 16 or under at the time the abuse commenced. We were provided with three files –

- A file of all claims for compensation and the date at which a claim for counselling was made
- A file of all claims for counselling and an indication about whether there was also a claim for compensation
- A file of counselling needs showing numbers of hours approved and number of hours used for counselling claims.

We used this information to examine the take-up of counselling by participants and the amount of counselling used.

8.1.1 Counselling Take-up

The data provided included around 19,500 claims in total including around 11,000 claims for counselling, i.e. a counselling take-up rate of 56%. Looking at this by duration from abuse to report we found that –

- Claims reported less than 15 years from abuse (9,400) had a counselling take-up rate of 49%; the experience for the group reported less than 4 years and reported 5 to 14 years after abuse was similar
- Claims reported 15 years or more from abuse (10,100) had a counselling take-up rate of 62%; the first group (15-24 years was 59% and the older groups around 64%)

We believe that the experience for the longer durations should be more indicative of the experience of the National Redress Scheme. We have adopted a take-up rate of 60% (i.e. we assume that 60% of participants to a National Redress Scheme will use counselling services). We note that a number of participants of the scheme will already have made use of publicly provided counselling services and this may contribute to the 60% take up rate.

8.1.2 Amount of Counselling

We looked at the approved hours as well as the use of those hours. For all claims the average hours approved was 11 hours but for the longer duration claims was 13 hours. In terms of approved hours the most popular were:

- 10 hours (28%)
- 2 hours (22%)
- 22 hours (16%)
- 12 hours (13%)

We understand that under the Victims of Crime scheme there is an initial cap of 10 hours, and that after a 2 hour initial session, the counsellor determines whether further sessions are required. Victims can make a second application for an additional 12 hours of counselling (and sexual abuse victims should qualify for this). In addition, the Registrar has discretion to approve more counselling hours where required.

The operation of the system will have a major impact on the hours approved. Without the caps and the requirement of subsequent steps the approved hours are likely to be longer. In particular the hours are unlikely to represent the lifetime needs of participants and we have therefore considered this information to be more indicative of annual needs rather than lifetime needs.

Adjusting for the artificial impact of the 10 hour and 22 hour caps suggests 16 approved counselling hours per counselling participant for the longer duration claims.

Looking at the usage of approved hours we note that usage is higher for claims reported more than 15 years after abuse (67%) compared with those reported within 15 years (52%). Again we focussed on the more historical claims as being indicative of a National Redress Scheme. Looking only at the historical claims we also observed a lower usage % for claims lodged more recently suggesting some delay between hours being approved and being used. For the older claims the experience for lodgement years up to 2010 gives a usage rate of 74%. We have adopted a usage rate of 75% for our modelling giving an average number of counselling hours used of 12 per counselling participant (16 times 75%).

8.1.3 Hourly Cost

Some preliminary modelling by NSW Treasury of redress costs included an hourly cost for counselling of \$120 (based we understand on information from the Victims of Crime Scheme). From our discussions with the Royal Commission we take a view that this may be too low for a National Redress Scheme. We have therefore adopted a higher hourly rate of \$150.

8.2 Annual Cost of Counselling

Combining the assumptions above gives an initial annual cost of counselling of \$1,080 per participant for a National Redress Scheme.

8.3 Present Value of Lifetime Counselling

The total cost of counselling across the lifetime of participants of a National Redress Scheme will depend on:

- The annual requirement for such support by participants and the cost of that requirement
- The number of participants enrolled in the scheme each year
- The number of participants surviving each year
- The intensity of required services over time from when a participant first enters the scheme.

The rest of this section describes our assessment of these components of the model.

8.4 Age Profile of Participants

By combining the information we have on the distribution of victims by age with the profile of abuse by institution type adjusted for late reporting we can derive a distribution of the age of participants to a National Redress Scheme.

8.4.1 Age Profile at Abuse

Table 8.1 shows the adopted age distribution at time of abuse. This is taken from the claims data where we had more detailed age information. The private session data has a slightly younger age profile (average age at abuse 10 compared with 11 from the claims data). This difference would not have a material impact on the modelling.

Table 8.1 – Distribution by Age at Abuse

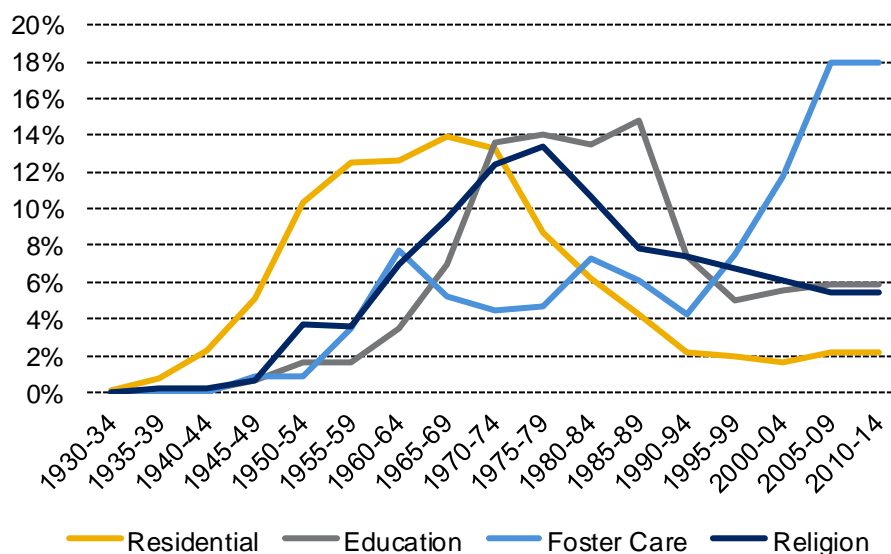
Age	Proportion
<=5	8%
6	5%
7	5%
8	6%
9	8%
10	11%
11	11%
12	12%
13	12%
14	10%
15	6%
>=16	7%
All	100%

Note that in applying this distribution (which relates to those who have survived to report their abuse) we have assumed that it applies to all children sexually abused in institutions.

8.4.2 Abuse by Period

Figure 8.1 below shows the distribution of expected participants by period of abuse from different institutional settings. This is taken from the analysis of the claims data.

Figure 8.1 – Proportion of Participants by Institution Type and Period of Abuse



The chart highlights the difference in the periods of abuse from the different institutional settings. Residential care peaks in the period 1965 to 1969 and then declines in line with reduced exposure.

Foster care on the other hand increases again in line with the exposure to foster care. Education peaks in the period 1985 to 1989. The reduction after this is a combination of an assumed reduction in prevalence within faith-based schools and flat exposure in the Government school sector. Religion peaks in the period 1975 to 1979. The reduction after this period assumes a reduction in both prevalence and exposure.

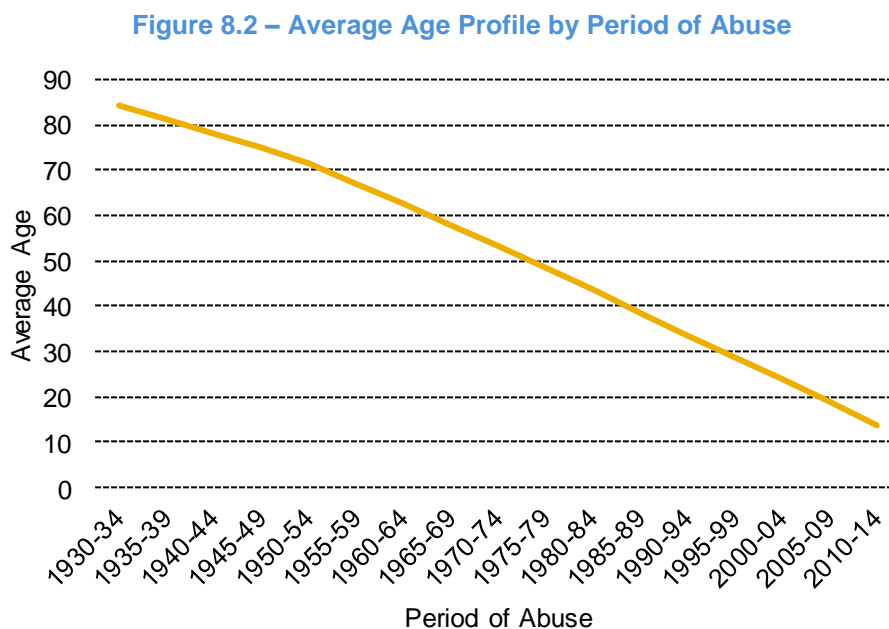
8.4.3 Mortality

We have assumed mortality equivalent to Australian Life Tables 2010-12 and combined the male/female tables assuming that two in three child abuse victims in an institutional setting are male¹⁷.

We are aware that there is significant evidence that health outcomes and mortality for victims of institutional sexual abuse are poorer than the general population. We tested the results of our modelling assuming significantly higher mortality but this did not have a major impact on results. This is because we are starting with a pool of 60,000 participants who have already survived to 2015, i.e. mortality prior to this time is already implicitly included in the estimate of 60,000 participants.

8.4.4 Age Profile at 2015

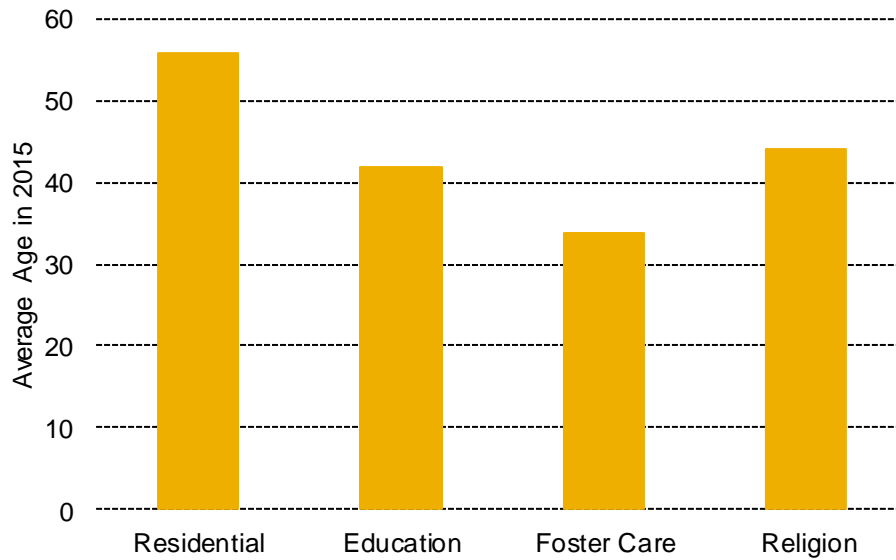
Figure 8.2 shows the average age at 2015 of participants in a National Redress Scheme by period of abuse. This combines the mortality assumptions with the distribution of age at abuse.



Combining this age profile with the abuse by period in the different institutional settings gives the following average ages of participants to the scheme in 2015, shown in Figure 8.3.

¹⁷ Private Sessions Data

Figure 8.3 – Average Age by Institutional-setting

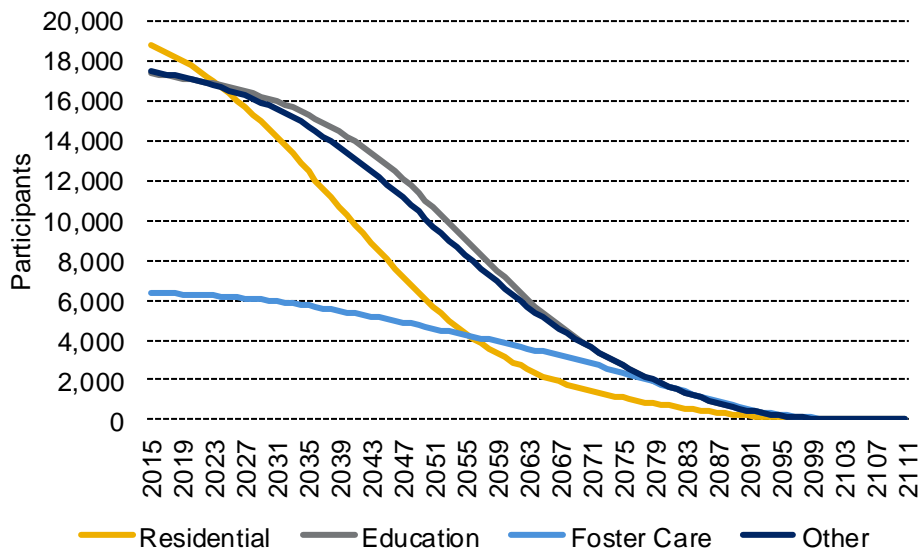


The average age of participants from a Residential setting is highest (at 56 years) and is lowest for Foster care (at 36 years). These differences reflect the abuse period distribution shown in Figure 8.1.

8.5 Run-off of Participants

Figure 8.4 below indicates the run-off of the 60,000 participants due to mortality after 2015 for each institution type.

Figure 8.4 – Run-off of Redress Participants



The different shape of run-off from the different institutional settings reflects the average age of participants in 2015.

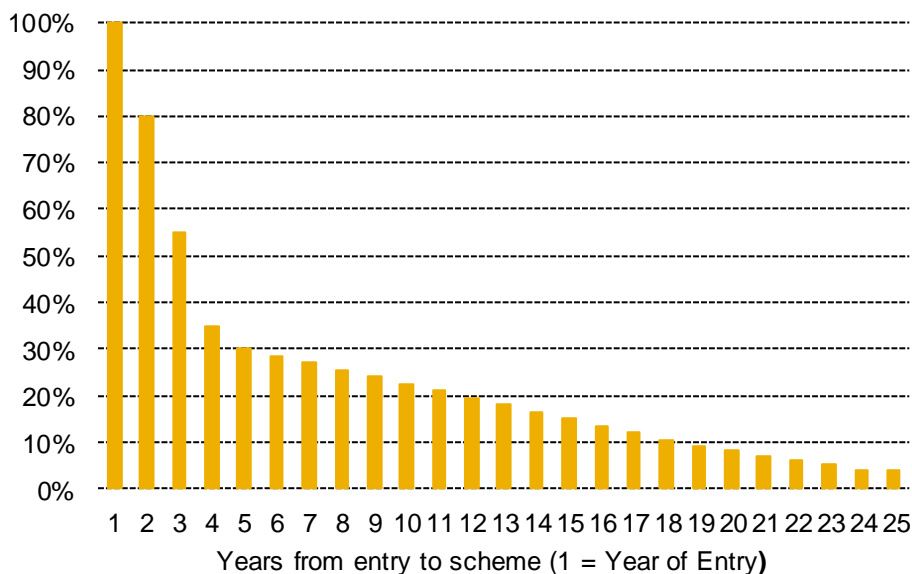
8.6 Reporting into the Redress Scheme

We have very limited information to make an estimate of the pattern of reporting to a National Redress Scheme. We have considered the outcomes of the Irish Residential Institutions Redress Scheme with some adjustments to allow for the fact that the scheme was only open to applications for a limited window. Our estimate assumes that three quarters of applications will be reported in the first 5 years of the scheme and the remainder will taper off over the next 15 years. This estimate is described in more detail in Section 10 of this report.

8.7 Service Intensity

We would expect that the intensity of support services would reduce over time from when counselling commences. We have used some information on duration of claim activity from ACC NZ to help inform this assumption but it remains highly judgmental.

Figure 8.5 – Service Intensity



We assume that in the first year of report counselling services cost \$1,080 per participant. This falls to 80% of this amount in the following year and 55% in the third year due to fewer active claims. Combining all of the assumptions above gives a lifetime cost of counselling of \$6,000 per participant (in current values).

8.8 Inflation and Discounting

We have to allow for inflation in the cost of services to the time of payment and have assumed future inflation of 3% per annum. We also need to discount payments back to the start of the scheme to estimate the present value of the cost of the services if they are all to be funded upfront. We have adopted a discount rate of 4% per annum.

Allowing for this, the estimated present value of future counselling services is around \$5,500 per participant. This gives an indicative cost of around \$330 million (based on indicative participants of 60,000).

8.9 Existing Public Provision of Counselling Services

There are a number of existing public provisions for counselling services available to victims of sexual abuse, including child sexual abuse in institutional care. These include:

- Medicare's Better Access initiative and Access to Allied Psychological Services program
- State-based Victims of Crime compensation and counselling services
- Other mainstream and specialist services for counselling relating to sexual abuse

We understand that a National Redress Scheme is intended to fill gaps in the currently available support services not to replace these services. There is limited visibility of the level of existing funding of counselling services available to child sexual abuse victims from an institutional setting and we have not made an assessment of this.

The indicative counselling cost for the National Redress Scheme of \$330 million includes the cost of the existing public services currently used by participants however we understand that there are large gaps and unmet needs under these services. The remainder of this section describes an indicative estimate of the proportion of this total cost that is already available under existing Medicare provisions.

Medicare currently provides funding for counselling services by providing rebates. To estimate the funding from Medicare, we analysed the Medicare rebate rates and the number of counselling hours which would be eligible for these rebates.

We have assumed all participants of a National Redress Scheme would be eligible for Medicare rebates. However, two barriers have been identified which might deter the participants from accessing these rebates:

- Out-of-pocket expenses may be unaffordable. The patients need to pay for the gap between the charged fees and the Medicare rebate benefits. This may be unaffordable for many participants.
- Requirement for GP referrals. GPs are required to assess the patients' needs for counselling services and give referrals to counselling providers. The Royal Commission private sessions revealed that the participants often found it difficult to articulate the impact of the abuse, or were reluctant to disclose their experiences to their GPs.

A National Redress Scheme can help overcome these barriers by assisting participants in obtaining GP referrals or by covering some or all of the out-of-pocket expenses between charged counselling fees and Medicare rebates.

Table 8.2 below shows the Medicare rebate rates by service provider, and compares the rebate rates with our assumed average counselling fees. We have also assumed a mix of service providers, in order to estimate the rebate for all counselling services.

Table 8.2 – Average counselling fee and Medicare rebate benefits (2015)

Service provider (Medicare code)	Mix	Medicare Rebate Benefit	Average Counselling Fee
Social worker (80160)	45%	\$74.80	\$100
Psychologist (80110)	45%	\$84.80	\$180
Clinical psychologist (80010)	10%	\$124.50	\$235
All	100%	\$85.99	\$150

Out of the estimated National Redress Scheme participants who will take-up counselling services (60% of participants), we have assumed 10%, who experienced the most severe abuse, would require services from clinical psychologists. We assumed half of the other participants (45%) would require services from psychologists and the other half (45%) would prefer social workers.

This assumption considers some participants' needs to see professional psychologists but also considers some participants' reluctance to obtain 'counselling' services. The Royal Commission private sessions revealed that some participants preferred 'debriefs' or 'talks' instead of 'counselling', therefore they may prefer to talk to social workers instead of psychologists.

This gives an average available Medicare rebate of \$86 per participant accessing counselling services.

We estimated the proportion of counselling hours eligible for Medicare rebates by analysing the NSW Victims of Crime data. We applied a capping of 10 hours to each victim who used counselling services which is the maximum number of hours covered under current Medicare arrangements however we note that the Commission report makes suggestions as to how this limit might be increased prospectively. The average number of hours eligible for rebates (capped) is 7.5 hours per participant. Table 8.3 below shows a comparison with our assumed number of counselling hours used (uncapped).

Table 8.3 – Average number of counselling hours (NSW Victims of Crime)

Service provider	Average number of hours eligible for Medicare rebates	Average number of hours used
Social worker	6.4	10
Psychologist	8.2	12
Clinical psychologist	9.5	20
All	7.5	12

We have estimated that the average funding provided by Medicare is \$645 per year for each participant accessing counselling services (\$86 times 7.5 hours). This is 36% of the total counselling fee of \$1,800 per participant per year (\$150 times 12 hours).

We therefore estimate that of the \$330 million estimated cost of counselling services for participants of a National Redress Scheme, 36% or \$120 million of this is already available under existing Medicare provisions although this is currently not being fully accessed because of the barriers noted previously.

9 Administration Costs

The cost of administering a National Redress Scheme will be dependent on the structure of the scheme, the complexity of the assessment and other processes, the length of time over which the scheme operates as well as the types and breadth of additional services that the scheme provides. As such, there is significant difficulty in estimating what level of cost would be required.

We have considered the costs¹⁸ of administering similar historical redress schemes including Redress WA, the Queensland ex gratia scheme, the Tasmanian abuse in care ex gratia scheme and the Irish Residential Institutions Redress Scheme. For each scheme, we have taken the total administration costs for the life of the scheme and then divided this by the total number of awards paid in order to determine an estimated administrative spend per eligible participant.

Table 9.1 – Administrative Costs for Redress Schemes

Scheme	Estimated Administration Cost per Participant (\$AUD)
QLD ex gratia	1,200
TAS ex gratia	2,400
Redress WA	3,000
Irish Residential	6,600

Administrative costs vary between \$1,200 and \$3,000 for the Australian schemes. Costs were much higher at \$6,600 for the Irish scheme. The wide range of administrative costs demonstrate the span of possible outcomes, depending on the structure of the scheme, assessment processes, level of scrutiny and evidence requirements.

More than 50% of participants in the Queensland ex gratia scheme received the minimum Level 1 payment (\$7,000) which was comparatively much simpler to obtain than a Level 2 payment. This will have driven down the average administrative spend per participant for this scheme. Additionally, this scheme was only open for a relatively short period of time (one year). As such the Queensland scheme average administrative cost of \$1,200 might represent a lower bound for our estimate of the administrative costs of operating a National Redress Scheme.

Conversely, the Irish scheme represents a much higher estimate of the costs of administering a National Redress Scheme at around \$6,600 (AUD). The Irish scheme was in operation for a longer period of time and verified eligibility of participants via assessment by an independent board which represents a more costly, legalistic approach than envisaged for the National Redress Scheme.

The Tasmanian scheme was also in operation (on and off) over a longer period of time and appears to represent a ‘middle ground’ at around \$2,400 administrative spend per participant. The scheme verified eligibility through assessment against review criteria via an ombudsman and with no ‘rigorous investigation’ of individual claims.

The assessment process for Redress WA is similar to that discussed in the Commission report and may therefore be indicative of the costs of a National Redress scheme.

We have allowed for an administrative cost of \$3,000 per scheme participant. This is similar to Redress WA and also to the Tasmanian scheme (after allowing for inflation of historical costs).

¹⁸ We understand that the administrative costs for the Australian schemes included payments to Medicare as contribution to any past Medicare costs; this element is minor (only 6% of administrative costs for Queensland); we understand that a National Redress Scheme would be intended to make similar payments, if they are required under Commonwealth legislation.

We consider this to be a reasonable estimate for both a single National scheme and for a series of nationally consistent State and Territory based schemes. Some of the key determinants of the eventual cost of administering a National Redress Scheme will include:

- The structure and processes adopted by the scheme in assessing participants' claims
- The structure and processes adopted in mediating payments with institutions
- The capacity to utilise existing frameworks and systems of other government functions.

Based on this cost, we estimate an indicative total administration cost of \$180 million for a National Redress Scheme.

10 Payment Pattern

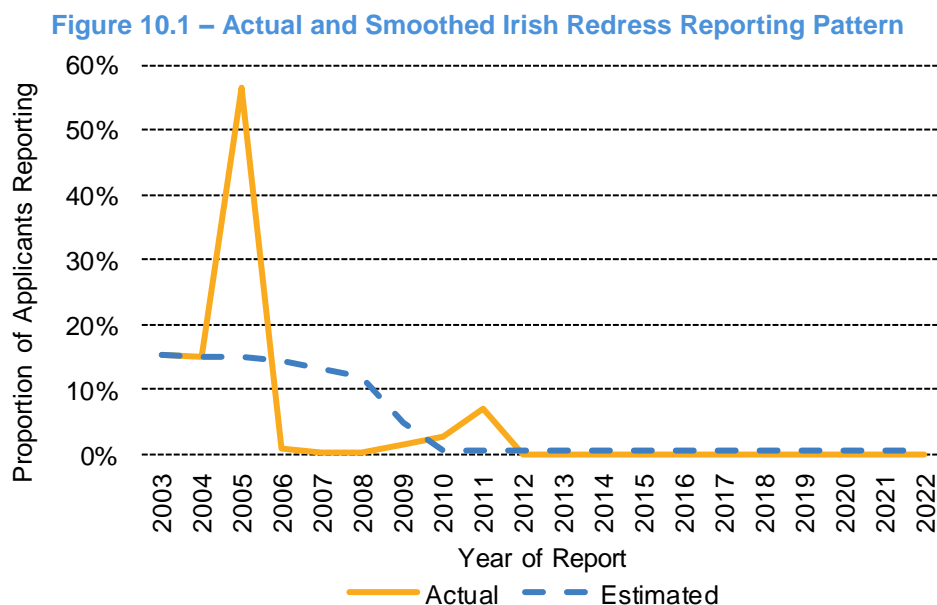
While the costs of a National Redress Scheme are very significant, they are not all incurred immediately upon commencement of the scheme. Under a National Redress Scheme with a long term window for applications, scheme participants will likely report into the scheme over a number of years. In addition, there will likely be some delay following report before monetary payments are awarded.

We have very limited information to make an estimate of the pattern of reporting to a National Redress Scheme, given the Australian Redress Schemes considered were open for relatively short windows of time¹⁹.

We have examined the reporting experience of the Irish Scheme which was open for three years initially but subsequently extended for a further six years to derive an assumed payment pattern.

The Irish scheme was open to applications between 2003 and 2005, experiencing a very large spike in the number of applications in 2005 just before the closing date. Following this, the scheme then received late applications over the period from 2006 to 2011 with mostly much smaller volumes until 2011 when there was yet another smaller spike in the number of applications before the scheme closed.

Figure 10.1 below shows the proportion of claims reported in each year that the scheme was opened as well as an estimated, smoothed pattern of reporting that may have eventuated if the pre-closure reporting spikes had not occurred. We note that considerable judgement has been applied in determining this estimated or smoothed reporting pattern.



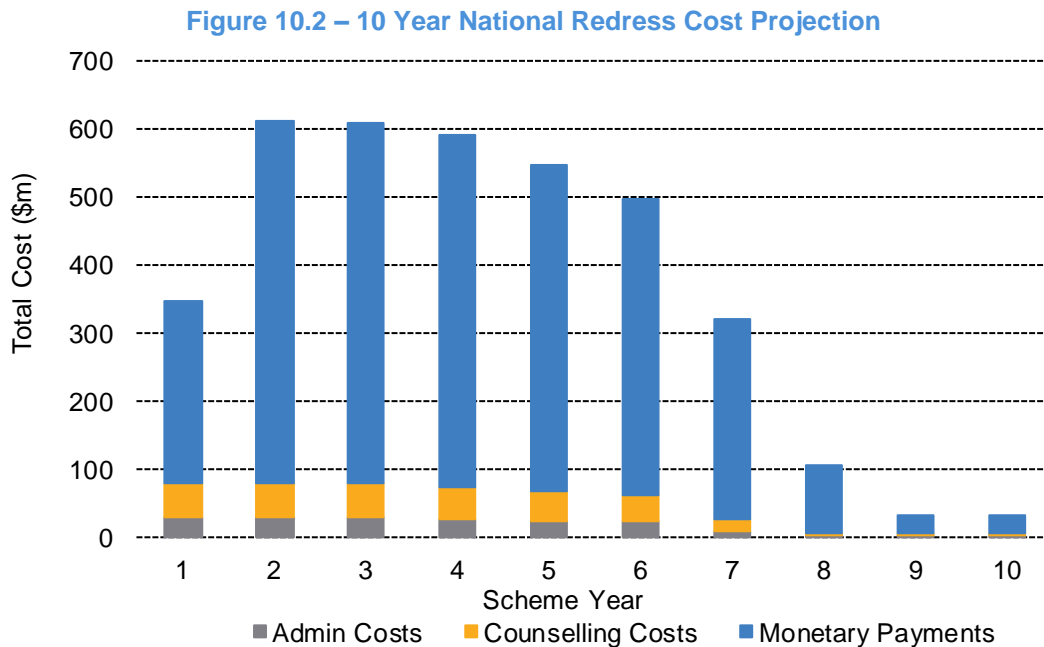
The estimate shown above assumes that three quarters of applications will be reported in the first 5 years of the scheme and the remainder will taper off over the next 15 years.

The pattern for an Australian Redress Scheme may be a little longer than this given some of the exposure (Foster and Education) is more recent than the Irish exposure. On the other hand there have already been several redress schemes in Australia (Government and non-Government) and we might expect the applicants to those schemes to come forward early to a National scheme.

¹⁹ The Tasmanian scheme was open to applications over a longer period of time but not continuously.

In addition to reporting delays, there will also be delays from the reporting of claims to the awarding of payments. We have assumed that 50% of participants will receive a monetary payment in the same year as lodging an application to the scheme with the remaining 50% receiving a monetary payment in the following year. We have also assumed that the value of counselling and psychological care costs for each participant is paid into a trust fund as described in the Commission report

Based on the described reporting and payment patterns, Figure 10.2 below shows an indication of the first ten years of payments from a National Redress Scheme, split by type of cost.



Payments in the first ten years of the scheme represent more than 90% of the total indicative payments of \$4.0 billion.

11 Funding a National Redress Scheme

In Section 7 we calculated an indicative cost of monetary payments from a National Redress Scheme of \$3.9 billion assuming an average monetary payment amount of \$65,000 and a participant volume of 60,000. We estimated that around \$400 million of this amount had already been paid to victims of sexual abuse through various redress schemes and civil claims.

In Section 8 we estimated a cost of counselling of \$5,500 per participant giving an indicative cost of \$330 million, noting that some of this cost will be provided through existing publicly funded services.

In Section 9 we estimated administration costs for a National Redress Scheme of \$3,000 per participant giving an indicative cost of \$180 million.

11.1 Payments Already Made

Table 11.1 below shows the level of lump sum payments already made by State split between payments by Government and non-Government entities, from the data sources which have been collected for this work. We have also shown the payments capped at \$200,000. Note that this is not completely accurate since we can only cap payments from an individual source not the total payments that an individual may have received from a number of sources. It is also important to note that some Government payments made to date relate to abuse which occurred in non-Government institutions (e.g. residential institutions under Redress WA). Note also that where a scheme made payments for physical and emotional abuse and neglect as well as sexual abuse, we have estimated the payments for participants who suffered sexual abuse in compiling this table.

Table 11.1 – Known Amounts Paid to Date (\$m)

Payer	Uncapped Payments		Capped Payments 200k	
	Government ¹	Non-Government	Government ¹	Non-Government
NSW	28.0	70.5	22.6	59.2
WA	87.9	7.4	84.8	7.4
QLD	47.4	27.3	47.1	21.7
VIC	17.8	44.6	16.8	43.0
SA	10.2	13.9	7.4	10.2
TAS	30.8	1.7	30.8	1.7
ACT	0.8	15.3	0.7	10.7
NT	0.7	0.1	0.7	0.1
Commonwealth	0.4	0.0	0.2	0.0
Unknown/Other	1.2	0.5	1.2	0.5
Total	225.2	181.3	212.3	154.6

¹Includes Government Redress Schemes - WA, QLD, TAS

From the information collected by the Royal Commission total payments already made relating to sexual abuse amount to around \$410 million. Capping these payments at \$200,000 gives a total of around \$370 million.

Note that our payment data is incomplete since it does not include payments by insurers and institutions that were not part of the claims project. We have assumed total payments to date of \$400 million (i.e. a 5% to 10% increase) to allow for these omissions.

11.2 Estimated Funding Requirements by State

Based on 60,000 participants, an average monetary payment of \$65,000 and the participant profile estimated in Section 4, we estimate the following apportionment of funding responsibility for the \$3.9 billion of monetary payments. Note here that the Government responsibility includes both State and Federal Government operated institutions.

Table 11.2 – Estimated Total Monetary Payments by State and Operator (\$m)

State / Territory	Operator Type		Total
	Govt	Non-Govt	
NSW	465	957	1,422
WA	150	267	417
QLD	192	359	551
VIC	344	695	1,039
SA	75	172	247
TAS	38	75	114
ACT	19	55	73
NT	16	22	38
Total	1,297	2,603	3,900

We note that the amounts above do not recognise amounts already paid providing redress. These monetary payments already made could form a consideration in determining amounts to be paid under a National Redress Scheme in order to ensure equity. Table 11.3 below sets out the estimated apportionment of funding responsibility, after excluding estimated payments made to date by Government and non-Government entities.

Table 11.3 – Estimated Monetary Payments – Less Estimated Payments to Date (\$m)

State / Territory	Operator Type		Total
	Govt	Non-Govt	
NSW	442	880	1,322
WA	65	258	323
QLD	145	333	478
VIC	327	644	971
SA	67	160	228
TAS	8	73	81
ACT	18	42	60
NT	15	22	37
Total	1,086	2,414	3,500

The estimates shown above assume that the funding responsibility benefit or 'credit' gained from payments already made to date is attributed to the entity that provided redress rather than the entity that operated the institution where the abuse took place. For example, the WA Government paid redress to victims abused in both Government and non-Government residential institutions under Redress WA and we assume will receive full credit for these payments.

Based on the total counselling cost estimates described in Section 8, we estimate the following apportionment of funding responsibility for counselling services.

Table 11.4 – Estimated Counselling Costs by State and Operator (\$m)

State / Territory	Operator Type		Total
	Govt	Non-Govt	
NSW	39.3	81.0	120.3
WA	12.7	22.6	35.3
QLD	16.2	30.4	46.6
VIC	29.1	58.8	87.9
SA	6.3	14.6	20.9
TAS	3.2	6.4	9.6
ACT	1.6	4.6	6.2
NT	1.3	1.9	3.2
Total	109.8	220.2	330.0

The estimates shown above represent the total cost of counselling services and do not take into consideration that a variety of existing public services may meet some of the counselling needs of victims of institutional child sexual abuse.

11.3 Total Funding Requirement

Combining the above components of a National Redress Scheme gives the following estimates of funding requirements by State and operator type as shown in Table 11.5.

Table 11.5 – Estimated Combined Costs of National Redress Scheme (\$m)

	State								
	NSW	WA	QLD	VIC	SA	TAS	ACT	NT	Total
<i>Number of Scheme Participants</i>									
<i>Government</i>	7,150	2,300	2,950	5,290	1,150	590	290	240	19,960
<i>Non-Government</i>	14,730	4,110	5,520	10,690	2,650	1,160	840	340	40,040
<i>Total Participants</i>	21,880	6,410	8,470	15,980	3,800	1,750	1,130	580	60,000
<i>Monetary Payments¹ (\$m)</i>									
<i>Government³</i>	442	65	145	327	67	8	18	15	1,086
<i>Non-Government</i>	880	258	333	644	160	73	42	22	2,414
<i>Total Monetary</i>	1,322	323	478	971	228	81	60	37	3,500
<i>Administration Costs (\$m)</i>									
<i>Government</i>	21	7	9	16	3	2	1	1	60
<i>Non-Government</i>	44	12	17	32	8	3	3	1	120
<i>Total Admin</i>	66	19	25	48	11	5	3	2	180
<i>Total Monetary & Administration Costs (\$m)</i>									
<i>Government</i>	464	72	154	343	71	9	19	16	1,146
<i>Non-Government</i>	924	271	350	676	168	77	44	23	2,534
<i>Total Monetary & Admin</i>	1,388	342	503	1,019	239	86	63	39	3,680
<i>Counselling Services (\$m)</i>									
<i>Government</i>	39	13	16	29	6	3	2	1	110
<i>Non-Government</i>	81	23	30	59	15	6	5	2	220
<i>Total Counselling</i>	120	35	47	88	21	10	6	3	330
<i>Total Government</i>	503	84	170	372	77	13	21	17	1,256
<i>Total Non-Government</i>	1,005	293	380	735	183	83	49	25	2,754
<i>Grand Total</i>	1,508	378	550	1,107	260	96	70	42	4,010

¹Excludes estimated payments made to date by Government and non-Government entities

This table shows that the total funding requirement for monetary payments and administration costs for a National Redress Scheme is estimated at \$3.7 billion. The cost of counselling and psychological needs of participants represents a further \$330 million and while part of this cost is already funded through existing public services, we understand that there are potentially large gaps and unmet needs under these services.

In determining the above figures, we have apportioned the redress scheme funding responsibility to Government and non-Government operated institutions based on where the abuse originally occurred. The funding structure of a National Redress Scheme however, might be designed such that the public sector acts as a funder of last resort in circumstances where the institution operator cannot be identified, no longer exists or is otherwise unable to finance their allocated contribution. This would increase the Government share of participants.

In order to estimate the proportion of non-Government abuse volumes that might fall to the Government as a funder of last resort, we have considered separately each institution type and the proportion of non-Government operators whose liability may fall to the Government.

In considering the proportion of faith based institutions whose operators no longer exist or may otherwise be unable to meet their funding contribution, we have analysed the proportion of abuse arising from different church denominations as shown in the private session data²⁰. Of these operators, we consider that the larger, unified denomination groups such as the Catholic, Anglican, Salvation Army and Seventh Day Adventist denominations are more likely to be able to meet their funding requirements. On the other hand, some smaller denomination groups such as the Baptist, Pentecostal and “Other” groups often may be less unified with a number of “Independent” churches identifying themselves within the denomination. There may potentially also be some question of funding responsibility, for example, with denominations such as the Methodist churches which no longer have a presence in Australia after their move to form the Uniting Church in Australia in the late 1970’s. Based on the application of judgemental assumptions, we estimate that the proportion of faith-based institutions that may require a public sector contribution could be in the range of 6% to 15% and potentially higher if the existence of a National Redress Scheme were to materially impact the financial position of some denomination groups, particularly if the prevalence of abuse in some denomination groups was especially high.

For our estimates we have assumed that overall 10% of all faith-based institutional abuse will require Government funding. To achieve this overall 10%, by institution type, we assume:

- 20% of faith-based residential care will require last resort Government funding (we used a higher proportion here because of the earlier abuse periods and higher likelihood that organisations will no longer exist)
- 0% of faith-based education will require last resort Government funding (since the overwhelming majority of independent schools in Australia have been Catholic or Anglican)
- 10% of religious institution claims (outside of residential care and education) will require last resort Government funding.

We have also considered the proportion of institutional child sexual abuse originating from secular operators within the non-Government sector as shown in the private session data²¹. We estimate that a very large proportion (90%) of historical recreation, sporting facilities as well as “Other” smaller institution types will require a contribution from the Government as a funder of last resort as these institutions are often funded on a voluntary basis, with a high degree of turnover.

Based on these assumptions, our estimates of the funding apportionment for a National Redress Scheme, adjusted for public funding as a last resort is shown in Table 11.6 below.

²⁰ Refer Appendix C: Table C.3

²¹ Refer Appendix C: Table C.6

Table 11.6 – Estimated Combined Costs of National Redress Scheme: Government as Funder of Last Resort (\$m)

	State								
	NSW	WA	QLD	VIC	SA	TAS	ACT	NT	Total
<i>Number of Scheme Participants</i>									
<i>Government</i>	10,370	3,120	4,190	7,250	1,740	850	490	290	28,300
<i>Non-Government</i>	11,510	3,290	4,280	8,730	2,060	900	640	290	31,700
<i>Total Participants</i>	21,880	6,410	8,470	15,980	3,800	1,750	1,130	580	60,000
<i>Monetary Payments¹ (\$m)</i>									
<i>Government</i>	651	118	225	454	106	24	31	18	1,629
<i>Non-Government</i>	671	205	253	517	122	56	29	19	1,871
<i>Total Monetary</i>	1,322	323	478	971	228	81	60	37	3,500
<i>Administration Costs (\$m)</i>									
<i>Government</i>	31	9	13	22	5	3	1	1	85
<i>Non-Government</i>	35	10	13	26	6	3	2	1	95
<i>Total Admin</i>	66	19	25	48	11	5	3	2	180
<i>Total Monetary & Administration Costs (\$m)</i>									
<i>Government</i>	683	127	238	476	111	27	33	19	1,713
<i>Non-Government</i>	705	215	266	543	128	59	31	20	1,967
<i>Total Monetary & Admin</i>	1,388	342	503	1,019	239	86	63	39	3,680
<i>Counselling Services (\$m)</i>									
<i>Government</i>	57	17	23	40	10	5	3	2	156
<i>Non-Government</i>	63	18	24	48	11	5	4	2	174
<i>Total Counselling</i>	120	35	47	88	21	10	6	3	330
<i>Total Government²</i>	740	144	261	516	120	32	35	21	1,869
<i>Total Non-Government</i>	769	233	289	591	139	64	34	21	2,141
<i>Grand Total</i>	1,508	378	550	1,107	260	96	70	42	4,010

¹Excludes estimated payments made to date by Government and non-Government entities

²Contributions assume Government as funder of last resort

These adjustments are based on a combination of private session information on abuse occurring in different types of faith based and secular institutions, as well as the application of judgemental assumptions where there is little or no information available around the proportion of historical institutions that are no longer in operation.

The overall costs are unchanged from Table 11.5, however the Government responsibility increases from \$1.3 billion to \$1.9 billion while the non-Government responsibility reduces from \$2.8 billion to \$2.1 billion.

11.4 Sensitivity Analysis

The participant volumes and funding for a National Redress Scheme estimated in this report are highly dependent on the assumptions made and by their nature are highly uncertain. In order to demonstrate this uncertainty, Table 11.7 below shows how different, yet plausible assumptions or outcomes might change the funding requirements of a National Redress Scheme.

Table 11.7 – Sensitivity Analysis

Description	National Scheme Cost	Difference (\$m)	Difference (%)
Base Model	4,010	-	0%
Participant Volumes			
33% Lower Volume of Participants (40,000)	2,710	-1,300	-32%
33% Higher Volume of Participants (80,000)	5,310	1,300	32%
Average Monetary Payment			
Average payment of \$50,000 per participant	3,110	-900	-22%
Average payment of \$80,000 per participant	4,910	900	22%
Counselling and Psychological Care			
Lower than Modelled Take up Rate (40%)	3,901	-109	-3%
Higher than Modelled Take up Rate (80%)	4,119	109	3%
Lower cost per participant (\$3,500)	3,890	-120	-3%
Higher cost per participant (\$7,500)	4,130	120	3%

This range of outcomes is by no means exhaustive. It is intended to demonstrate the material deviations from our estimates that could arise under different outcomes or scheme designs. It is also entirely possible that a combination of the above assumptions and/or others could lead to even greater differences.

12 Reliances and Limitations

It is not possible to estimate the volume of participants and costs of a National Redress Scheme with any certainty. Actual outcomes are heavily dependent on a broad range of largely unknown factors including the number of institutional child sexual abuse victims, the number that will participate in a National Redress Scheme and the severity of abuse experienced by victims and the impact that this has had. The outcomes for a Scheme will also be impacted by the details of the Scheme itself including the eligibility criteria, the administrative processes adopted, the level of evidence required and the monetary payments available; these details are not known as at the date of this report. There is limited information on which to develop assumptions and significant extrapolation from known statistics using judgement has been required.

Deviations from our estimates, which are likely to be material, are normal and are to be expected. These uncertainties are heightened due to the very long-term nature of child sexual abuse claims, the uncertain level of exposure to child sexual abuse within the population over the last century and the risk of changes in the behaviour of victims.

We have relied on the accuracy and completeness of the data and other information (qualitative, quantitative, written and verbal) provided to us by for the purpose of this advice. We have not independently verified or audited the data; where possible we have reviewed the information for general reasonableness and consistency.

In many respects, our estimates assume a continuation of the environment and behaviours observed in the data and information provided to us, often relying on much smaller samples of observed experience to draw conclusions and estimates for the much larger National environment. It is quite possible and likely that one or more deviations from these observations could produce a financial outcome materially different from our estimates. It is also possible that the creation of a National Redress Scheme will result in an environment and set of behaviours that are different to those assumed in our current estimates and, therefore, this might result in actual costs different to those we have estimated.

This report has been prepared for the sole use of the Royal Commission into Institutional Responses to Child Sexual Abuse for the purpose of facilitating discussion of a National Redress Scheme and informing some estimates to be presented in the Commission report. We understand that our report is to be published on the Royal Commission's website. Our consent to the publication of our Report is based on the following:

- (i) The Report was prepared for the sole use of and benefit of the Royal Commission for the purpose described above.
- (ii) Any party receiving the Report ('the Recipient') will not rely on the Report or any advice provided by Finity to the Royal Commission in the Report.
- (iii) Finity will not be liable for any damage or losses howsoever incurred by the Recipient as a result of the Recipient receiving, acting upon or relying upon any information or advice contained in the Report.
- (iv) The Recipient will be liable for any and all claims, demands, actions, proceedings, costs, expenses, loss, damages and liabilities made against or brought against or incurred by Finity arising from or relating to or in any way connected with the provision of the Report to the Recipient.

Our report should be considered as a whole. While due care has been taken in preparation of the report Finity accepts no responsibility for any action which may be taken based on its contents.

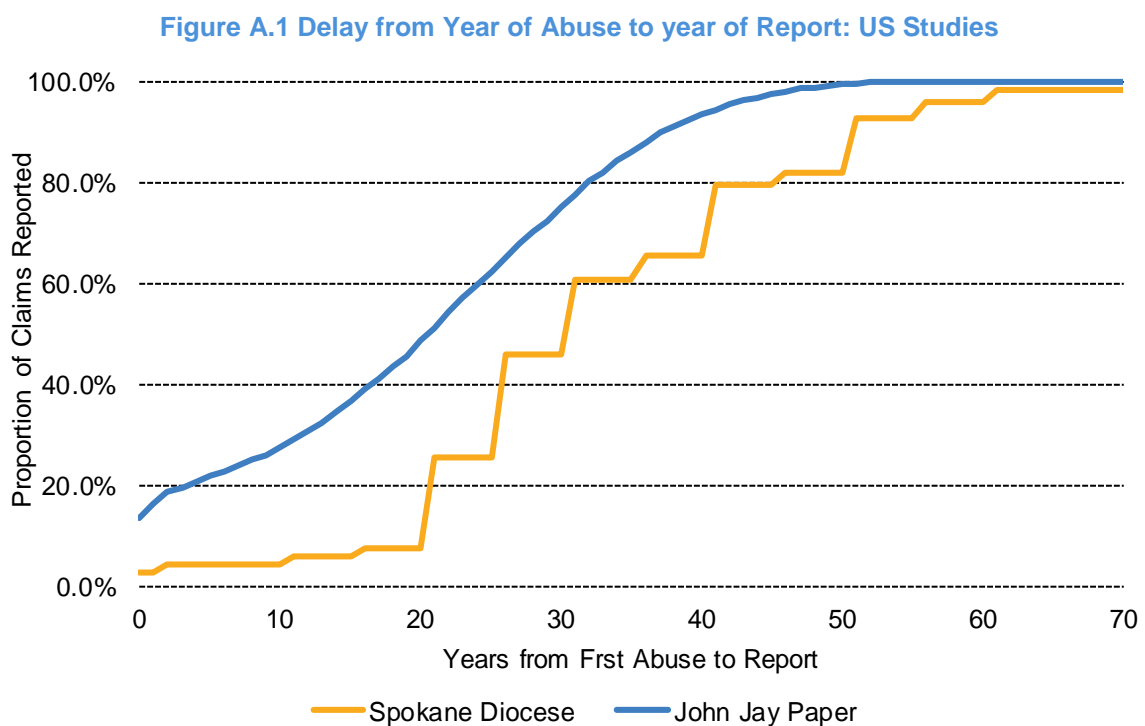
Part III Appendices

A Allowing for Reporting Delays

This Appendix describes our approach to the estimation of the unreported/unresolved gross up factors used to adjust our estimated institution profile described in Section 4 of this report.

A.1 Reporting/Resolution Delay Pattern

Figure A.1 shows the reporting delay (from year of abuse) from two US studies of Child Sexual Abuse in the Catholic Church referred to here as the “Spokane Diocese”²² study and the “John Jay”²³ paper.



These two studies suggest quite different reporting patterns and give average reporting delays of 35 years (Spokane) and 20 years (John Jay). It is also clear from these studies that the pattern of reporting is not static over time. In the John Jay study one-third of reports were made in 2002 to 2003. For the Spokane Diocese study the peak years of reporting were between 2002 and 2004.

In addition to the aforementioned studies we have also considered the reporting and delays to resolution in the claims project data provided to the Royal Commission. In particular, we have considered the Catholic Church “Towards Healing” redress claims information as a sample of “like” claims. Figure A.2 below shows the delay to resolution for Residential Care, Education and Other Religious Institution claims separately.

²² “Claims of Sexual Abuse Against Clergy / Religious in the Spokane Diocese” 2004

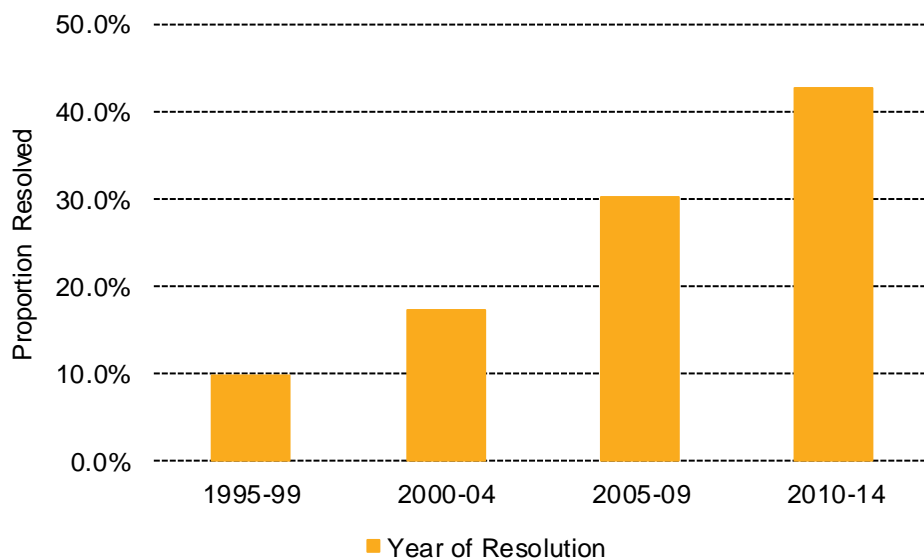
²³ “The nature and scope of sexual abuse of minors by catholic priests and deacons in the United States 1950-2002. A research paper conducted by John Jay College of Criminal Justice”, February 2004

Figure A.2 – Delay from Year of Abuse to Year of Resolution: Towards Healing



The information shown measures the delay to resolution rather than report. The time from abuse to resolution of claims is considerably longer for residential care claims compared to education and other religious institution claims. This reflects the decline in prevalence of residential care facilities in recent decades combined with the more recent increase in the level of awareness and acknowledgement of child sexual abuse in institutions, particularly since the late 1980's. This growth in awareness and recognition is borne out in the claims data, shown in Figure A.3 below which demonstrates the increasing number of resolutions over the past twenty years.

Figure A.3 – Claims Resolved by Year of Resolution: Claims Project Data



These results highlight the challenges in deriving a reporting pattern. For the purpose of this work after considering the different pieces of information available we decided to adopt the John Jay College of Criminal Justice delay pattern. This pattern is the shortest and may be most reflective of expected future

delays given current awareness and acknowledgement of child sexual abuse. Given that we are using this to develop relative rather than absolute gross-up factors our results are not as sensitive to the adopted reporting pattern as might be expected. For example, if we use a longer reporting pattern then the gross-up factors for all institution types increase (although to varying degrees).

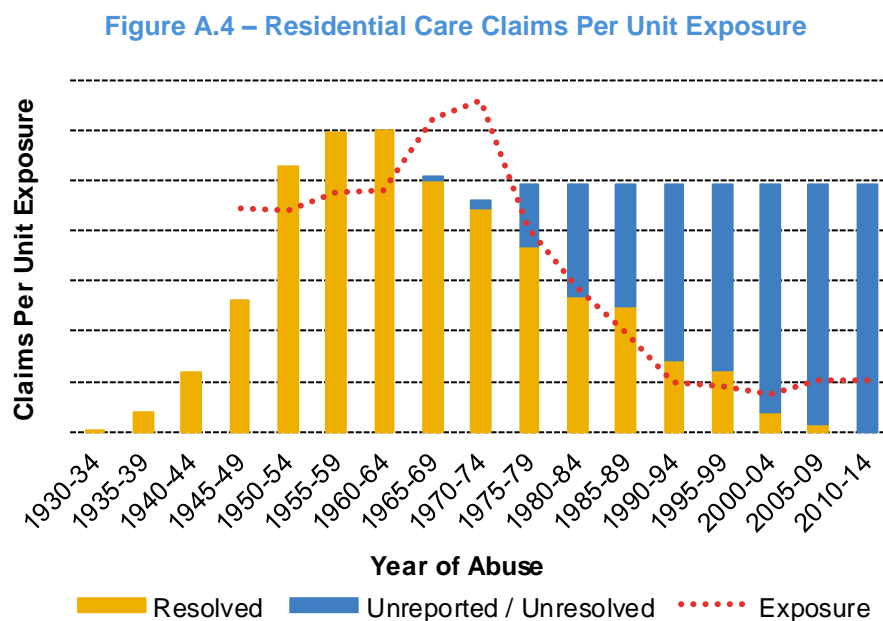
The claims data is on a resolution not reporting year basis and we have also made an explicit adjustment for the period between the year of report and the year of resolution, observed to be around 2 years on average in the claims project data.

A.2 Claim Resolutions per Unit Exposure

The following charts show the resolved and unresolved/unreported claims per unit of exposure as well as the exposure pattern for each institutional setting. The gross-up factor for each institutional setting is calculated as the ratio of total claims estimated to claims resolved to date. As the absolute level of claims per unit exposure cannot be compared between institutional settings, to avoid inappropriate conclusions being drawn or the results being misused we have not included the scale on the graphs.

A.2.1 Residential Care

Figure A.4 below shows the information for residential care exposure over time.



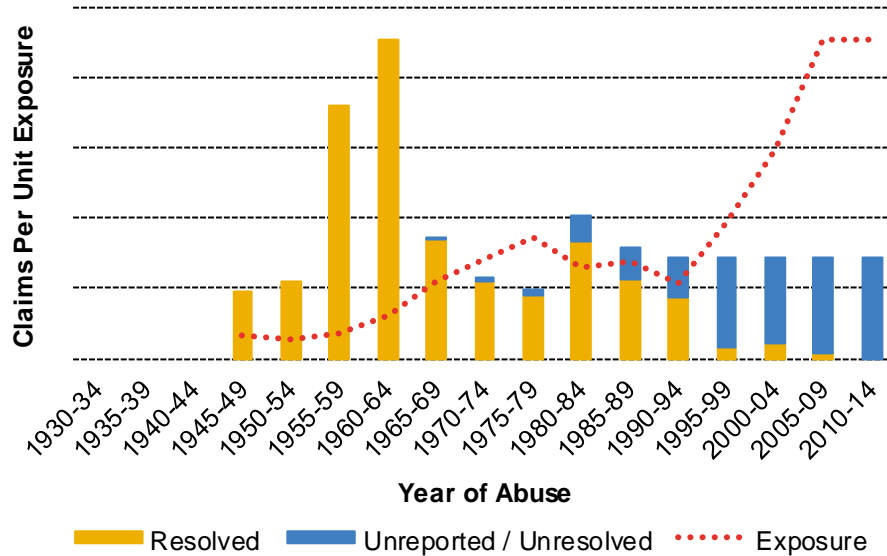
Based on this analysis we calculate a gross-up factor of 20% for residential care. This relatively low percentage reflects the large decline in exposure since the 1970's.

We made similar calculations for both Government and faith-based institutions and have determined that the proportion of future resolutions is similar for both groups. However, it is important to note that one limitation of this is that we have no figures for residential exposure for Government and faith-based institutions separately.

A.2.2 Foster Care

Figure A.5 below shows the information for foster care claims.

Figure A.5 – Foster Care Claims Per Unit Exposure

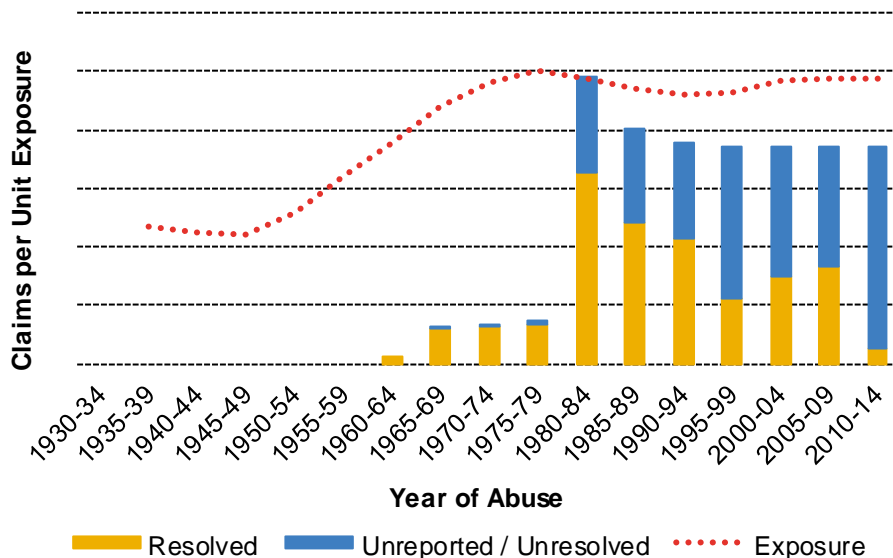


Based on this analysis we calculate a gross-up factor of 100% for residential care. This higher factor reflects the more recent foster care exposure (compared with residential care).

A.2.3 Education - Government

Figure A.6 below shows the information for Government education claims.

Figure A.6 – Education Claims Per Unit Exposure – Government



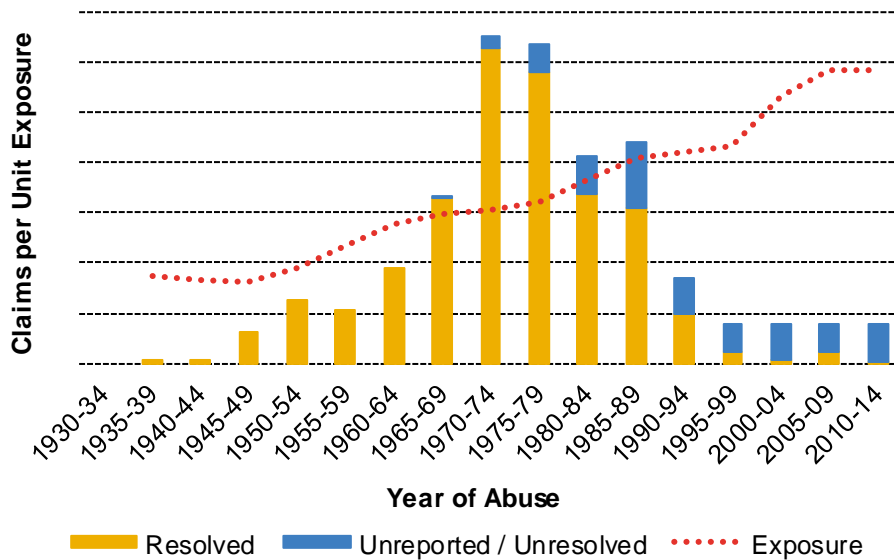
Based on this analysis we calculate a gross-up factor of 100% for Government education.

A.2.4 Education – Non-Government

The non-Government education setting from the claims project data relates to Catholic schools only. The average abuse period for the Catholic schools is 1977 compared with 1990 for the Government sector.

This difference is likely due to a reduction in prevalence within Catholic schools rather than due to exposure. Figure A.7 shows the information for non-Government education claims.

Figure A.7 – Education Claims Per Unit Exposure – Non-Government

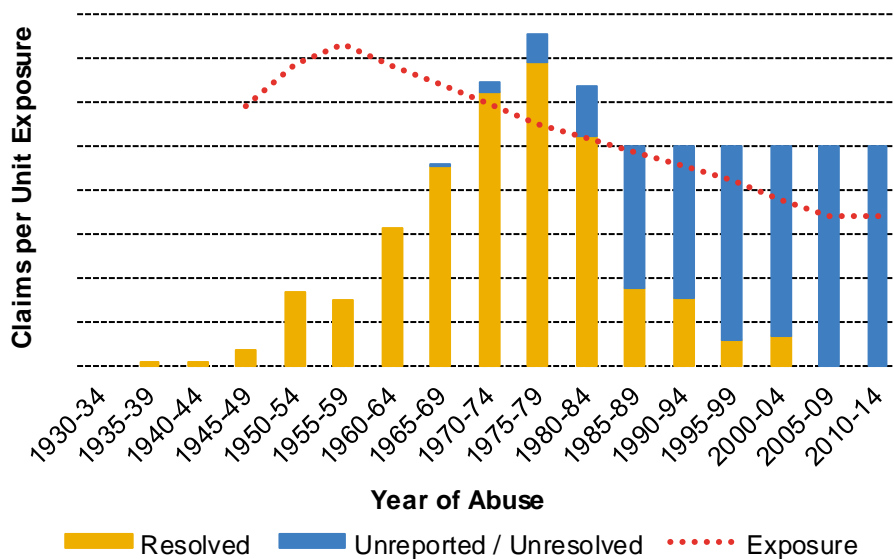


This analysis gives a gross-up factor of 30%. The lower factor reflects our assumptions of a reduction in prevalence for more recent years compared with earlier periods.

A.2.5 Religious Institutions

Figure A.8 below shows the information for other religious institutions. In this case the exposure is the number of Catholics attending mass regularly. We have observed a potential reduction in the prevalence of claims from religious institutions in the claims data and have included this in our assessment.

Figure A.8 – Other Religious Institutions Claims Per Unit Exposure



Based on this analysis the gross up factor for other religious institutions is 60%.

B Redress WA Additional Analysis

This section describes the additional analysis performed on the Redress WA participant database, used to test the suitability of the under-reporting factors of 15% to 30% which were assumed in our estimation of the volume of National Redress Scheme participants.

Similar to the exhibits presented in Appendix A, we have analysed the rates of reported abuse per unit of exposure based on the periods of abuse reported by Redress WA participants. Based on assumed reporting delays, we have then estimated the proportion of eligible individuals that may not have reported into the scheme while it was open. The main difference between the estimates shown here and those presented in Appendix A is that they are based on redress participants as opposed to civil claims.

Figure B.1 and Figure B.2 below show the rates of abuse reported into Redress WA by exposure period as well as a low and high estimate of the ultimate frequency of abuse after allowing for reporting delays.

Figure B.1 – Redress WA reporting frequency – Residential Care

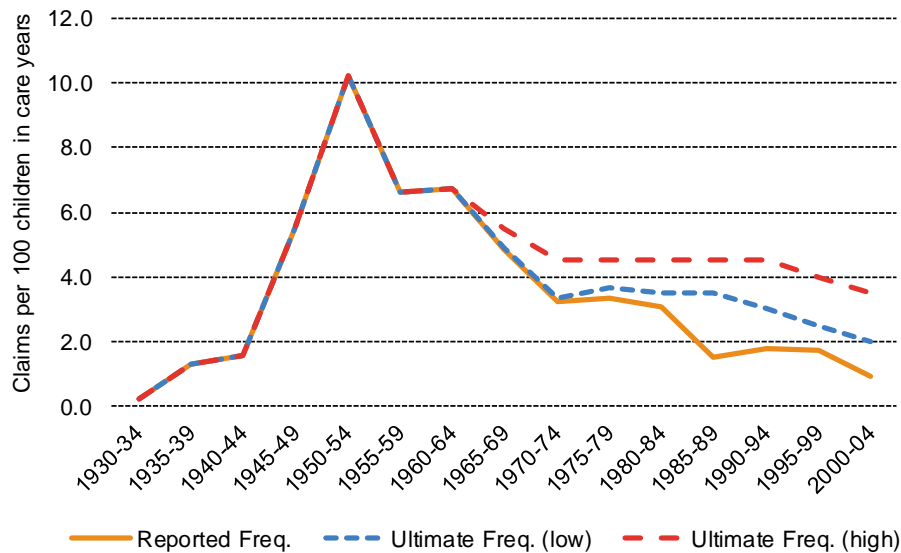
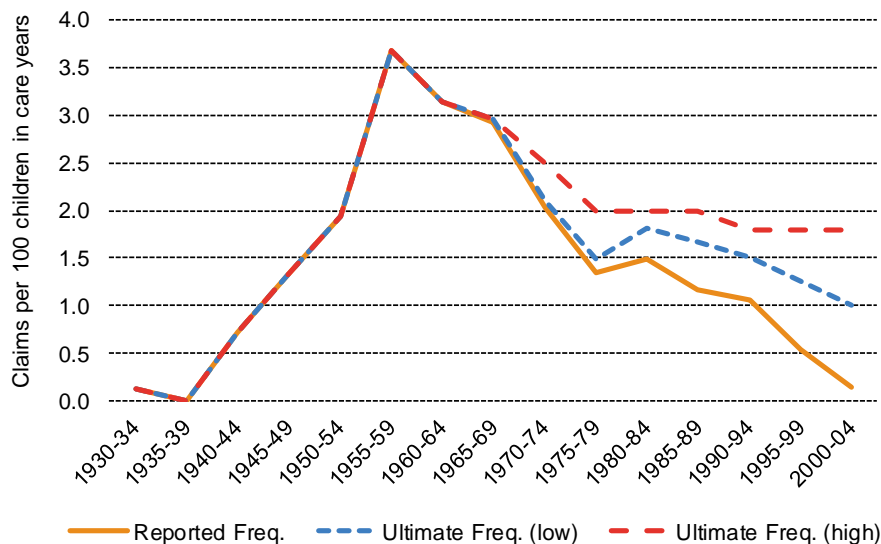


Figure B.2 – Redress WA reporting frequency – Foster Care



In aggregate, the low and high estimates of the ultimate frequency of abuse imply that possibly around 16% to 33% more survivors could have been eligible to participate in the scheme but were either not ready or able to report their abuse. As such, our estimate of 15% to 30% under-reporting does not appear unreasonable.

It is important to note that there are a number of limitations affecting the interpretation of the rates of reported abuse shown in this Appendix. Readers of this report should be mindful of these limitations before drawing any conclusions from this information. Some of these limitations include:

- The WA exposure measure prior to 1990 used to determine the reporting frequency (children in care years) is estimated based on known children in care statistics from QLD, adjusted for child populations and Indigenous exposures and as such may be significantly different to actual WA exposures
- The exposure measure is likely to overstate the number of children in care as:
 - ▶ It is a measure of the number of children that were in care in any given year regardless of the duration of their time in care. I.e. a child in care for 3 months would contribute the same level of exposure to this measure as a child in care for a full year.
 - ▶ Children in care over a number of years will contribute to this measure for each year that they are in care.
- The measure of foster care exposure pre-1990's does not include kinship care in WA, however victims abused in kinship care are represented in the Redress WA participants. In the 1990's children in kinship care represented around one quarter of children in foster care in WA. There is limited information available for earlier periods.
- The reported rates of abuse do not allow for survivor mortality. That is, they will exclude any victims who have died before 2009 when the redress scheme opened.
- A requirement of participation in Redress WA was that survivors were aged 18 and over on 30 April 2009. As such, children abused in care in more recent periods may not be represented in the redress WA data due to not meeting this age requirement.

C Private Session Additional Information

Table C.1 – Age Profile at First Abuse

Age band	Percent
0 - 3 years	3%
4 - 7 years	20%
8 - 11 years	33%
12 - 15 years	31%
16+ years	4%
Unknown	9%
Total	100%

Table C.2 – Abuse by Number of Institutions

	Proportion
Abuse in one institution	79%
Abuse in two institutions	16%
Abuse in three or more institutions	5%
Total	100%

Table C.3 – Proportions of Abuse within Faith Based Institutions

Faith	Percent
Anglican	13%
Baptist	0%
Christian Brethren	0%
Catholic	67%
Christian Church: Other	2%
Church of Christ	0%
Church of Latter Day Saints/Mormons	0%
Jehovah's Witness	1%
Jewish	1%
Lutheran	1%
Pentecostal	1%
Salvation Army	7%
Seventh Day Adventist	1%
Uniting/Presbyterian/Methodist/Congregational	6%
Totals	100%

Table C.4 – Decade of Abuse by Institution Operator

Decade of First Abuse	Government	Faith Based	Secular	Unknown	Total
Before 1940	13%	75%	13%	0%	100%
1940-1949	14%	74%	3%	9%	100%
1950-1959	18%	67%	7%	8%	100%
1960-1969	21%	62%	9%	8%	100%
1970-1979	23%	63%	7%	8%	100%
1980-1989	22%	57%	11%	10%	100%
1990-1999	21%	50%	13%	16%	100%
2000-2009	27%	27%	12%	35%	100%
2010 and later	43%	36%	14%	7%	100%
Unknown	24%	57%	7%	12%	100%
Total	21%	62%	8%	9%	100%

Table C.5 – Decade of Abuse by Institution Type

Decade of Abuse	Residential Care	Foster Care	Education	Religious Institutions	Recreation / Sport	Health and Allied	Other / Unknown
Before 1940	1%	0%	0%	0%	0%	0%	0%
1940-1949	8%	5%	3%	2%	1%	2%	2%
1950-1959	26%	19%	12%	12%	10%	9%	9%
1960-1969	34%	26%	26%	27%	20%	39%	21%
1970-1979	17%	19%	26%	28%	27%	27%	26%
1980-1989	3%	13%	16%	15%	23%	16%	14%
1990-1999	0%	5%	4%	3%	7%	0%	7%
2000-2009	0%	3%	2%	1%	1%	0%	5%
2010 and later	0%	1%	1%	0%	2%	0%	4%
Unknown	10%	10%	9%	11%	10%	8%	12%
Total	100%	100%	100%	100%	100%	100%	100%

Table C.6 – Institution by Type and Operator

Institution Type	Proportion
Residential: Government	9.9%
Residential: Secular	2.6%
Residential: Faith Based	22.1%
Foster Care: Government	1.9%
Foster Care: Secular	0.2%
Foster Care: Faith Based	0.0%
Foster Care: Unknown	5.5%
Education: Government	5.8%
Education: Secular	0.5%
Education: Faith Based	21.8%
Other Religious Institutions: Places of Worship	16.1%
Other Religious Institutions: Clergy Training Facility	0.3%
Other Religious Institutions: Other	0.2%
Recreation, Sports & Hobbies: Government	0.2%
Recreation, Sports & Hobbies: Secular (includes Scouts & Guides)	2.9%
Recreation, Sports & Hobbies: Faith Based	0.2%
Recreation, Sports & Hobbies: Sporting & Other	0.8%
Health & Allied: Government	1.4%
Health & Allied: Secular	0.2%
Health & Allied: Medical Practitioners	0.4%
Health & Allied: Other	0.2%
Juvenile Justice/Detention: Police	0.2%
Juvenile Justice/Detention: Corrective Institutions	0.7%
Juvenile Justice/Detention: Immigration Detention	0.2%
Child Care: Government	0.2%
Child Care: Secular	0.6%
Child Care: Faith Based	0.0%
Supported Accommodation: Government	0.3%
Supported Accommodation: Faith Based	0.3%
Supported Accommodation: Other	0.0%
Arts & Cultural	0.0%
Social Support Services: Government	0.1%
Social Support Services: Secular	0.1%
Social Support Services: Faith Based	0.6%
Other	3.0%
Unknown	0.3%
Total	100%

D Claims Project Additional Information

Table D.7 – Average non-nil Compensation by Year of Resolution (Inflated to 2014 dollars)

Year Claim Resolved	Number of non-nil Compensation Amounts	Average Compensation (inflated to 2014 dollars)
1995	20	59,947
1996	26	97,928
1997	102	92,507
1998	69	126,288
1999	77	136,155
2000	49	87,264
2001	62	104,729
2002	94	80,702
2003	108	76,349
2004	126	66,954
2005	156	64,353
2006	121	83,328
2007	155	70,461
2008	179	63,033
2009	243	101,313
2010	273	111,334
2011	254	83,812
2012	340	71,730
2013	224	122,718
2014	173	129,937
Total	2,851	91,136