

# YMCA REDRESS

Our support for survivors of child sexual  
abuse at a YMCA in Australia

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# INTRODUCTION

As a community organisation that has provided services for children and young people for over 160 years in Australia, we have a profound responsibility for the care and protection of the children and young people we serve.

We now know that in the past, some children experienced sexual abuse while attending YMCA programs or activities.

The YMCA considers all forms of child sexual abuse to be intolerable and inexcusable under any circumstances. We recognise the lifelong impact that child sexual abuse may have on the health and wellbeing of individuals, their families and communities.

We are deeply sorry for anyone who has experienced sexual abuse at a YMCA program or service as a child, and the suffering caused not only to those directly affected but also their partners and families.

Our approach to redress is part of the action we have taken to provide some support to those harmed, and to ensure that children are safe in our care and the broader community now and into the future.

In seeking to address the wrongs of the past, alongside being able to assure survivors that we are doing everything possible to ensure the protection of children, we are paving the way for what we sincerely hope is a better future for survivors, ensuring that we learn from the past and protect all children in our care, long into our future.

If you choose to come forward and share your story, we are committed to listening to you, and working with you. We have developed an interim approach to redress that is available now to survivors of past abuse connected with the YMCA in Australia. While the YMCA supports a National Redress Scheme (to be delivered by Government), we know that many survivors are seeking assistance today.

All YMCAs in Australia have a deep and abiding commitment to providing a safe and nurturing environment for children and young people. While we know we cannot erase the pain experienced by abuse in the past, YMCAs are doing everything in their power to ensure that children and young people are protected from harm, today and in the future.

Please be assured that in any communication with the YMCA your right to privacy will be respected.

## **What is YMCA Redress?**

Redress is an acknowledgement by the YMCA in Australia that the sexual abuse of children is wrong and that we acknowledge the impacts of sexual abuse on people's lives. YMCA Redress may include the offer of an apology, support to access counselling and psychological care, and/or the offer of a monetary amount. A monetary amount offered through redress is not the same as compensation for damages.

# **SECTION 1:** **CONTACT DETAILS**

If you would like to contact the YMCA directly in relation to redress, please contact:

Redress Manager  
YMCA Australia  
Level 1, 88 Market Street, South Melbourne VIC 3205  
redress@ymca.org.au  
Ph: 1800 981 123 (9.00am to 5.00pm Mon-Fri AEST)

We appreciate some people may not wish to deal directly with the YMCA. A person independent of the YMCA has been engaged who can provide general information regarding our approach to redress. If you would prefer to contact an independent person in relation to redress, please contact:

1800 809 505 (9.00am to 5.00pm Mon-Fri AEST)  
or email: redressinformation@gmail.com

# **SECTION 2:** **ELIGIBILITY**

To be considered eligible to apply for redress through the YMCA in Australia, the following criteria applies:

You are eligible to apply for redress if:

- you were a minor at the time of the abuse; and
- the abuse was perpetrated by a YMCA employee or volunteer whilst the employee or volunteer was pursuing, promoting, or carrying out the activities or operations of the YMCA in Australia; and
  - the abuse occurred at a YMCA owned or operated facility in Australia; and/or
  - the abuse occurred during a YMCA program or activity in Australia including those operating outside of YMCA facilities; and/or
  - the abuse occurred outside YMCA premises/activity where there is sufficient connection between the abuse and the YMCA in Australia.

If you have any questions about your eligibility, please feel free to seek information or clarification through the contacts listed above.

It will be important to confirm that you meet the above criteria before making your application, to ensure we can manage your application in a timely manner. Please refer to Section 5 (page 7) for further information.

# SECTION 3: GENERAL INFORMATION AND PRINCIPLES

The YMCA considers all forms of child sexual abuse to be intolerable and inexcusable under any circumstances. We recognise the lifelong impact that child sexual abuse may have on the health and wellbeing of individuals, their families, and communities.

In seeking to address the wrongs of the past and to assure survivors that we are doing everything possible to ensure the protection of children, we are also paving the way for what we sincerely hope is a better future for survivors, ensuring that we learn from the past and protect all children in our care, long into our future.

Our Approach to Redress is based on the following ten principles.

YMCA Redress Principles	What does this mean for you?
<b>PRINCIPLE 1</b>	
Our approach is survivor-focused	We are committed to ensuring that your rights and choices are respected and supported. This means we will consult with you on your priorities and needs and that your choices will be at the centre of what we do.
<b>PRINCIPLE 2</b>	
Our approach is transparent, accountable and open to review	We are committed to a redress process that supports independent decision-making and oversight of what we do. This means that decisions about redress will be made in collaboration with independent experts on our Panel, and the relevant detail for any decisions will be communicated to you.
<b>PRINCIPLE 3</b>	
Our approach will be timely and responsive	We are committed to a process that is timely, but one that will allow you the time that you need.
<b>PRINCIPLE 4</b>	
Our approach is nationally consistent	We are committed to ensuring that you will receive a response that is fair and consistent, regardless of where or when the abuse occurred, and regardless of when you choose to come forward.
<b>PRINCIPLE 5</b>	
Our approach is trauma-informed	We are committed to an approach that is underpinned by a clear understanding of the nature and impacts of child sexual abuse.
<b>PRINCIPLE 6</b>	
Our approach is accessible	We are committed to ensuring our approach to redress is accessible to survivors regardless of their location, circumstance, ability, cultural or language group.
<b>PRINCIPLE 7</b>	
Our approach is not subject to time limitations	We are committed to a process that means you will have the opportunity to access our approach to redress in a manner and at a time which suits you. There is no closing date on applying.

<b>PRINCIPLE 8</b>	
Our approach applies a standard of proof of 'reasonable likelihood'	We are committed to a process that is non-adversarial and non-legalistic. The Panel will apply a standard of proof of 'reasonable likelihood' when assessing your redress application. This is a lower standard of proof than the 'balance of probabilities' that is used in most civil litigation.
<b>PRINCIPLE 9</b>	
Our approach must be sustainable	We are committed to an approach that will underpin the ongoing sustainability of the YMCA Movement in Australia for the benefit of survivors and the Australian community into the future.
<b>PRINCIPLE 10</b>	
Our approach maintains survivors' rights to civil litigation	We are committed to ensuring that in accessing our approach to redress you maintain your common law right to civil litigation.

As part of our Approach to Redress, the YMCA may offer a direct personal response, support to access counselling and psychological care and/or the offer of a monetary amount.

### **Direct personal response**

If you are applying for redress, you do not have to meet with anyone from the YMCA if it is your preference not to. An independent person is available to you.

However, if you wish, you can meet with a senior representative of the YMCA. This may be the CEO of your local YMCA or the National CEO or a member of the Board. You may prefer to meet with the Chair of our Redress Panel, who is independent from the YMCA. You are very welcome to bring a support person with you to any meeting you choose to attend.

If you would like to receive an apology from the YMCA this can be provided in person and/or in writing.

If at any stage you change your mind about the kind of personal response you would like to receive, please just let us know.

### **Support to access counselling and psychological care**

In providing redress the YMCA may also offer an additional amount of up to \$5,000 towards any counselling or psychological care needs you may have.

If you require counselling support throughout the redress application process, the YMCA may also meet the reasonable costs of these needs.

### **Monetary amount**

As part of our redress response, the YMCA may also offer a monetary amount as a tangible acknowledgement by the YMCA that the sexual abuse of children is wrong and that we acknowledge the potential life-long impacts of abuse. A monetary amount offered through redress is not equivalent to compensation for damages.

The Redress Panel will apply a consistent methodology to each redress case taking into account the severity of the abuse, the impact of the abuse and other relevant considerations.

The amount that may be offered for the most severe cases will be a maximum of \$90,000. The amount offered may be in addition to support provided for counselling and psychological care.

The decision of the Redress Panel and the relevant detail for their decision will be communicated to you in writing.

In accepting an offer of redress, you will maintain your common law right to bring civil litigation against the YMCA. The YMCA will not prevent you from accessing any future redress schemes implemented by government.

You will not be asked to sign a Deed of Release or any confidentiality agreement.

## **SECTION 4:** **YMCA REDRESS PANEL**

The YMCA has established a Redress Panel to make determinations about redress applications. The Chair of the Redress Panel is independent from the YMCA. The Panel includes two additional independent experts in the fields of psychology/social work and two representatives of the YMCA (national and local).

The Chair of the Redress Panel has the authority to make a final determination of any offer of redress.

## **SECTION 5:** **APPLYING FOR YMCA REDRESS**

Making the decision to apply for redress may be challenging and difficult and our intention is to make the process as simple as possible. There is an application form and while it will be helpful for you to provide as much detail as possible, we understand this might be difficult. If you require some assistance in completing the application form, please let us know.

If you already have written statements, medical or psychological reports please feel free to use these in your application.

When your application is received you will be contacted by the YMCA Redress Manager or the independent contact person. You can indicate your preference on the application form.

All materials you include in your application will be provided to the Redress Panel, which will consider the information in order to make an offer to you. You may also wish to meet with the Redress Panel or the Chair, but this is only if you wish to do so.

The Redress Panel will apply a standard of proof of 'reasonable likelihood'. This means that the Panel needs to be satisfied that there is a reasonable likelihood that abuse occurred. This is a lower standard of proof than the 'balance of probabilities' that is used in most civil litigation.

At any time during the process prior to the Panel's determination, you can bring additional information or documents to the Panel if you feel they are relevant to your redress application.

## **SECTION 6:** **ACCEPTING A REDRESS OFFER**

The Redress Panel will provide its decision and any offer to you in writing. You will have 90 days in which to consider this offer, seek independent advice if you wish and then let us know whether you would like to accept the offer or not. If you require further information or clarification regarding the decision, you can meet with the Chair to discuss this further.

In accepting an offer of redress from the YMCA, you will not be required to sign a Deed of Release or a confidentiality agreement. Your common law right to bring civil action against the YMCA will remain open to you.

By accepting an offer of redress from the YMCA, the YMCA does not consider you would be precluded from applying for redress through any future scheme that might be established by either the Commonwealth or state/territory governments.

## **SECTION 7:** **FREQUENTLY ASKED QUESTIONS**

### **I can't remember all the details of what happened to me. Can I still apply?**

Yes, you can still apply for YMCA Redress. While it is helpful if you can provide as many details as possible, we know that in some cases survivors may not be able to remember exact dates or locations and may not remember or may not have known the name of the alleged perpetrator. On the basis of all the information gathered, the Redress Panel will make an assessment as to the 'reasonable likelihood' that the abuse occurred.

### **The YMCA where I was abused does not exist anymore. Can I still apply?**

Yes, you can still apply. The YMCA approach to redress includes all current YMCAs in Australia and any YMCA entities that previously existed in Australia.

### **Do I need to have a lawyer when I apply for YMCA Redress?**

No, you do not need to have a legal representative throughout the redress process as you are not entering into any agreement or arrangement that will affect your legal rights. If you would like to seek legal advice at any time through the process of redress, this option is open to you. However, the YMCA will not be responsible for your legal costs and all costs will need to be met by you.



### **Is there a closing date for applying for redress?**

No, there is no closing date in applying for redress to the YMCA. We understand that some survivors will feel able to come forward now, while others may wish to wait until such time as they feel ready.

### **How long will it take for my application for redress to be processed?**

The Redress Panel are committed to a process that is timely, but one that does not unnecessarily rush survivors. Some cases may take longer to complete than others, but the Redress Panel will ensure it makes decisions effectively and efficiently, giving due consideration to all the information provided.

### **Will the YMCA cover any of my costs in applying for redress?**

There are some costs the YMCA will cover that may be incurred by you in applying for redress.

If you require counselling support through the process of applying for redress, the YMCA will cover reasonable costs.

While it is not necessary, if you prefer to obtain an independent psychological assessment the YMCA will cover these costs.

If you would like to meet with representatives of the YMCA or if you would like to meet with the Redress Panel and/or Chair, the YMCA will cover any reasonable travel and accommodation costs.

You do not require legal representation throughout the redress process, however if you chose to have legal representation then those costs will need to be met by you.

### **To receive the amount of up to \$5,000 for counselling or psychological care needs, do I have to obtain an independent psychological assessment?**

No, you do not need to obtain an independent psychological assessment to receive support for counselling and psychological care needs.

The Redress Panel will rely on any information you provide. A report from your current counsellor or treating psychologist/psychiatrist may well be sufficient. If you do not currently receive any counselling or psychological care, you may wish to include a report from your GP or you may wish to obtain an independent assessment, but only if you feel comfortable doing so. The offer of support for counselling and psychological care needs will not be adversely affected if you chose not to obtain an independent assessment.

## **I don't want my personal details being shared with people in the YMCA. What do you do with my private information?**

We take your right to privacy very seriously and we have systems and processes in place to ensure that any personal details and information you provide is retained in a secure manner. The YMCA in Australia and the Redress Panel are subject to legislative requirements regarding the collection, storage and use of personal information. Please refer to our [Privacy Policy](#).

## **I have already started civil litigation proceedings against the YMCA. Can I apply for redress?**

Yes, you can apply for redress at the same time as pursuing a civil claim. The Redress Panel will not be involved in any way in the litigation process. If you receive financial compensation or a financial settlement as a result of litigation, then an offer of monetary payment or financial assistance for counselling through YMCA Redress will not be made.

If you still wish to receive a direct personal response from the YMCA, you will be able to request this.

By accepting an offer of redress from the YMCA, your common law right to bring civil action against the YMCA remains open to you.

## **I have already received financial compensation from the YMCA as a result of litigation, can I apply for redress as well?**

If you have already received financial compensation or a financial settlement from the YMCA as a result of litigation, you will not be eligible to receive a monetary payment or financial support for counselling and psychological care through redress.

If you still wish to receive a direct personal response from the YMCA, you will be able to request this.

## **Why are there YMCA representatives on the Redress Panel?**

We have heard from survivors and their advocates that it is important for organisations and institutions to take responsibility for the abuse that has occurred and this is the primary reason for YMCA representatives to be involved. The YMCA wants to understand the impact of child sexual abuse for survivors and their families and to learn from past failings.

The independent members of the Redress Panel are in the majority and the independent Chair of the Panel has the authority to make the final determination on any offer that may be made to survivors.

If you are applying for redress, there is not a requirement that you meet with any one from the YMCA if you do not wish to do so.

## **Why is the maximum payment different from the Royal Commission's recommendation?**

The Royal Commission has recommended that organisations providing redress should consider lower payment levels than what they have recommended for a government-run scheme. This is because survivors can go on to also access a government-run scheme when it is established. Also, many of the Royal Commission's recommendations are based on institutions that provided residential care, whereas the YMCA has not provided residential care to children.

## **I was physically and/or verbally abused at a YMCA. Can I apply for redress?**

Redress through the YMCA in Australia is only for people who were sexually abused as a child. However, if you experienced physical or emotional abuse as well as sexual abuse, this will be taken into account.

If you have experienced physical or verbal abuse at a YMCA in Australia, we encourage you to contact that YMCA in order to lodge a complaint.

## **What will happen to YMCA Redress if a government-run redress scheme is introduced?**

If a government redress scheme is established by either the Commonwealth Government or State and Territory governments, the YMCA Redress will be likely to transition into those schemes. We will need to wait until the detail of any future scheme is released.

## **What is the YMCA doing to prevent children from being sexually abused in the future?**

The YMCA commits to ensuring a child safe organisation. We are committed to creating an environment for children and young people to be safe and to feel safe through our Safeguarding Children and Young People policy.

The YMCA has a National Safeguarding Children and Young People Policy and all our YMCAs across Australia must comply with this policy. This means that all our staff undergo child protection training when they start work with us, and they undergo a National Criminal History Check and must have a valid Working With Children Card (or equivalent). This policy applies to everyone in the YMCA, from lifeguards to childcare workers, CEOs and Board Directors. The YMCA also partners with the Australian Childhood Foundation to provide ongoing training and professional development as well as the ACF's Safeguarding Accreditation Program.

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**YMCA Australia**

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