WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

AMENDMENTS AND SCHEDULES

Supplementary Notice Paper No. 89 Issue No. 3

TUESDAY, 27 NOVEMBER 2018

NATIONAL REDRESS SCHEME FOR INSTITUTIONAL CHILD SEXUAL ABUSE (COMMONWEALTH POWERS) BILL 2018 [89-1]

When in committee on the National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018:

Clause 13

Leader of the House representing the Attorney General: To move —

4/13 Page 10, lines 16 to 19 — To delete the lines.

New Clause 14

Hon Nick Goiran: To move —

1/NC14 Page 10, lines 20 to 26 — To delete the lines and insert after line 26:

14. Limited entitlement to compensation under the *Criminal Injuries Compensation Act 2003* if redress payment accepted

- In this section —
 injury has the meaning given in the Criminal Injuries Compensation Act 2003 section 3;
 loss has the meaning given in the Criminal Injuries Compensation Act 2003 section 6.
- (2) This section applies if
 - (a) a person (the *victim*) has suffered an injury as a consequence of the commission of an offence; and
 - (b) the offence is or involves abuse; and
 - (c) the victim has accepted a redress payment component of a redress offer in relation to the abuse.

- (3) The victim
 - (a) is not entitled to an award of compensation under the *Criminal Injuries*Compensation Act 2003 in relation to the injury suffered as a consequence of the commission of the offence; and
 - (b) may only make a compensation application in relation to any loss suffered by the victim.

Clause 14

Leader of the House representing the Attorney General:

5/14 Page 10, lines 20 to 26 — To oppose the clause.

Clause 16

Hon Nick Goiran: To move —

2/16 Page 12, lines 6 to 8 — To delete the lines.

Leader of the House representing the Attorney General: To move –

6/16 Page 12, lines 6 to 8 — To delete the lines.

New Part 6

Hon Michael Mischin: To move — **3/NP6** Page 13, after line 6 — To insert:

Part 6 — Tabling particular documents

18. Tabling documents relating to scheme reviews

(1) In this section —

intergovernmental agreement means the Intergovernmental Agreement on the National Redress Scheme for Institutional Child Sexual Abuse between the State of New South Wales, the State of Victoria, the State of Queensland, the State of Western Australia, the State of South Australia, the State of Tasmania, the Australian Capital Territory and the Northern Territory of Australia as in force from time to time;

scheme review means —

- (a) a review under the National Redress Act section 192(1) or (3); or
- (b) a review of the operation and objectives of the intergovernmental agreement carried out under clause 36 of that agreement.
- (2) If a scheme review is carried out, the Minister must
 - (a) if a report or other document is prepared as a result of the scheme review cause the document to be laid before each House of Parliament as soon as practicable after the Minister receives the document, but not later than 6 sitting days of the House after the day the Minister received it; or

- (b) if there is no report or other document to which paragraph (a) applies prepare a report about the scheme review and cause the report to be laid before each House of Parliament as soon as practicable after it is prepared, but not later than 6 sitting days of the House after the day on which the scheme review is finalised.
- (3) If a report or other document to which subsection (2)(a) applies contains sensitive, confidential or personal information, the Minister may comply with subsection (2)(a) by removing the sensitive, confidential or personal information from the document before causing the document to be laid before each House.

Leader of the House representing the Attorney General: To move — **7/NP6** Page 13, after line 6 — To insert:

Part 6 — Criminal Injuries Compensation Act 2003 amended

18. Act amended

This Part amends the Criminal Injuries Compensation Act 2003.

19. Section 42 amended

(1) In section 42(3) delete "received by way of compensation or damages, or under a contract of insurance," and insert:

received, whether under a contract of insurance or otherwise,

(2) In section 42(4) delete "amount by way of compensation or damages, or under a contract of insurance," and insert:

amount, whether under a contract of insurance or otherwise,

Long Title

Leader of the House representing the Attorney General: To move — **8/LT** Page 1, after the 2nd bullet point — To insert:

• to amend the Criminal Injuries Compensation Act 2003; and

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