

for example the child migrant prefers private counselling or alternatively the institution does not presently employ counsellors); and

(iii) the institution should make a monetary payment to the child migrants.

35. The necessity of each element is obvious when one considers the absence of any of them. A financial payment and funding for counselling, in the absence of a frank apology, has an unfortunate appearance of 'hush money.' An apology and a financial payment, without the offer of ongoing psychological support, might feel like the institution is absolving itself of its ongoing responsibility. An apology and an offer of counselling might feel like mere words, without being accompanied by a monetary payment. Put another way, each of these three elements powerfully reinforces the others. An institution best shows that it accepts its responsibility for the abuse of child migrants, by accepting its responsibility to provide all three elements of redress. That is how redress will be truly meaningful for a child migrant.

36. Given the advancing years of surviving child migrants any Redress schemes should be in place as soon as possible.

Overseas Support and Reparations

37. I have been asked by the inquiry to provide 'approximate levels of typical settlement awards made to those who were involved in the Molong related litigation'.
38. The 'Fairbridge Farm School Class Action' was settled in the New South Wales Supreme Court in June 2015 (Supreme Court proceedings number 2009/32977).
39. I am not privy to the detailed payments to each and every one of the Molong Fairbridge claimants but many of them have told me how much they received.
40. The total payout was \$AU24 million but about \$5 million was taken out for the Slater and Gordon legal fees for the nine year action. So about \$19 million was lodged in a 'Compensation Fund' shared between 215 child migrants and 43 Australian born kids who were at Fairbridge after Molong stopped taking British kids in 1966 and until it closed in 1974.
41. That means an average pay out of around \$88,000 each. Slater and Gordon had fairly extensive criteria to ascertain the relative seriousness of the abuse, which they used to share out the money. I know the really serious cases got well over \$200,000. These were in cases where the kids got to Fairbridge at a young age and suffered repeated abuse during their long stay there – and invariably involved sexual abuse. I also know of other pay-outs of around \$30,000.

Statement of Truth

I believe that the facts stated in this witness statement are true.

DPA