

Media Release

Greens MP and Justice Spokesperson - David Shoebridge

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VICTIMS OF CHILD SEXUAL ABUSE CAN FINALLY HAVE UNFAIR SETTLEMENTS SET ASIDE

The Parliament of NSW has today passed new laws which will allow victims of child sexual abuse who were often bullied, coerced and tricked into unfair settlements with the institutions that abused them to have these set aside, and get a fair deal.

Greens' amendments to the bill have expanded the operation of the scheme to allow a court to set aside an unfair settlement whenever it is "just and reasonable" and allow a victim to seek proper compensation in the courts.

Greens MP and Justice Spokesperson David Shoebridge said:

"This is a really important change and it sends a message to victims that they deserve a fair go at justice.

"We drafted these changes to the laws with legal experts and survivors to ensure settlements can be put aside where it is just and reasonable to do so.

"There were so many occasions when historical settlements were profoundly unfair, like when the person who was assaulted was still under the moral and spiritual control of the church or institution when they signed an unfair settlement. Now we can finally see these unfair agreements set aside.

"Many victims of the Catholic Church settled for paltry amounts because the Church was hiding its assets using the Ellis Defence or held a strong emotional control over them. This brings those victims closer to justice.

"This is an important rebalancing of the laws that will help address the vast power disparity between victims and survivors and the institutions they have to take on to get justice.

"My office has personally spoken to a large number of survivors over the last 10 years during which we have been pushing for this change, without their tenacity and courage it simply would not have happened. I pay tribute to them," Mr Shoebridge said

The Civil Liability (Child Abuse) Amendment Bill 2021 is

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