



Guidelines for delivering a Direct Personal Response under the National Redress Scheme

Content

This document contains the Diocese of Wilcannia-Forbes (the Diocese) Guidelines for Direct Personal Response (DPR) under the National Redress Scheme (the Scheme) and must be read in conjunction with the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018*, the *Direct Personal Response Framework 2018* and the Schemes' DPR Guidance Handbook.

Application and scope

This Guideline applies to Clergy, Employees, Contractors, Volunteers, work experience students and trainees (**Workers**) of the Diocese including those working in or visiting its Parishes or Agencies. Where an Agency within the Diocese (such as the Catholic Schools Office or CatholicCare) has its own Policy, the relevant Agency Policy will apply to Agency Workers.

Purpose

The purpose of this Guideline is to set out the arrangements under which the Catholic Diocese of Wilcannia-Forbes is to engage in a DPR with a Survivor under the Scheme.

Definitions

The Scheme	The National Redress Scheme
The Act	National Redress Scheme for <i>Institutional Child Sexual Abuse Act 2018</i> section 55
Child Abuse Offence	Child Abuse Offence is defined under section 316A (9) of the Act and is extracted at Annexure B to these Guidelines.
Child	Child means a person who is under the age of 18 years.
Institution DPR Contact Person(s)	The staff member(s) within the institution that survivors will speak to in relation to requesting and arranging their DPR.

Nominee/ Support Person(s)	A person(s) nominated by a Survivor to support them through the planning and delivery of the DPR. This may be a family member, friend, someone from a support service, or other person of the Survivor's choosing.
Survivor	Survivor refers to individuals who have experienced institutional child sexual abuse. We acknowledge not everyone identifies with this term.
Institutional Representative	The senior staff member participating in an agreed form of DPR with a Survivor. A representative of an institution must only participate in a DPR where they have the appropriate authority to apologise on behalf of the institution and advise of/introduce changes to the policies and procedures of the institution to prevent abuse of children from occurring again (<i>National Redress Scheme for Institutional Child Sexual Abuse Direct Personal Response Framework 2018, Section 10</i>).
Facilitator	A Facilitator's role is to maximise the effectiveness of a DPR and ensure the DPR is safe for the Survivor. It is best practice for an institution to engage a Facilitator to prepare participants for and conduct a face-to-face DPR. A Facilitator is a 'neutral' person in the DPR process and possesses skills and experience in facilitation, mediation, group work and/or experience working in a range of settings with people who have experienced trauma.
Further actions	An agreement made during the DPR between the Survivor and Diocesan Representative for actions to occur following the DPR.
Scheme Operator	The role is held by the Secretary of the Department of Social Services, as the agency responsible for the Scheme.
Protected information	Information about a person or an institution that; was provided to, or obtained by, an officer of the scheme for

the purposes of the scheme; and is or was held in the records of the Department of the Human Services Department; or information to the effect that there is no information about a person or an institution held in the records of a Department

Legislation

Subsection 54(2) of the Act provides that a DPR from a participating institution to a Survivor is any one or more of the following:

An apology or a statement of acknowledgement or regret; and/or

- An acknowledgement of the impact of the abuse on the Survivor; and/or
- An assurance as to the steps the institution has taken, or will take, to prevent abuse occurring again; and/or
- The opportunity to meet with a senior official of the institution.

In providing a DPR, participating institutions are required to adhere to the following principles, as outlined in section 56 of the Act:

- (1) All participating institutions should offer and provide on request by a Survivor:
 - (a) meaningful recognition of the institution's responsibility by way of a statement of apology, acknowledgement or regret, and
 - (b) an assurance as to steps taken to protect against further abuse.
- (2) Engagement between a Survivor and a participating institution should occur only if, and to the extent that, a Survivor wishes it.
- (3) Participating institutions should make clear what they are willing to offer and provide by way of a DPR to Survivors.
- (4) In offering DPRs, participating institutions should be responsive to Survivors' needs.
- (5) Participating institutions that already offer a broader range of DPRs to Survivors and others should consider continuing to offer those forms of DPR.
- (6) DPRs should be delivered by people who have received training about the nature and impact of child sexual abuse and the needs of Survivors, including cultural awareness and sensitivity training where relevant.
- (7) Participating institutions should welcome feedback from Survivors about the DPRs they offer and provide.
- (8) Participating institutions must have a process for managing complaints relating to DPRs. The complaints process must be articulated to Survivors.

Where it has been determined that the survivor experienced abuse in more than one institutional setting, the survivor can request to participate in a DPR with each or any of these responsible institutions. Where an institutional representative has appropriate authority to represent multiple institutions, they may provide a single DPR that relates to each of those institutions. If your institution previously engaged with the survivor in similar processes outside of the Scheme, the survivor remains able to request and engage in a DPR under the Scheme with your institution.

Direct Personal Response (DPR)

Introduction to Direct Personal Response

The model for a DPR is based on a restorative process as recommended by the Royal Commission. Restorative processes acknowledge and prioritise the needs and interests of people who have been harmed by others. The underlying principles of restorative practice promote:

- Wellbeing
- Voice
- Safety
- Respect
- Confidentiality
- Accountability
- A Survivor focus

It is the Survivors decision to decide what type of DPR will be most meaningful to them. A DPR may occur through one or more of the following formats:

- **a face-to-face meeting** between a Survivor and Diocesan Representative.
- **written engagement** between a Survivor and Diocesan Representative, typically a formal written letter or acknowledgement, accountability and apology.
- **group DPR meeting**, such as multiple survivors of the same institution meeting with an Diocesan Representative.
- **symbolic actions/processes** such as a public response or expression by the Diocese, such as a memorial, service, reunion, tree planting, memory project, several meetings over time, commemoration or public apology such as a statement on the Diocesan website accepting accountability and apologising to all Survivors.
- **providing information or access to personal records** requested by the Survivor, or the opportunity to correct inaccurate historical records.
- **any other method of DPR** requested by the Survivor and to which the Diocese is able to reasonably and safely provide.

Where the Diocese is unable to deliver a Survivor's preferred type of DPR, the Diocesan Contact Person will work with the Survivor to identify an appropriate alternative that is satisfactory to the Survivor.

A DPR enables the Survivor to voice his/her experience and the impacts of the abuse, both at the time and now, to someone who is able to do something with these lessons. A DPR is also an opportunity for the Diocese to demonstrate its accountability to the Survivor.

A DPR must be undertaken in accordance with principles of Trauma Informed Care and restorative practice. These involve working to the principle of '*do no further harm*', which supports the safe and effective engagement between the Survivor and the Diocesan Representative.

Trauma affects Survivors in many ways including:

- Individual level: mental health and physical health issues

- Interpersonal level: emotional, behavioural and interpersonal capacities are effected
- Societal level: impacts on quality of life and opportunity

Trauma-informed service delivery involves working with the Survivor to establish safety, trustworthiness, work collaboratively, provide choice and control (to the extent possible) and empowerment. Any contact with the Survivor should be underpinned by these principles of Trauma Informed Care.

Participants of the Diocesan Direct Personal Response Process

Survivor:	The Survivor is the person that has experienced child sexual abuse within the Diocese and has applied for redress through the NRS. The Survivor has requested DPR as part of their Redress submission.
Support Person(s):	The Support Person(s) may be a friend, family member, or a professional chosen by the Survivor. The Survivor may have more than one Support Person.
Contact Person:	The Contact Person will be appointed by the Diocese who is the person initially contacted by the Survivor.
Facilitator:	The Facilitator will be appointed by the Diocese and will possess the necessary skills and expertise to undertake the process.
Diocesan Representative:	The Diocesan Representative for the Diocese will normally be the Vicar General unless agreed otherwise.

Role of Participants

Survivor:	<p>DPR is for and about the Survivor. The Diocese will engage with the Survivor to determine how the DPR may best meet their interests and needs, including, the Survivor’s preferences for the Diocesan Representative in the DPR, the timing and location of the DPR and whether they have thought about or nominated a Support Person(s).</p> <p>In order for a DPR to occur Survivors must:</p> <ul style="list-style-type: none"> • have accepted an offer of Redress under the Scheme and indicated on their acceptance letter that they wish to engage in DPR • contact the Contact Person at the Diocese when they are ready to do so • nominate their preferred Support Person(s) to assist them emotionally and physically throughout the DPR process • agree to and sign of the ‘Survivor’ Statement of Understanding for Participation Form to undertake the DPR process with the Diocese • have been provided with a thorough explanation of the DPR purpose, sign Attachment C: Statement of Understanding for Participation Form: Survivor and Attachment A: Information for Participation in DPR: Survivor (which sets out the purpose of DPR, the Survivors understanding of the role of participants in the DPR,
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	<p>confidentiality provisions) after being provided a careful explanation of this by Facilitator</p> <ul style="list-style-type: none"> • where agreed, meeting with the Facilitator to prepare for the DPR meeting including assistance with the Survivor statement • engage in any further agreed actions that came out of the DPR meeting (if agreed to and desired) <p>The Survivor's needs during the process and desired outcomes will always be at the centre of the DPR process.</p>
<p>Support Person(s):</p>	<p>The Support Person(s) role is to enhance the outcome of the process for the Survivor, through the provision of emotional, cultural and physical support.</p> <p>The Facilitator will work with the Support Person(s) to assist them to understand their role in the DPR and how they may best support the Survivor.</p> <p>The Support Person(s) will be asked to read and sign Attachment D: Statement of Understanding for Participation Form: Support Person and Attachment B: Information for Participation in DPR (which sets out the purpose of DPR, the Support Person(s) understanding of the role of participants in the DPR, confidentiality provisions and so on).</p> <p>The Support Person(s) will be asked to provide feedback to the Diocese after the DPR meeting has taken place.</p> <p>Generally, the role of the Support Person(s) is <u>not</u> to:</p> <ul style="list-style-type: none"> • speak on the Survivor's behalf • engage in adversarial debate • advocate for outcomes for the Survivor during the DPR meeting <p>The Support Person(s) typically has some part in the Survivor's life story and is well placed to help the Survivor derive meaning and manage any emotionally difficult aspects of their experience of engaging in a DPR.</p>
<p>Administrator:</p>	<p>The Administrator will provide administrative and logistical assistance to the Safeguarding Office to support them in ensuring the DPR process runs smoothly.</p> <p>The Administrator will be responsible for:</p> <ul style="list-style-type: none"> • administrative duties of the DPR process as directed by the Safeguarding Office • administration and monitoring of DPR Process database • reporting of DPR Process information to the Safeguarding Office for annual reporting to the National Redress Scheme
<p>Contact Person:</p>	<p>The Contact Person will be responsible for:</p> <ul style="list-style-type: none"> • the initial liaison with the Survivor and/or the Support Person(s) to provide information • identifying the expectations of the Survivor and support the Survivor in deciding on the best way for them to participate in the DPR process • engaging and liaising with the Facilitator (if two separate roles) and provide applicable background information about the Survivor to assist both parties to prepare for the DPR • engaging and liaising with the Diocesan Representative and providing them with applicable background information about

	<p>the Survivor to assist the Diocesan Representative to prepare for the DPR</p> <ul style="list-style-type: none"> • organising meeting time and date • organising appropriate meeting space • confirming meeting times/dates/place with all parties • facilitate any further actions agreed upon by the Survivor and the Diocesan Representative during the DPR meeting • articulate avenues for providing complaints and feedback • annual reporting of DPR information to the National Redress Scheme <p>The Contact Person may also be in the Facilitator role, in some circumstances, institutions may have staff who possess the relevant experience and skills required to effectively prepare and facilitate DPR's, or seek to employ staff with this skill set.</p>
<p>Facilitator:</p>	<p>The role of the Facilitator is to maximise the safety and effectiveness of the DPR process.</p> <p>The role of the Facilitator is to:</p> <ul style="list-style-type: none"> • work closely with the Survivor to explain the steps involved in getting to the DPR including, preparation, preferences, readiness, nominating Support Persons(s), and sharing information with Diocesan Representative • work closely with the Survivor to understand their interests and needs for DPR • liaise with the Contact Person about the Survivor's readiness and preparation for the DPR • work closely with the Diocesan Representative to ensure they are well prepared and are the appropriate person for the particular DPR, provide background information on the Survivor (including motivations, expectations and outcomes) and their preparedness to fully hear the Survivor and respond to the Survivor's account as effectively as possible • work closely with the Survivor and their Support Person(s) to ensure they are well prepared and supported to share their experience as effectively as possible (in chosen format) and to the extent they wish and that they fully understand the entire process • ensure the safety of all participants leading up to and throughout the DPR meeting; including after the DPR • debrief with the Survivor and the Diocesan Representative separately, directly after the DPR meeting and again 3-5 days after the meeting to respond to any questions or concerns about the DPR or the Survivors wellbeing and allow for feedback on the DPR process • provide closure to the DPR process by completing Attachment I: DPR Completion Report
<p>Diocesan Representative:</p>	<p>The role of the Diocesan Representative is to:</p> <ul style="list-style-type: none"> • ensure they meet the characteristics/training set out in <i>National Redress Scheme's DPR Framework, Guidance Note 4</i> • liaise with the Facilitator about their involvement in the DPR process • following an explanation of the purpose of the DPR and their role in it, sign the Diocesan 'Diocese Representative' Attachment E: Statement of Understanding for Participation Form: Diocese Representative

	<ul style="list-style-type: none">• familiarise themselves with information about the Survivors experiences provided in Attachment Q: DRP Brief Pack: Diocesan Representative by the Contact Person/Facilitator• work with the Facilitator in preparation for the DPR and how the Diocese may best respond to the Survivor to maximise a safe and effective response and apology• actively listen to and appropriately engage with the Survivor during the DPR meeting. The Diocesan Representative will listen to the Survivor’s story, have the authority to meaningfully apologise on behalf of the Diocese for the harm caused to the Survivor and discuss the strategies being taken and further actions to be implemented to minimise harm to other children and/or vulnerable people in the future.• discuss any further appropriate actions with the Survivor during the DPR meeting and agree in writing with them as to what can be offered beyond the meeting• action further agreements after meeting with Survivor. Contact person to assist with facilitation of actions.• provide feedback on Attachment O: Survey Feedback: Diocesan Representative to the Facilitator on the DPR process
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The Steps Involved in a Standard DRP Process

It is anticipated that facilitated face-to-face meetings will be the preferred format for Survivors engaging in the DRP and will follow a four step process as follows:

1. Commencing arrangements for a DPR
 - Survivor makes contact with the Diocese to commence DPR.
 - Contact Person liaises with Survivor to ascertain current interest, preferred format, expectations, access to appropriate support, comfort level of Facilitator and Diocesan Representative, noting that Survivors may request a preference for a representative with a particular professional, cultural background.
 - Contact Person undertakes administrative and logistical arrangements.
2. Preparing for a DPR
 - Advice to Survivor of what information will be shared with Diocesan Representative for the purpose of preparing for the DPR (Act allows for protected information to be shared for a specific purpose – including DPR)
 - Survivor information provided to Facilitator by Contact Person
 - Facilitator to work with the Survivor before the meeting and sensitively identify how to best share their story and its impacts, and address any issues or unrealistic expectations with them in terms of their understanding of the process, realistic outcomes and their readiness.
 - Facilitator to work with the Diocesan Representative to give background context, discuss Survivor motivation and expectations, whether they have requested further action and ensure the Representative is appropriately prepared to engage meaningfully, safely and effectively.
 - Contact Person to undertake administrative tasks and logistical arrangements
3. Holding the DPR meeting

The standard format for the DRP is through a facilitated face-to-face meeting between the Survivor, their designated Support Person(s), and an Diocesan Representative. The Facilitator will ensure a safe space for the Survivor and that the Diocesan Representative is able to engage safely and effectively with the Survivor.

- Arrangements agreed and participants fully prepared
- Facilitator can delay process at any stage to ensure that participation is agreed and is well informed to ensure safety and wellbeing of all participants

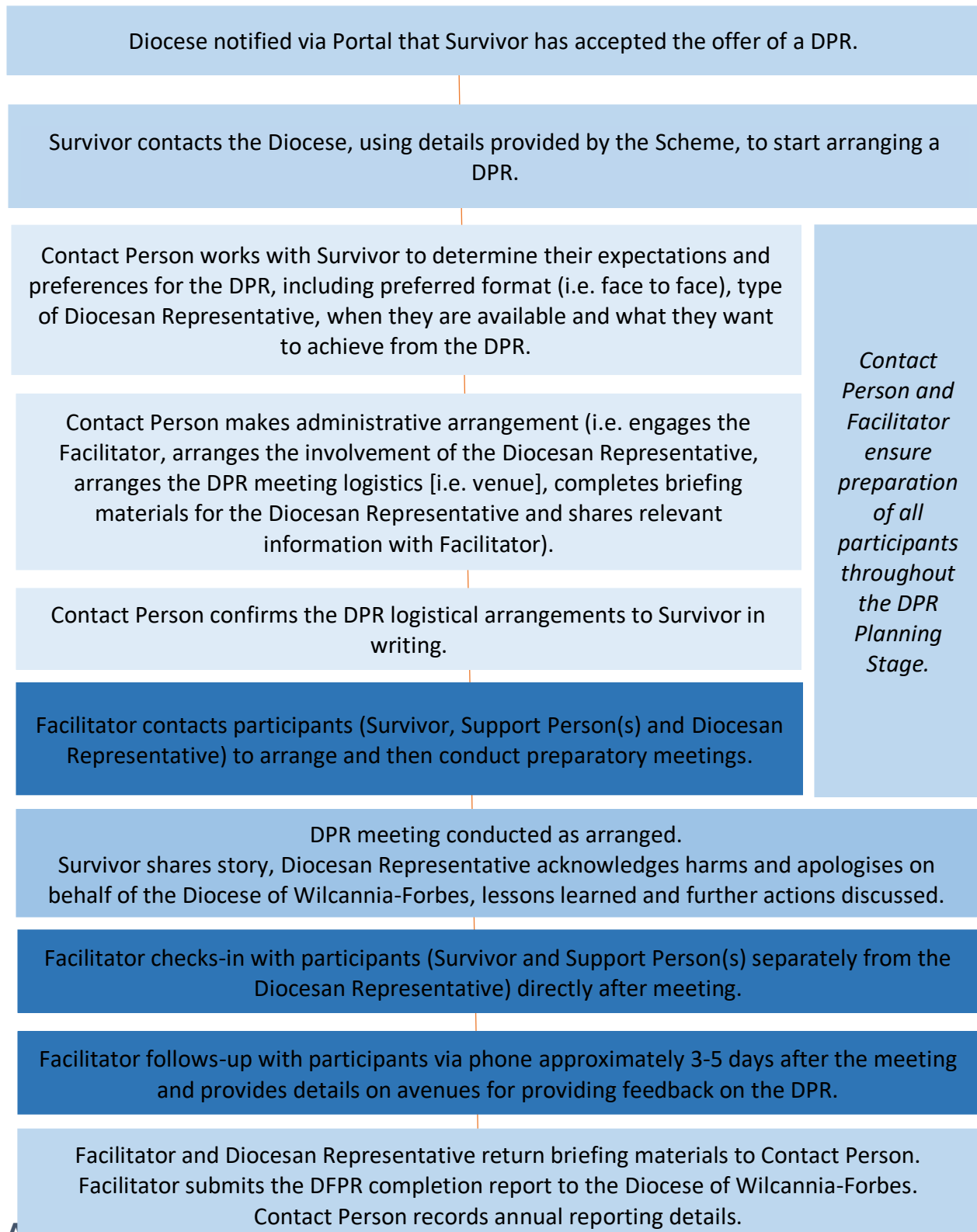
The meeting will separately move through four stages:

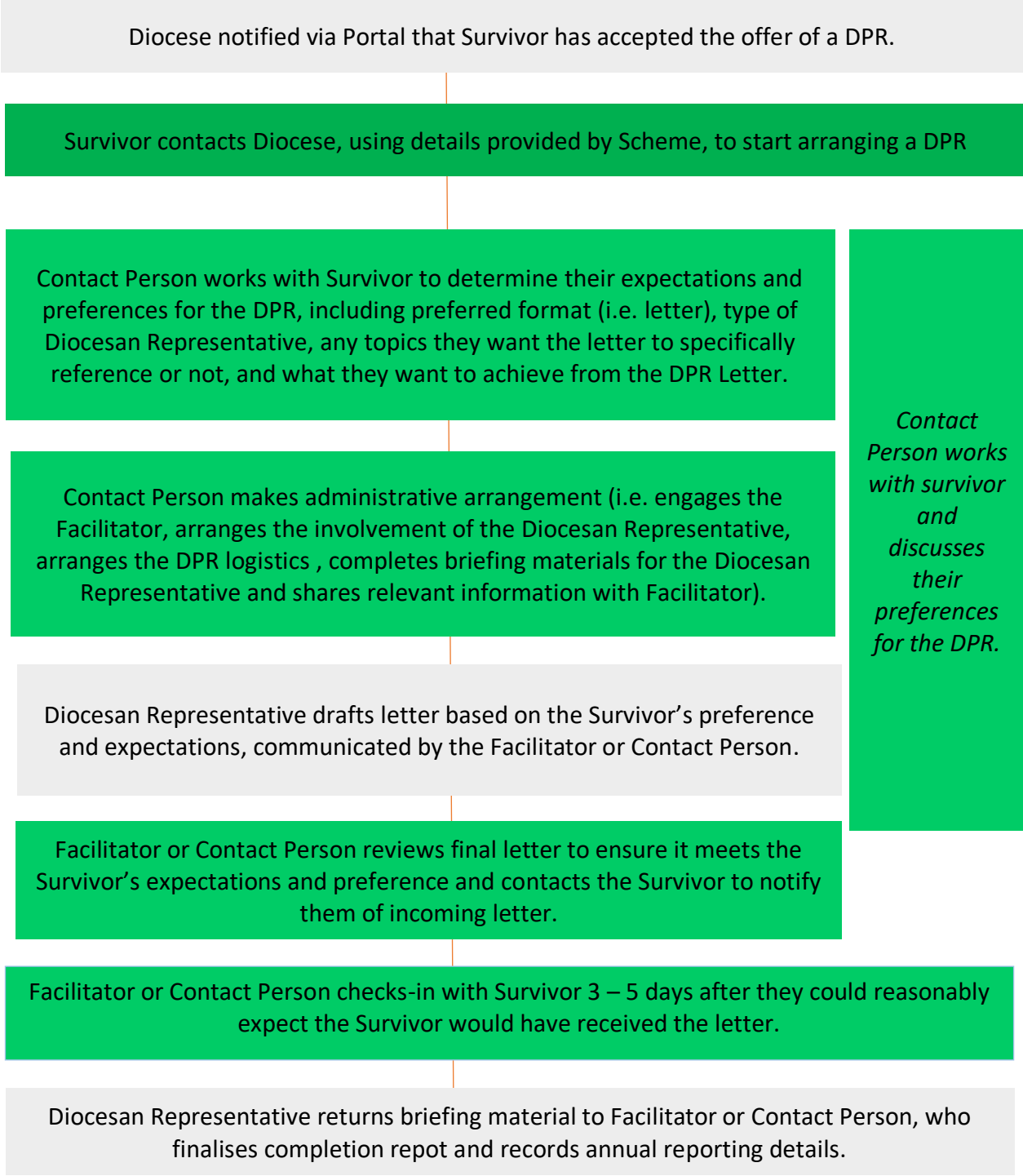
- the Survivor speaks to their experience, its impacts both at the time and now (to the extent they wish)
- the Diocesan Representative provides a response
- a discussion between parties that enables a shared understanding of the abuse, its impacts and the future (lessons to be learned), and
- all parties discuss any further actions that might support healing and achieving a sense of justice.

4. Follow-up after the DPR

- Facilitator/Contact Person to follow-up with Survivor 3-5 days after the DPR to debrief and provide support, respond to any questions and concerns, and if appropriate seek feedback, compliments or complaints.

Diocesan Standard Face-to-Face DPR Process Map





Alternative formats of a DPR

Under certain circumstances, a direct face-to-face meeting may not be practicable or the Survivor has requested their DPR to occur via another format. In these circumstances, under the DPR Scheme, an indirect, but nonetheless personal response may be appropriate such as the Facilitator meeting separately with the Survivor and the Diocesan Representative and then arranging for alternative outcomes (Refer to the National Redress Scheme's *Introduction to Direct Personal Response* page 2 for other options).

Core Elements for Achieving a Meaningful DPR

Under the Scheme, a DPR is for, and about Survivors and their interests in achieving validation and a sense of justice. To attain this the Diocese will approach each DPR from the perspective of the individual Survivor. This will occur through careful, respectful engagement with Survivors and the Diocese wholeheartedly responding with care and accepting accountability for what happened. For many Survivors, the factors that enable a sense of justice involve recognition of their experience: that is, that they are believed and their experiences are validated.

Survivors of abuse within the Diocese will more likely receive a sense of healing and justice if the Redress offered to the Survivor involves being listened to and heard, validated and vindicated and is most effective when accountability is demonstrated. The most meaningful outcome will more likely be achieved if the following elements are present (Kathleen Daly Theory of Victim Justice):

- **Active Participation:** Active consultation with Survivor regarding needs and preferences to help empower them
- **Voice:** Survivors should be supported to share their story in a format that is safe and to the extent they are able
- **Validation:** The Diocese Representative will provide recognition that the abuse was wrong and the Survivor was not responsible or deserving of the abuse.
- **Vindication:** The Diocese Representative to affirm the abuse was morally and legally wrong and to express regret and offer an apology
- **Accountability:** Demonstration by the Diocese to the Survivor how accountability is being shown in the work done for Survivors, address prior failings and to prevent further harm

Outcomes of participation in a DPR

For Survivors, being believed, validated and seeing the Institution take responsibility for the past is often most impactful where the Institution can demonstrate how the current culture of the Diocese is undergoing genuine reform. The timing of when to share information about institutional reform in the DPR should be discussed with the Facilitator. The DPR is most likely to promote individual recovery when the Diocese Representative can:

- Acknowledge and validate the Survivor's experience
- Acknowledge the Diocese's accountability for what happened
- Provide the Survivor with important information about their association to the church, where relevant

- Provide the Survivor with important information about the steps the institution has taken, is taking, and will take, to protect children from sexual abuse or any other form of abuse; and
- Draw lessons from the Survivor's experience and resilience to support further and continuing reform

Core Administrative Practices of the DPR

Throughout the administrative process - before, during and after the DPR - all involved will be mindful that procedural justice requires Administrators to be respectful, transparent, and clear as they address concerns, ask and answer questions, and make the requisite arrangements for a DPR that can successfully deliver a sense of justice. To do this, the following administrative practices should include:

- **Voluntary Participation:** Participation of all parties is voluntary.
- **Participant Safety:** The safety and wellbeing of all participants, particularly the Survivor, must be upheld at all times. Support and debriefing opportunities to be offered before, during and after DPR process to all participants.
- **Confidentiality:** Every aspect of the DPR is confidential unless; all participants agree otherwise, an actual or potential threat to human life, disclosure is required by law, health or safety is revealed in the course of giving the DPR
- **Managing Power Imbalance:** Inherent power imbalances and low levels of trust to be managed by Facilitator to ensure engagement by Diocese Representative in process is felt by the Survivor to be safe and genuine.
- **Request for Further Actions:** It is envisaged by the Scheme that the face-to-face meeting or letter etc. is the intended outcome of the DPR however it does not limit or prevent any further agreements between participants and the Diocese if it is considered practical to do so.
- **Conflicts of Interest:** Perceived or real conflicts of interest should be declared and managed as early as possible in the DPR.
- **Training for Institutional Representatives to Build Skills for Engaging Effectively in a DPR:** Diocesan participants to be involved in DPR only if they have received appropriate trauma-informed/impact of abuse training.
- **Post-DPR Check-in/debriefing:** Facilitator to check-in with Survivor straight after meeting and again 3-5 days later or as agreed. If a letter has been sent to the Survivor, follow-up should be 3-5 days after letter has been delivered or as agreed. Opportunity for Survivor feedback to be offered. Debriefing will occur regardless of the format of DPR. Data to be filed by Diocese and provided during annual reporting to the Scheme.

The broader administrative Process

The broader administrative process also involves:

- initial inquiries with the institutions Contact Person
- provision of information on the purpose and process of engaging a DPR
- deliberations about whether to participate in a DPR
- the process of choosing the appropriate Support Person(s), Diocesan Representative(s) and Facilitator

- preparatory meetings
- the DPR meeting, and
- follow-up that includes debriefing with participants and ensures that any agreed further actions are delivered

Timeframe for delivering the DPR

The Survivor can make contact with the Diocese for the DPR any time after signing the acceptance document to the Scheme final application date of 30 June 2028. If 30 June 2028 passes without contact by the Survivor, the Diocese is no longer obligated under the Scheme’s legislation to undertake a DPR with the Survivor. Noting the DPR Framework states, once a Survivor requests, a DPR must be provided as soon as practicable.

Further Agreements

The Scheme does not prevent or limit any agreements between participants for further actions beyond the DPR meeting and process, however, the Scheme Operator and Facilitator will have no role or responsibility in follow-up actions. If there are instances where follow-up actions are agreed between DPR participants, it must be an agreement made directly between the Survivor and Diocesan Representative. The Diocese, via the Diocese Representative involved in the DPR, should only agree to actions that they have the authority to agree to and can ensure will be delivered (see *National Redress Scheme’s DPR Guidance Handbook, Guidance Note 14* for further information).

Participant Readiness

One of the crucial roles of the Facilitator in ensuring a ‘do no further harm’ approach, is to determine the readiness of the participants for the DPR. The Facilitator will assist the Survivor in the preparation for their participation in the DPR as well as providing the background information to the Diocese Representative that will inform the Diocese engagement with the Survivor in the DPR.

Considerations should include:

- What does the Survivor want to achieve from a DPR?
- What are they expecting from the Diocese?
- Does the Survivor want the Diocese Representative to be particularly alert to something within their experience and its implications?
- What does justice and healing look like to the Survivor?
- What is important to the Survivor in an apology?
- What support does the Survivor have?
- Has the Survivor talked about what will assist them to be safe throughout the DPR?
- Has the Survivor expressed any preferences in relation to the Diocese Representative i.e. gender, or attending in clerical dress?
- Does the Survivor’s expectations of the DPR align with what can reasonably be achieved?

If alternative representatives and/or support options are needed at any stage throughout the DPR, these should be discussed and agreed to between the Facilitator and the Survivor. Scope for an alternative representative should be considered in terms of the Survivor's circumstances, needs and their ongoing safe engagement in the DPR, should issues arise about the participation of a particular representative (see National Redress Scheme's *DPR Guidance Handbook, Guidance Note 3* for further information).

For any reason, a DPR can be delayed or ceased at any point after the Survivor has requested it. The Facilitator can attempt to work with the Survivor to get them to a point of continuation however if this is not possible, the Survivor chooses to forgo the DPR altogether or to continue the process in the future. Any other participant can also seek to delay or withdraw from the DPR if they do not feel ready to engage. Circumstances where a Survivor may be considered not ready to participate in a DPR include:

- The Survivor is experiencing mental or physical health issues that impact on their capacity to engage in the process in a way that is considered safe for them and others
- The Survivor is assessed as having unrealistic or unattainable expectations of the DPR process

When these circumstances improve, the Diocese will ensure additional supports are in place and make the appropriate arrangements for the DPR to occur.

When an Diocese Representative is considered not ready to engage in a DPR the Facilitator/Contact Person should identify an alternative representative that does not unreasonably delay the process. Agreement on a suitable Diocese Representative should be reached in consultation between the Facilitator and the Survivor (see National Redress Scheme's *DPR Guidance Handbook, Guidance Note 3* for further information).

Acknowledgement of diverse needs and interest

The Facilitator will consider the appropriateness of the physical environment where the DPR will be held as well as the way the DPR will be conducted, so that Survivors engaging in this process are able and comfortable to participate fully and safely. The Facilitator will encompass the following considerations:

- Building cultural safety into the DPR processes for Aboriginal and Torres Strait Islander Survivors and Survivors from linguistically diverse backgrounds
- Ensuring the physical space where the DPR will be held is accessible for people
- Understanding and acknowledging that some Survivors may have a particular connection to a particular place or land
- Ensuring that the language used during the DPR process is appropriate, accessible and understandable for all participants with intellectual disabilities or impaired cognitive functions
- Providing additional rest breaks during meetings for participants

- Ensuring a National Accreditation Authority for Translators and Interpreters (NAATI) credentialed interpreter is present for those participants whom English is not their preferred language.

Incarcerated Survivors

Applicants who are deemed to have exceptional circumstances when their application is received by the Scheme or are incarcerated after their application has been lodged with the Scheme, may accept their offer of a DPR. Where an offer of redress has been made for an incarcerated survivor and they have accepted a DPR and are likely to still be in prison when the Scheme ceases on 30 June 2028, the Diocesan Contact Person/Facilitator and the relevant correctional facility will work together to determine how best to establish an appropriate environment for the DPR.

Survivors residing Overseas

Some Survivors who request a DPR may reside overseas. In these circumstances, the Diocese Contact Person/Facilitator will work with the Survivor to determine the best format for the DPR.

Survivors who are terminally ill or have poor health

For survivors who are terminally ill, in poor health or experiencing time constraints, the Diocese will prioritise their DPR arrangements and respond to them quickly to ensure that the DPR can be delivered to the survivors as intended. Consideration will be given to the type of DPR arrangements, particularly where the Survivor's mobility is constrained.

Follow-up process after a DPR

The Facilitator will follow-up with participants separately following the DPR, informally directly after and then again 3-5 days after the meeting. This follow up is intended to determine the wellbeing of the Survivor following the DPR and responding to any questions or concerns, establishing if the Survivor feels they have adequate support and listening to any feedback about the process. At this time it may be appropriate to seek feedback from participants, but it may not always be the right time to elicit this. The Facilitator should determine the following with each participant, particularly the Survivor:

- Are further support options required?
- Were expectations of the DPR met?
- Does either party wish to provide feedback about the DPR and what form will that take?
- If any additional agreements were made during the DPR, how will they be actioned by the Diocese and how will the Diocese communicate these to the Survivor?

Feedback and complaints mechanisms

Survivors, Facilitators, Support Persons and the Diocese Representatives have the opportunity to provide feedback on their experience participating in the DPR process. This feedback may relate to the quality of the DPR, engagement, timeliness, options

for types of DPRs, appropriateness of the institutional representatives, ability of the Facilitator, or any other aspect of the DPR process. The Survivor is not obliged to give feedback on the DPR.

The Diocese is required under the DPR Framework to:

- ask Survivors for feedback following their DPR
- provide details to Survivors of avenues for providing feedback and complaints to the institution on the DPR
- have a process for managing complaints relating to a DPR
- communicate this process and make it available to Survivors, and
- make reasonable efforts to consider, and be responsive to, complaints

**(See Attachment L: What Happens Now? - Avenues for Feedback)
(See Attachments M, N and O: Survey Feedback forms)**

Reporting DPR data

The Diocese is required to provide an Annual Report on the DPR Scheme to the Commonwealth Minister for Social Services. This information will help to inform an Annual Report on the operation of the Scheme to the Parliament. This reporting will help to ensure the consistent participation of the Diocese in the Scheme, identify any emerging issues and allow insight as to whether the Scheme is an effective and meaningful component of redress.

Each financial year the Diocese of Wilcannia-Forbes will report annually to the Operator at Australian Catholic Redress.

Reporting will capture the:

- date the Survivor contacted the Diocese to request DPR
- date the DPR was completed
- date a DPR was placed on-hold
- changes to the status of a DPR (e.g. requested, completed, on-hold, withdrawn)
- type of DPR requested by the Survivor
- type of DPR completed
- whether a Facilitator was engaged for the DPR.

The Diocese will securely store information for each individual DPR in line with current policies and protocols of the Diocese.

Understanding, Recordkeeping, Privacy, Civil Liability and Costs.

Ensuring and documenting well informed participation through Statement of Understanding of Participating in a DPR

Prior to a DPR occurring, it is good practice to have the Facilitator provide a thorough explanation of the DPR as a process and the steps involved in the process. This ensures that participation in a DPR is well informed and that everybody is well

prepared for participation. Having a record that this explanation was provided to participants and that each participant had a good understanding of the DPR as a process is valuable. Participation should not be prevented if a person declines to sign the **Statement of Understanding for Participation form**. Notes to the effect that the person received a thorough explanation may be made in the absence of participants signing the form. **The Statement of Understanding for Participation form**, details the following information to ensure respective participants understand:

- participation is voluntary
- the purpose of and proposed format of the DPR
- their role in the DPR
- the role others in the DPR, including a Support Person(s), Diocese Representative, Facilitator as relevant
- the harm is undisputed and the Survivor's testimony will not be questioned in the DPR
- engagement in the DPR will be respectful and genuine, with all parties behaving in a manner that upholds the principle *do no further harm*
- parameters of confidentiality, unless agreements are made otherwise

Recordkeeping

It is policy of the Diocese that all child related documentation is to be kept indefinitely. This will include all individual Survivor's documentation from the DPR process.

Privacy

Participating institutions are responsible for complying with the privacy provisions specified in the *Privacy Act 1988 (Cth)*, the *National Redress Scheme for Institution Child Sexual Abuse Act 2018*, (the Act) and any other relevant state legislation when handling personal information of a Survivor.

Under section 93 of the Act, a person may obtain, record, disclose or use protected information for the purposes of the Scheme, or with the express or implied consent of the person or institution to which the information relates.

Under section 98 of the Act, an employee or a person otherwise engaged by the institution may obtain, record, disclose or use protected information, if:

- the person believes, on reasonable grounds, that the obtaining, recording, disclosure or use that is proposed to be made of the information is reasonably necessary for the purpose of the institution providing a DPR; and
- the person has considered the impact of the disclosure on an applicant.

Under subsection 11(2) and (3) of the DPR Framework, every aspect of the DPR is confidential unless:

- all participants agree otherwise, or
- an actual or potential threat to human life, health or safety is revealed in the course of giving the DPR.

Protected information that is disclosed and used in the course of a DPR remains protected information and remains subject to the protections of the Act. These protections apply to all participants in the DPR.

Before using or disclosing relating to a survivor in a DPR, the relevant person in the institution must consider the impact the disclosure might have on the Survivor.

Information in Part 3 of the application – Impacts of abuse

Information provided in Part 3 of the NRS application about the impact of the abuse is only shared with the Diocese where the Survivor provides their consent to do so.

Where contact with a Survivor is occurring in relation to DPR, the Contact Person or Facilitator may request Part 3 of the Survivors application for assisting in the preparation of the DPR. A careful explanation of why Part 3 may be useful will be provided to the Survivor. This includes providing the Facilitator with some background context of their experience of abuse and its ongoing impacts prior to them meeting for the first time.

All requests made to the Survivor from the Diocese Contact Person or Facilitator regarding sharing Part 3 will be made sensitively and where trust and rapport has been developed.

Where Part 3 has not already been shared via the Institutional Portal, the DPR Contact Person can email DPRsupport@dss.gov.au with written evidence of the Survivor's consent to share Part 3, or with a request for the Scheme to contact the Survivor to discuss consent to share Part 3.

Civil Liability

Survivors must sign an acceptance document to access any elements of Redress under the Scheme, including a DPR. On signing the acceptance document, Survivors are no longer able to pursue any civil litigation against the Diocese.

Any statement of acknowledgement, regret, or apology, made by or on behalf of the participating institution by an Diocese Representative in the context of a DPR is not an admission of legal liability. This ensures that Diocese Representative can acknowledge the abuse suffered during the Survivor's time within the church and offer a genuine apology.

Costs associated with DPR

The Diocese is responsible for covering the costs associated with a DPR. These costs may include, as relevant:

- reasonable travel expenses for the Survivor and their Support Person(s) to attend preparatory meetings and/or DPR meeting
- venue or room hire
- hospitality
- arrangements for ceremonies, attendance at a particular site

Important Concepts of DPR to Remember

- ❖ **Do no further harm:** Every action in the DPR process should be based on this core principle. A DPR should not be a negative experience or cause a Survivor to relive trauma. Prior to engagement in a DPR, the readiness of all participants to safely engage should be carefully considered.
- ❖ **Do not question a Survivor's story:** Once a Survivor is engaging in a DPR, their claim for Redress under the Scheme has been accepted based on standards of reasonable likelihood. As such, the abuse should never be in question during a DPR. Survivors engaging with the Diocese for the purpose of DPR should never be made to feel that they are not believed. Their story and experience should never be questioned.
- ❖ **Implement trauma-informed care:** Every action involved in making a DPR happen, from the early preparation to completion, should be designed and implemented according to trauma-informed approach that puts the Survivor's needs at the centre
- ❖ **"Working with" rather than "doing to":** For a DPR to be Survivor-focussed, all actions must be done with them, rather than "for" or "to" them.

Reference

- National Redress Scheme for Institutional Child Sexual Abuse Act 2018
- Direct Personal Response *Guidance Handbook Version 1.3 September 2023*

Related Forms

- Attachment A: Information for Participation in DPR: Survivor
- Attachment B: Information for Participation in DPR: Support Person
- Attachment C: Statement of Understanding for Participation Form: Survivor
- Attachment D: Statement of Understanding for Participation Form: Support Person
- Attachment E: Statement of Understanding for Participation Form: Diocese Representative
- Attachment F: Preparatory Meeting Checklist
- Attachment G: DPR Agenda
- Attachment H: Record of Follow-up Action(s)
- Attachment I: DPR Completion Report
- Attachment J: DPR Procedure Record and Checklist
- Attachment K: Individual Roles in the DPR Process
- Attachment L: What Happens Now? – Avenues for Feedback
- Attachment M: Survey Feedback: Survivor
- Attachment N: Survey Feedback: Support Person
- Attachment O: Survey Feedback: Diocese Representative
- Attachment P: Survivor Guide to the Diocese DPR Process
- Attachment Q: DPR Briefing Pack: Diocese Representative

Policy Review

Review of this Policy, related forms and resources will be undertaken every 3 years.