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MEDIA RELEASE

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REMOVING THE BARRIERS - NSW CONSIDERS NO TIME LIMIT FOR CHILD ABUSE VICTIMS TO SUE

NSW Attorney General Brad Hazzard is urging the public to have a say on whether to remove or extend the legal time limit in which survivors of child sexual abuse can sue for damages.

Mr Hazzard said the NSW Government has released a discussion paper on whether to amend the *Limitation Act 1969* as part of its response to the inquiries into child abuse in religious, non-government and government organisations.

“The *Royal Commission into Institutional Responses to Child Sexual Abuse* has uncovered widespread claims about abuse and the legal barriers survivors face in pursuing justice many years after the event,” Mr Hazzard said.

“Civil litigation offers people an opportunity to sue perpetrators and responsible institutions for damages suffered as a result of their abuse.

“However, it is well documented that many survivors of child sexual abuse do not disclose their experiences or act on them until decades after the abuse, well after the time period has ended.”

Minister for Family and Community Services Gabrielle Upton said the NSW Government was working with the Royal Commission to ensure that care and compassion was delivered to survivors.

“As part of its support for victims of child sexual abuse, the NSW Liberals & Nationals Government late last year announced a range of interim measures that gave victims the compassion, recognition and practical support they deserve,” she said.

This included guiding principles for NSW government agencies to improve their responses to civil claims; an active place of recognition for residents of Parramatta Girls Home; unlimited counselling for victims through the Victims Support Scheme and extra resources for the Department of Family and Community Services to fast track access to care records.

Mr Hazzard said under the guiding principles NSW government agencies should not generally rely on a statutory limitation period defence unless the matter involves multiple defendants.

“However that principle only applies to government agencies - there is currently nothing preventing other defendants from using the statutory limitation defence provisions.”

Dr Cathy Kezelman, president of Adults Surviving Child Abuse welcomed the release of the discussion paper.

“Adults Surviving Child Abuse, the leading national organisation for adult survivors of all forms of childhood trauma and abuse welcomes the initiative of this government towards removing this impediment to justice faced by child abuse victims.

“Child abuse victims face multiple barriers to pursuing a civil litigation process. It is high time that an understanding of trauma and its impacts inform the justice process.

“Addressing the limitation period and broadening the abuses covered would be a significant first step towards a trauma-informed legal system and better outcomes for victims.’

Mr Hazzard said the NSW Government wanted to hear from the community before making a final decision on whether to amend the *Limitations Act*.

“Any changes to the limitation period will only impact on the length of time that a survivor has to commence civil proceedings. It will not impact on the liability of institutions.

“The discussion paper raises issues of interest to all survivors of child sexual abuse and is not confined to those abused in institutions or organisations,” he said.

“It is important we consult broadly to ensure we are making the right decisions - implementing legislation that helps survivors recover from their traumatic experiences and assisting the justice system to deliver justice.”

To take part in the public consultation visit the NSW Justice website www.justice.nsw.gov.au and provide feedback before 10 March 2015.