

Appendix 3

Payment and Assessment Matrices

3.1. RIRB's Matrix for Assessing Severity

Available Points	Abuse in Care	Consequential Damage		
		Medically verified physical/psychiatric illness	Psycho-social damage*	Loss of Opportunity
	1–25	1–30	1–30	1–15

* Examples of injurious psycho-social damage included problems with family attachment, cognitive impairment, and substance abuse.

Source: Adapted from (The Compensation Advisory Committee 2002)

3.2. The RIRB's Payment Matrix and Outcomes

Redress Bands	Points	Award Payable	Number of Payments	Percent of Total
V	>70	€200–300 000	48	0.30%
IV	55 to 69	€150–200 000	280	1.8%
III	40 to 54	€100–150 000	2073	13.31%
II	25 to 39	€50–100 000	7523	48.28%
I	< 25	Up to €50 000	5655	36.30%
Total			15,579	

Source: (McCarthy 2016: 26)

3.3. Magdalene Redress Payment Matrix

Years spent in residence	Residence	Labour	Total
(up to 3 months)	€ 10,000	€ 1,500	€ 11,500
1	€ 14,500	€ 6,000	€ 20,500
2	€ 20,500	€ 12,000	€ 32,500
3	€ 26,500	€ 18,000	€ 44,500
4	€ 32,500	€ 24,000	€ 56,500
5	€ 38,500	€ 30,000	€ 68,500
6	€ 40,000	€ 36,000	€ 76,000
7	€ 40,000	€ 42,000	€ 82,000
8	€ 40,000	€ 48,000	€ 88,000
9	€ 40,000	€ 54,000	€ 94,000
10	€ 40,000	€ 60,000	€ 100,000
10+ years	€ 40,000	€ 60,000	€ 100,000

Source: Adapted from (Quirke 2013: 43) (Payments calculated per month of residence).

3.4. Queensland Redress Assessment Matrix

Type of harm	Weighting	% Range
Physical injury (including harm from Sexual Abuse and/or Neglect) – During Placement	0–20	Low 0–6%
		Medium 7–15%
		High 16–20%
Physical injury (including harm from Sexual Abuse and/or Neglect) – Post Placement	0–5	Low 0–1%
		Medium 2–3%
		High 4–5%
Physical illness – During Placement	0–5	Low 0–1%
		Medium 2–3%
		High 4–5%
Physical illness – Post Placement	0–5	Low 0–1%
		Medium 2–3%
		High 4–5%
Psychological injury/ Psychiatric illness (including harm from Sexual Abuse, Systems Abuse and/or Neglect) – During Placement	0–34	Low 0–10%
		Medium 11–28%
		High 29–34%
Psychological injury/ Psychiatric illness (including harm from Sexual Abuse, Systems Abuse and/or Neglect) – Post Placement	0–16	Low 0–4%
		Medium 5–12%
		High 13–16%
Loss of opportunity	0–15	Low 0–4%
		Medium 5–12%
		High 13–15%
Total		0–100%

Source: (Royal Commission into Institutional Responses to Child Sexual Abuse 2015: 550-51)

3.5. Queensland Redress Payment Matrix

Level	Severity	Points	\$AUD Value*
1	N/A	0–14	\$7000
2	No payment	0–14	\$0
	Very Serious	15–24	\$6000
	Severe	25–39	\$14,000
	Extreme	40–59	\$22,000
	Very Extreme	60–100	\$33,000

Source: (Adapted from Royal Commission into Institutional Responses to Child Sexual Abuse 2015: 118 & 551)

3.6. Redress WA Assessment Matrix

Assessment Matrix

Assessment Matrix **Name:** **Application No: 00000**
SRO **Check** **Approval**

1. Severity of Abuse and/or Neglect

Scale for this section: Moderate =1 Serious= 2 Severe= 3-4 Very Severe= 5

a) Sexual/Physical Abuse (give rating for highest- do not average or add)

b) Emotional/Psychological Abuse

c) Neglect

d) Frequency Nature of Abuse and/or Neglect

Subtotal	0	0	0
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2. Compounding or Ameliorating Factors

a) Period of Time in Abusive Care

The longer the period in abusive care, the more adverse the impact on the child's development and wellbeing. Assess the time in abusive care, not the entire period of wardship or guardianship

Moderate (<3 yr)= 1 Serious (3-5 yrs)= 2 Severe (5-10 yrs)= 3 Very Severe (>10 yrs)= 4

b) Age of Child at Entry to First Abusive Care Placement

The younger the child the more adverse the impact abuse and/or neglect may have on the child's development and wellbeing

Moderate (>13 yrs)= 1 Serious (10-13 yrs)= 2 Severe (6-10 yrs)= 3 Very Severe (<6)= 4

c) Isolation and Depersonalization

Isolation as it relates to being in a mission or other institution with no or little contact with the outside world, or being in a foster care situation but not permitted contact except for school and/or depersonalization as it relate to being place in an institution or mission and living in dormitories and/or being dressed in similar clothes not being called by your name etc

Moderate= 1 Serious= 2 Severe=3 Very Severe= 4

d) Amount of Contact with Parent(s) or Extended Family

(Use contact time while in care, regardless of whether or not it was negative or positive)

Moderate (>5 contacts)= 1 Serious (3-5)=2 Severe (1-3)= 3 Very Severe (No contact)= 4

e) Position or Role of Abuser in the Placement or Organisation

Moderate Stranger or Visitor= 1

Serious Gardener or Cleaner= 2

Severe Manager, Team Leader, Other Residents, Volunteer, Relative= 3

Very Severe Superintendent, Matron, Welfare Officer, Direct Care Worker, House Parent, Foster Parent, Group Worker, Parent or Significant Carer= 4

Subtotal	0	0	0
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3. Consequential Harm - Extent of Injury, Loss or Harm Resulting from Abuse and/or Neglect

Scale for this section: Moderate =1 Serious= 2 Severe= 3-4 Very Severe= 5

- a) Physical Harm (consider care period and ongoing consequences)
- b) Psychological/Psychiatric Harm (consider care period and ongoing consequences)
- c) Social Harm- Behavioural/psychosocial (consider care period and ongoing consequences)
- d) Sexual Impact (sexual dysfunction, negative body image, anxiety about sex etc)

Subtotal	0	0	0
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4. Aggravating Factors (combined with acts of abuse and/or neglect that occurred during care)

To be determined by applicants statements and/or assessment of the case

Scale for this section: Moderate level or short time in care = .05 Very severe level and longer time in care = 2

- a) Verbal Abuse
- b) Racist Acts
- c) Threats/Intimidation (ie direct threats)
- d) Intimidation/Inability to complain; oppression (ie indirect threats)
- e) Humiliation; degradation
- f) Sexual abuse accompanied by violence
- g) Abuse of particularly vulnerable child (eg age <6; disability; language; absence of parent)
- h) Failure to provide care of emotional support following abuse requiring such care
- i) Witnessing another child being subject to abuse
- j) Use of religious doctrine, paraphernalia or authority during, or in order to, facilitate the abuse

Subtotal	0	0	0
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Total	0	0	0
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Level

0	0	0
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Comments

Certified:

Date: / / 2010

Approved:

Date: / / 2010

Source: (Government of Western Australia 2010: 47)

3.7. Redress WA Severity Standards

Descriptions	
<ul style="list-style-type: none"> - Excessive harsh discipline and emotional or physical abuse of an ongoing or sustained nature inconsistent with care standards of time with identified severe psycho-social or medical impacts - Loss of family contact/identity - Multiple placements resulting in isolation and depersonalisation over a sustained period of time - Denial of rights including educational opportunities over a sustained period with long term social impacts leading to loss of opportunity - Sexual abuse of a sustained or severe nature (ongoing incidents) resulting in severe psychological trauma and/or social impacts - Possible need for counselling or other assistance on a long term basis - In care for 10++ years 	Extreme
<ul style="list-style-type: none"> - Excessive harsh discipline and emotional or physical abuse of an ongoing or sustained nature inconsistent with care standards of time - Loss of family contact-identity - Multiple placements resulting in isolation and depersonalisation over a sustained period of time - Denial of rights including educational opportunities over a sustained period - Sexual abuse of a sustained or severe nature (single or ongoing incidents by a caregiver or someone authorised to supervise the child) resulting in severe psychological trauma and/or social impacts. - Counselling or other assistance likely to be required on an ongoing basis - In care 10+ years 	

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Descriptions	
<ul style="list-style-type: none"> - Excessive harsh discipline and emotional or physical abuse of an ongoing or sustained nature inconsistent with care standards of time - Loss of family contact - Multiple placements resulting in isolation and depersonalisation over a sustained period of time - Denial of rights including educational opportunities over a sustained period - Sexual abuse of a sustained or severe nature or over a long period of time by a caregiver or someone authorised to supervise the child resulting in long term psychological harm - In care 8–10 years 	Severe
<ul style="list-style-type: none"> - Excessive harsh discipline and emotional or physical abuse of an ongoing or sustained nature inconsistent with care standards of time - Loss of family contact - Multiple placements resulting in isolation and depersonalisation over a sustained period of time - Denial of rights including educational opportunities over a sustained period - Sexual abuse advances which destroyed trust and innocence over a sustained period by a caregiver or someone authorised to supervise the child - In care 6–8 years 	
<ul style="list-style-type: none"> - Excessive harsh discipline and emotional or physical abuse of an ongoing or sustained nature inconsistent with care standards of time - Loss of family contact resulting in ongoing psychological or social harm - Denial of rights including educational opportunities - Sexual advances of a mild or limited nature by a caregiver or someone authorised to supervise - In care 5–6 years 	

(cont.)

Descriptions	
<ul style="list-style-type: none"> - Excessive harsh discipline and physical abuse of an ongoing or sustained nature inconsistent with care standards of time - Denial of rights including, for example, loss of educational opportunities - Loss of family contact or identity for a sustained period of time - Moderate long term psychological, social or medical impacts - Sexual advances or abuse of a severe or ongoing nature by someone other than caregiver or person in authority - In care 4–5 years - Excessive and harsh discipline of a severe and ongoing nature inconsistent with care standard of [sic] - Denial of rights including, for example, loss of educational opportunities - Loss of family contact - Mild psychological or social impacts of an ongoing nature - Sexual advances or abuse of a limited or mild nature by someone other than caregiver or person in authority - In care 3–4 years 	Serious
<ul style="list-style-type: none"> - Excessive discipline/moderate physical abuse of an ongoing nature (multiple incidents/ongoing) inconsistent with care standards of time - Loss of family contact - Mild loss of rights, including educational opportunities - No allegations of sexual abuse - In care up to 3 years 	Moderate
<ul style="list-style-type: none"> - Harsh discipline/moderate physical abuse inconsistent with care standards of time - Short period - Minimal ongoing psycho-social impacts - No allegations of sexual abuse - In care up to 2 years 	
<ul style="list-style-type: none"> - Harsh discipline/mild physical abuse inconsistent with care standards of time - Limited period of placement - Minimal ongoing impacts - No allegations of sexual abuse - In care up to 12 months. 	

Source (Government of Western Australia 2010: 65)

3.8. IAP Abuse and Harm

	Acts Proven	Compensation Points
SL5	<ul style="list-style-type: none"> • Repeated, persistent incidents of anal or vaginal intercourse. • Repeated, persistent incidents of anal/vaginal penetration with an object. 	45–60
SL4	<ul style="list-style-type: none"> • One or more incidents of anal or vaginal intercourse. • Repeated, persistent incidents of oral intercourse. • One or more incidents of anal/vaginal penetration with an object. 	36–44
SL3	<ul style="list-style-type: none"> • One or more incidents of oral intercourse. • One or more incidents of digital anal/vaginal penetration. • One or more incidents of attempted anal/vaginal penetration (excluding attempted digital penetration). • Repeated, persistent incidents of masturbation. 	26–35
PL	<ul style="list-style-type: none"> • One or more physical assaults causing a physical injury that led to or should have led to hospitalization or serious medical treatment by a physician; permanent or demonstrated long-term physical injury, impairment or disfigurement; loss of consciousness; broken bones; or a serious but temporary incapacitation such that bed rest or infirmary care of several days duration was required. Examples include severe beating, whipping, and second-degree burning. 	11–25
SL2	<ul style="list-style-type: none"> • One or more incidents of simulated intercourse. • One or more incidents of masturbation. • Repeated, persistent fondling under clothing. 	11–25

(cont.)

	Acts Proven	Compensation Points
SL1	<ul style="list-style-type: none"> • One or more incidents of fondling or kissing. • Nude photographs taken of the Claimant. • The act of an adult employee or other adult lawfully on the premises exposing themselves. • Any touching of a student, including touching with an object, by an adult employee or other adult lawfully on the premises which exceeds recognized parental contact and violates the sexual integrity of the student. 	5–10
OWA	<ul style="list-style-type: none"> • Being singled out for physical abuse by an adult employee or other adult lawfully on the premises which was grossly excessive in duration and frequency and which caused psychological consequential harms at the H3 level or higher. • Any other wrongful act committed by an adult employee or other adult lawfully on the premises which is proven to have caused psychological consequential harms at the H4 or H5 level. 	5–25

Source: (Canada et al. 2006: Schedule D)

3.9. IAP Consequential Harms

Level of Harm	Consequential Harm	Points
H5	<p>Continued harm resulting in serious dysfunction.</p> <p><u>Evidenced by:</u> psychotic disorganization, loss of ego boundaries, personality disorders, pregnancy resulting from a defined sexual assault or the forced termination of such pregnancy or being required to place for adoption a child resulting therefrom, self-injury, suicidal tendencies, inability to form or maintain personal relationships, chronic post-traumatic state, sexual dysfunction, or eating disorders.</p>	20–25
H4	<p>Harm resulting in some dysfunction.</p> <p><u>Evidenced by:</u> frequent difficulties with interpersonal relationships, development of obsessive-compulsive and panic states, severe anxiety, occasional suicidal tendencies, permanent significantly disabling physical injury, overwhelming guilt, self-blame, lack of trust in others, severe post-traumatic stress disorder, some sexual dysfunction, or eating disorders.</p>	16–19
H3	<p>Continued detrimental impact.</p> <p><u>Evidenced by:</u> difficulties with interpersonal relationships, occasional obsessive-compulsive and panic states, some post-traumatic stress disorder, occasional sexual dysfunction, addiction to drugs, alcohol or substances, a long term significantly disabling physical injury resulting from a defined sexual assault, or lasting and significant anxiety, guilt, self-blame, lack of trust in others, nightmares, bed-wetting, aggression, hyper-vigilance, anger, retaliatory rage and possibly self-inflicted injury.</p>	11–15

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Level of Harm	Consequential Harm	Points
H2	<p>Some detrimental impact.</p> <p><u>Evidenced by:</u> occasional difficulty with personal relationships, some mild post-traumatic stress disorder, self-blame, lack of trust in others, and low self-esteem; and/or several occasions and several symptoms of: anxiety, guilt, nightmares, bed-wetting, aggression, panic states, hyper-vigilance, retaliatory rage, depression, humiliation, loss of self-esteem.</p>	6–10
H1	<p>Modest Detrimental Impact.</p> <p><u>Evidenced by:</u> occasional short-term, one of: anxiety, nightmares, bed-wetting, aggression, panic states, hyper-vigilance, retaliatory rage, depression, humiliation, loss of self-esteem.</p>	1–5

Source: (Canada et al. 2006: Schedule D)

3.10. IAP Aggravating Factors

Add 5–15% of points for Act and Harm combined
Verbal abuse
Racist acts
Threats
Intimidation/inability to complain; oppression
Humiliation; degradation
Sexual abuse accompanied by violence
Age of the victim or abuse of a particularly vulnerable child
Failure to provide care or emotional support following abuse requiring such care
Witnessing another student being subjected to an act set out on page 3
Use of religious doctrine, paraphernalia or authority during, or in order to facilitate, the abuse
Being abused by an adult who had built a particular relationship of trust and caring with the victim (betrayal)

Source: (Canada et al. 2006: Schedule D)

3.11. IAP Future Care

Future Care	Additional Compensation
General – medical treatment, counselling	up to \$10,000
If psychiatric treatment required, cumulative total	up to \$15,000

Source: (Canada et al. 2006: Schedule D)

3.12. IAP Consequential Loss of Opportunity

Consequential Loss of Opportunity		Points
OL5	Chronic inability to obtain employment	21–25
OL4	Chronic inability to retain employment	16–20
OL3	Periodic inability to obtain or retain employment	11–15
OL2	Inability to undertake/complete education or training resulting in underemployment, and/or unemployment	6–10
OL1	Diminished work capacity – physical strength, attention span	1–5

Source: (Canada et al. 2006: Schedule D)

3.13. IAP Points to Payment Conversion

Compensation Points	Compensation (\$)
1–10	\$5,000–\$10,000
11–20	\$11,000–\$20,000
21–30	\$21,000–\$35,000
31–40	\$36,000–\$50,000
41–50	\$51,000–\$65,000
51–60	\$66,000–\$85,000
61–70	\$86,000–\$105,000
71–80	\$106,000–\$125,000
81–90	\$126,000–\$150,000
91–100	\$151,000–\$180,000
101–110	\$181,000–\$210,000
111–120	\$211,000–\$245,000
121 or more	Up to \$275,000

Source: (Independent Assessment Process Oversight Committee 2021: 95)

3.14. New Zealand's HCP Assessment Matrix (Fast Track Process)

<p>Category 1 NZD\$50,000</p>	<p>Prolonged and Serious Abuse The claimant has suffered:</p> <ul style="list-style-type: none"> • Serious physical abuse perpetrated by a staff member or caregiver; and/or • Serious sexual abuse perpetrated by a staff member or caregiver; and <p>that abuse has been repeated and sustained over a significant period of time. The abuse may have occurred in one placement or multiple placements.</p> <p>It is expected that most claimants in this category will have suffered <u>both</u> serious physical and serious sexual abuse.</p> <p>This category also includes claimants who have suffered serious abuse and have also been subject to significant periods of false imprisonment.</p> <p>Definitions:</p> <p><i>Serous physical abuse</i> in this category may be defined as closed fist punching; the use of implements and kicking/stomping that results in broken bones or other trauma and would ordinarily require medical attention or hospitalisation.</p> <p><i>Serious sexual abuse</i> in this category may be defined as sexual violation or any other sexual offence that carries a maximum sentence of 10 years or more.</p> <p><i>False imprisonment</i> is as legally defined – ie, held without any legal cause and includes being held in any form of alternate care without legal basis.</p>
<p>Category 2 NZD\$40,000</p>	<p>Serious Abuse – Multiple Incidents The claimant has suffered:</p> <ul style="list-style-type: none"> • Serious physical abuse perpetrated by one or more staff members or caregivers on more than 3 occasions; and/or • Serious sexual abuse perpetrated by one or more staff members or caregivers on more than 3 occasions; or • Has been subject to significant periods of false imprisonment. <p>It is expected that most claimants in this category will have suffered <u>both</u> serious physical and serious sexual abuse.</p>

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	<p>This category is distinguished from Category 1 by the fact that the abuse is not over such a prolonged and sustained period of time.</p> <p>Definitions:</p> <p><i>Serous physical abuse</i> in this category may be defined as closed fist punching; the use of implements and kicking/stomping that results in broken bones or other trauma and would ordinarily require medical attention or hospitalisation.</p> <p><i>Serious sexual abuse</i> in this category may be defined as sexual violation or any other sexual offence that carries a maximum sentence of 10 years or more.</p> <p><i>False imprisonment</i> is as legally defined – ie, held without any legal cause and includes being held in any form of alternate care without legal basis.</p>
<p>Category 3 NZD \$30,000</p>	<p>Serious Abuse</p> <p>The claimant has suffered:</p> <ul style="list-style-type: none"> • Serious physical abuse perpetrated by one or more staff members or caregivers on three (3) or fewer occasions; and/or • Serious sexual abuse perpetrated by one or more staff members or caregivers on three (3) or fewer occasions; or • Has been subjected to more than three (3) weeks in secure care without reasonable cause, and • Has suffered physical or sexual abuse either while in secure care or in other placements. <p>Definitions:</p> <p><i>Serous physical abuse</i> in this category may be defined as closed fist punching; the use of implements and kicking/stomping that results in broken bones or other trauma and would ordinarily require medical attention or hospitalisation.</p> <p><i>Serious sexual abuse</i> in this category may be defined as sexual violation or any other sexual offence that carries a maximum sentence of 10 years or more.</p> <p><i>False imprisonment</i> is as legally defined – ie, held without any legal cause and includes being held in any form of alternate care without legal basis.</p>

(cont.)

<p>Category 4 NZD\$20,000</p>	<p>Moderate Abuse The claimant has suffered:</p> <ul style="list-style-type: none"> • Moderate physical abuse perpetrated by one or more staff members or caregivers; and/or • Moderate sexual abuse perpetrated by one or more staff members or caregivers; or • Serious sexual abuse (as previously defined) by other residents; or • Has been subjected to more than three (3) weeks in secure care without reasonable cause. <p>Definitions: <i>Moderate physical abuse</i> in this category may be defined as assaults with or without hands that result in visible injury such as bruising or abrasions and ordinarily the need for medical attention. <i>Moderate sexual abuse</i> in this category may be defined as offences that attract a maximum penalty of less than 10 years. <i>Without reasonable cause</i> is defined as there being no identifiable or document rationale for placement in secure beyond that period of time.</p>
<p>Category 5 NZD\$12,000</p>	<p>Low Level Abuse The claimant has suffered:</p> <ul style="list-style-type: none"> • Low level physical abuse perpetrated by one or more staff members or caregivers; and/or; • Low level sexual abuse perpetrated by one or more staff members or caregivers or; • Sexual abuse (as previously defined) by other residents; or • Held in secure care for less than three (3) weeks without reasonable cause, and has suffered low level physical abuse. <p>This category includes more serious sexual assaults by other children or young people that do not constitute the same breach of trust as above.</p>

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	<p>Definitions: <i>Physical abuse</i> defined physical punishment beyond the standard allowed or assaults with or without hands that result in no injury other than bruising. <i>Sexual abuse</i> defined as watching, inappropriate touching and exposure.</p>
<p>Category 6 NZD\$5000</p>	<p>Claims with Insufficient Particulars The claimant has made:</p> <ul style="list-style-type: none"> • claims of physical abuse or ill-treatment where the claimant has been unable to provide sufficient particulars, or where the claimant readily identifies a practice failure that did not result in abuse.

Source: Anonymous¹

¹ In response to an Official Information Act request, I was sent the numerical steps that occupy the left-hand column (MSD 20 September 2017, on file with the author). However, the descriptions were blanked out and I had to get them from an anonymous source.

