



8. I am satisfied that Oliver Cosgrove was in the care of the State and that he is one and the same person as Oliver Cosgrove who has made an application for a Redress WA *ex gratia* payment. Mr Cosgrove therefore meets all the eligibility criteria to be considered for a Redress WA *ex gratia* payment under the Redress WA Guidelines.

#### IS THE ABUSE AND/OR NEGLECT ESTABLISHED?

##### *Statements of Abuse and/or Neglect*

9. To be eligible for a Redress WA *ex gratia* payment, under clause 5(1)(a) of the Redress WA Guidelines, there must be a sufficient connection between the alleged abuse and/or neglect, and the care provided by the State. Mr Cosgrove has made statements of abuse and/or neglect and the impact this has had upon him and this has been assessed by a Senior Redress Officer.

##### *Conclusion*

10. Under clause 4(b) of the Redress WA Guidelines, Redress WA is unable to consider Mr Cosgrove's circumstances regarding any economic loss, including the non-payment or misappropriation of wages.
11. Mr Cosgrove has provided a detailed account of the abuse and neglect he suffered whilst in State care<sup>6</sup>. Mr Cosgrove has also provided records including recent medical records (post period of care) in support of medical issues he currently faced.
12. On the basis of the relevant statements extracted from Mr Cosgrove's application, the material assessed by the Senior Redress Officer and other related material<sup>7</sup>, I am satisfied that it is likely that Mr Cosgrove suffered abuse and neglect whilst in State care.

#### ASSESSMENT OF ABUSE AND/OR NEGLECT AND HARM AND LOSS

13. The Senior Redress Officer's Assessment supports that the abuse and neglect suffered by Mr Cosgrove is in the very severe range as compared to other applicants.

#### PREVIOUS COMPENSATION PAID BY STATE GOVERNMENT

14. There is no known criminal injuries compensation award or other compensation paid that is related to the same abuse and/or neglect the subject of this application that would currently preclude Mr Cosgrove from receiving a Redress WA *ex gratia* payment.

<sup>6</sup> FoI AP 259-261

<sup>7</sup> FoI AP 109 (a contemporaneous State report (dated 8 January 1967) critical of approved "institutions" in regards to the mental health of residents and Mr Cosgrove's own submissions at FoI AP 23-69 - which are not contradicted and credible)