



Provision of Direct Personal Response (National Redress Scheme) Procedure

1. Purpose

The National Redress Scheme (NRS) allows a person who has experienced institutional child sexual abuse (a survivor) to access redress. The offer of a Direct Personal Response (DPR) is one component of redress. It is important to facilitate the timely provision of a DPR by a responsible institution to a survivor who has requested one. A DPR provides an opportunity for the survivor to receive a meaningful apology from the responsible institution and an acknowledgement of the impact of the harm and personal consideration of other matters or concerns related to their experience that are important to them.

The Department for Child Protection's (DCP) Redress Response Team (RRT) is responsible for coordinating DPRs on behalf of all South Australian Government institutions.

This procedure describes the DCP's process for providing a safe and meaningful DPR to a survivor.

2. Scope

This procedure applies to all employees of the DCP who participates in any arrangements relating to the provision of a DPR as part of the NRS.

3. Authority

3.1 Legislative context

The NRS is established by the [National Redress Scheme for Institutional Child Sexual Abuse Act 2018 \(Cth\)](#) ('the NRS Act'). The provision of a DPR by a responsible institution is one of three components of redress offered to a person under the NRS.¹ The NRS Act requires responsible institutions to take reasonable steps to provide a DPR to a person who wishes to receive one and sets out the general principles guiding its provision.² A DPR consists of one or more of the following:

- an apology or a statement of acknowledgement or regret
- an acknowledgement of the impact of the abuse on the survivor
- an assurance as to the steps the institution has taken, or will take, to prevent abuse occurring again
- an opportunity for the survivor to meet with a senior official of the responsible institution.³

¹ NRS Act section 16

² NRS Act sections 54(1) and 56

³ NRS Act section 54(2)



Pursuant to section 54(3) of the NRS Act, a participating institution must also take into account the [Direct Personal Response Framework 2018 \(Cth\)](#) ('the DPR Framework') when providing a DPR. The DPR Framework is a legislative instrument that sets out guidelines for the provision of a DPR under the NRS.

3.2 Principles

The following principles will govern the provision of a DPR:

1. **The DPR process is trauma-informed:**
 - i. Engagement between a survivor and DCP will be survivor-led. A survivor's needs, expectations and preferences will govern the way the DPR is planned and delivered.
 - ii. A Redress liaison will work collaboratively with survivors to establish safety, trustworthiness, choice and control (to the extent possible) during the planning stage of the DPR.
2. **The DPR process is culturally safe:** DCP will work with survivors in a way that respects and is sensitive to each survivor's cultural identity and prioritises lived experience and wellbeing.
3. **The DPR process is confidential:** A survivor's privacy will be respected at every stage of the DPR process.

4. Procedure requirements

4.1 Format and structure of DPR

When a survivor requests a DPR, the general form, structure and contents of the DPR will be agreed with the survivor. The DPR may be delivered face-to-face by an institutional representative, in writing (usually by letter) signed by an institutional representative or in any other way preferred by the survivor and agreed with the survivor.

4.2 Engagement with survivors

All employees who are involved in the DPR process will engage sensitively and respectfully with survivors. This includes seeking to:

- ensure engagement is led by the survivor and that the survivor has choice and control in the process as far as possible
- ensure a survivor's needs, expectations and preferences govern the way the DPR is given
- avoid further harm to a survivor
- demonstrate that a survivor's testimony has been listened to or heeded
- not question a survivor's account⁴
- ensure the DPR process is respectful of each survivor's cultural identity by understanding their individual cultural identity, needs and requests
- take all possible steps to support survivors with a disability to access a meaningful DPR.

4.3 Cultural safety

Cultural safety will be prioritised as part of the DPR process. To ensure that the DPR process is respectful of each survivor's cultural identity, the Redress liaison will seek cultural consultation and advice where required, including where appropriate, from DCP's Aboriginal Policy and Services Directorate or DCP Multicultural Services. This includes any specific guidance sought to ensure a trauma-informed approach.

⁴ DPR Framework section 11



Where a survivor is supported by a Redress Support Service or other third party, the Redress liaison, with consent of the survivor, will seek guidance with respect to cultural safety from these external resources as appropriate.

The Redress liaison will work in partnership to identify how a survivor's specific cultural needs can be reflected in the DPR and how the DPR can be provided in a culturally safe way. This could include arranging cultural ceremonies as part of the DPR, or ensuring the DPR takes place at a specific location of significance.

4.4 Survivors with disability

A survivor's disability should not be a barrier to receiving a DPR in the format they prefer. The RRT will take all available steps to assist a survivor with disability to receive a DPR, including ensuring that DPR venues are accessible and that all communication is prepared or undertaken in a way that is appropriate and accessible for each survivor's individual needs.

4.5 Survivors needing interpreters

Where it is identified that a survivor requires the assistance of an interpreter to participate in the DPR process, consideration will be given to the requirements of the survivor (such as choice of gender of interpreter) and any actual or perceived conflict of interest the interpreter may have in working with the survivor.

4.6 Mandatory training

Unless exceptional circumstances apply, all participants from responsible institutions and Independent Facilitators participating in the DPR process must complete all mandated training before participating in a DPR. Required training may vary, depending on each individual's role in the DPR process.

4.7 Arranging a DPR

The NRS does not permit an institution to contact a survivor in relation to a DPR. Survivors must contact the DCP RRT to seek a DPR at the time of their choosing. This can be done by the survivor themselves or by a third party (for example a support person, family member, professional support person/ service or the NRS).

In circumstances where the survivor themselves is not the contacting party, the RRT will ensure all consents are in place prior to sharing any information with the third party.

The role of the third party is to provide support to the survivor. The RRT will not engage exclusively with the third party unless explicitly instructed by the survivor.

When a survivor makes contact, they will be referred to a Redress liaison within the RRT. The Redress liaison will ensure that the survivor is informed about the DPR process and in general terms, how the RRT will facilitate the process. The survivor will guide the arrangement of the DPR and the Redress liaison will work to ensure that the process is safe and responsive to each survivor's needs.

The Redress liaison will undertake the following responsibilities in facilitating the arrangement of the DPR:

4.7.1 Engaging a survivor about the DPR process

Once a Redress liaison has received contact from a survivor or the third party about a DPR, the Redress liaison will provide further information about the DPR process to the survivor. Through ongoing engagement, any concerns or questions a survivor may have will be addressed.



4.7.2 Connection to support services

When a survivor is not connected to a support service, the Redress liaison will talk with the survivor about their need for support and the availability of a support person who can be there for them throughout the DPR process.

The Redress liaison will ensure that all survivors are aware of the support services funded by the Commonwealth government to deliver services to NRS survivors as well as any other support services, known to the RRT, with alternative funding arrangements to support NRS survivors.

If the survivor indicates a preference for professional support, the Redress liaison will facilitate a referral.

4.7.3 Agreement about structure and format of DPR

The Redress liaison will ensure the survivor is aware of the different methods by which a DPR can be delivered (generally either in person or in writing). The Redress liaison will engage with the survivor to identify what the individual wishes to receive from their DPR (for example an apology, receiving any other type of information about what practices have to prevent further abuses, acknowledgement of the impact of the abuse). The Redress liaison will ensure that where practicable, the survivor's needs and preferences are incorporated into the DPR planning or response (as far as practicable and within scope). Where a survivor's DPR preferences cannot be met, the Redress liaison will offer alternative options that are able to be delivered.

4.7.4 Institutional representative

The Redress liaison will provide the survivor with choice of available institutional representatives to deliver the DPR. The institutional representatives will be individuals who hold positions of authority within the responsible institution. As far as possible, every effort will be made to give a survivor a choice of trained institutional representatives of different genders and cultural backgrounds.

4.7.5 Preparation and approval of DPR Proposal

Before a DPR can be confirmed with a survivor (with the exception of a standalone written DPR that incurs minimal cost), the Redress liaison must complete a DPR proposal in the format approved by the Manager, RRT. The DPR proposal must outline all of the details of the proposed DPR, including desired outcomes, special requirements and proposed costs. Once the DPR proposal has been approved by the Manager, RRT (together with a risk assessment – refer to section 4.7.6 below), the DPR process can formally proceed.

4.7.6 Records and administration

Case notes and records of all documentation, correspondence and engagement with the survivor, support person, facilitators and institutional representatives will be maintained within a 'Direct Personal Response' sub-folder within the survivor's existing Electronic Client File. All information received or generated as a result of the process is considered to be protected information under Part 4.3 of the [NRS Act](#) and will be classified as **Official:Sensitive//Legislative Secrecy**.

4.8 Additional requirements for DPR given in person

4.8.1 Independent facilitator

Where the DPR is to be provided via a video conference, phone call or in person the DPR must be facilitated by an appropriately qualified independent facilitator from the approved provider panel. The Redress liaison will provide the survivor with a choice of approved independent facilitators and will coordinate the chosen



independent facilitator making contact with the survivor. If a survivor does not consent to the use of a facilitator, the Redress liaison will work with the survivor to determine a safe way to progress the DPR. The independent facilitator will work with the survivor to prepare them for the DPR.

4.8.2 Consent to share information

The Redress liaison will seek the consent of the survivor to share any information in relation to their NRS application prior to commencement of the DPR process. The Redress liaison will ensure the survivor is providing informed consent by explaining the use of information and who it will be shared with (limited to the institutional representative and the independent facilitator). A survivor is informed that they will need to provide consent for the presence of third parties to be present at the DPR.

A survivor will be informed of their right to request that information about them and for information about the abuse they experienced to be withheld.

Participants in the DPR process will be informed of their legislative obligations to maintain confidentiality over any information shared in the DPR process.

4.8.3 Venue and location

The survivor will be asked about their preferred venue and location for the DPR, with locations of personal, cultural or spiritual significance prioritised. The Redress liaison will provide options to the survivor and will make all reasonable efforts to accommodate the survivor's wishes ensuring the venue or location is appropriate, accessible, safe for all parties and available at a reasonable cost. A risk assessment of venues will be part of the DPR planning process undertaken by the Redress liaison and will include an assessment of cultural safety.

4.8.4 Costs

DCP is obligated to fund the cost of providing the DPR.⁵ A proposed budget for all in person DPRs will be submitted for approval as part of the DPR proposal. Typical costs include transport (as necessary), accommodation (as necessary), meal allowance for the survivor and up to one support person who have travelled to attend the DPR from regional areas or interstate, venue hire, catering for pre-DPR meeting and DPR meeting. Where appropriate, additional reasonable costs can be considered as requested on a case by case basis.

Any costs associated with travel arrangements will comply with the DCP policy and procedures on this topic.

4.8.5 Preparation and readiness of institutional representative

Prior to the DPR, the RRT will provide the institutional representative with a written briefing setting out relevant background information in accordance with the survivor's consent. The briefing is prepared by the Redress liaison and approved by the Manager, RRT. The briefing will include detail about the DPR proposal and risk assessment. The institutional representative will be advised if a survivor has requested that information about them and their experience of abuse be withheld in advance of the DPR. The institutional representative will also meet with the facilitator to prepare for the DPR and ensure they are ready and comfortable to proceed before the DPR can take place.

⁵ DPR Framework, section 11(1)(d)



4.8.6 Preparation and readiness of survivor and their support person

Before the DPR can proceed, the independent facilitator must ascertain the readiness of the survivor and each support person. The DPR cannot be conducted until the survivor and support person have clearly indicated that they are ready to engage in the DPR and the independent facilitator concurs. The independent facilitator will confirm with the survivor their expectations about the DPR process.

4.8.7 Risk assessment

Before a DPR can take place, a risk assessment in the format approved by the Manager, RRT must be completed as part of the DPR approval process. The risk assessment must provide full consideration of any risks to the survivor and, where appropriate, institutional representatives and other people involved in the DPR meetings. Information is sought from the survivor or third party as part of this assessment. Where these risks are present, mitigation strategies informed by an understanding of trauma informed practice will be put in place as far as possible to minimise or eliminate the risk and ensure the progress of the DPR in line with a survivor's wishes.

Alternative methods of delivering the DPR may be proposed to mitigate risk. The independent facilitator will also identify any risks if the DPR was to proceed and communicate this to the RRT.

In circumstances where the risk is unable to be mitigated or eliminated, the DPR may be postponed. A further risk assessment will be required prior to re-establishing plans to conduct the DPR.

4.8.8 Confirmation of DPR with survivor

Once arrangements for the DPR are agreed, they must be confirmed in writing with the survivor and where there is one, the third party, as soon as possible.

4.8.9 Conduct of DPR

The DPR will be planned in a timeframe which best meets the survivor's needs taking into account the survivor's readiness for engagement in the DPR and availability of the independent facilitator, institutional representative and venue if the survivor has particular needs/wishes. The DPR will be led by the survivor, with the aid of the independent facilitator.

4.8.10 Agreed follow-up actions

The independent facilitator will ascertain and document any agreed follow up actions arising from an in person DPR. This will identify the party responsible for the action and agreed completion date. Following an in person DPR, where requested, the institutional representative will provide a written response formalising DCP's acknowledgement and apology, in accordance with the survivor's wishes (refer to section 4.8 of this procedure for further information about processing a written DPR).

4.9 Requirements for DPR given in writing

A survivor may choose to only receive a DPR in writing as their preferred method of receiving a DPR. Where a survivor chooses to receive a DPR in writing from an institutional representative, the institutional representative will provide a sincere, personal response that acknowledges the survivor's experience and meets their expectations of the DPR. Generic templates and responses will not be used, and the final letter will be wet-signed, unless otherwise agreed.



Any other requests made by the survivor regarding format of the written response (including number of copies, display requests) will be accommodated, where practicable. If the survivor requests it, a copy of the letter will be provided prior to it being signed to allow the survivor to provide any feedback on the contents.

4.10 Post-DPR debriefing

Institutional representatives participating in an in person DPR are offered the opportunity to participate in a post-DPR debriefing and follow up processes with the independent facilitator to ensure the safety and wellbeing of participants in the DPR process.

The survivor and their nominated support person will also be provided with a post-DPR debriefing from the independent facilitator. When required, the independent facilitator can provide information about support services available to the survivor.

Institutional representatives can avail themselves of the Employee Assistance Program for additional assistance.

4.11 Suspending or delaying a DPR

A survivor's participation in the DPR process is voluntary and they are able to suspend or delay at the DPR process any time. If this occurs, the RRT will endeavour to reschedule or engage further with the survivor in accordance with the survivor's wishes.

If a person (other than the survivor) involved in the DPR reasonably believes that continuing in the process would jeopardise the health or safety of the survivor or any other participant, they are able to delay or suspend the process. If this occurs, the RRT will offer to resume the process or seek to provide an alternative method of DPR if it believes it can do so without jeopardising the health or safety of the survivor or any other participant.

4.12 Circumstances in which DPR is not required

A DPR is not required in circumstances where:

- reasonable attempts have been made to arrange a DPR with a survivor and the survivor has not responded
- a survivor is seeking a DPR that is unreasonably practicable or not within scope (refer to section 4.7.3 of this procedure)
- the survivor has already received a DPR
- the survivor advises that they wish to withdraw from the DPR process or where the survivor has passed away before the NRS offer was received or a DPR was arranged
- the risks identified in conducting the DPR cannot be mitigated or eliminated (refer to section 4.7.3 of this procedure).

However, if at any time a survivor who has previously indicated at any stage of the process that they do not wish to receive a DPR, changes their mind and advises the RRT, the RRT will take all necessary steps to ensure that that person is able to receive a DPR.

4.13 Confidentiality of DPR process⁶

Unless disclosure is required by law or the survivor agrees, the confidentiality of information in relation to the DPR is to be protected by DCP.

⁶ NRS Act, section 11



Disclosure is permitted if an actual or potential threat to human life, health or safety is revealed in the course of the DPR. In this case, disclosure must be within the limits agreed with the participant or proportionate to the threat in a particular case.

4.14 Complaints⁷

All survivors will be provided with information in writing about how to make complaints about the DPR process by a Redress liaison. The RRT will make all reasonable efforts to consider and be responsive to any complaints made.

4.15 Feedback and continuous improvement

Following the DPR, the survivor will be provided with an opportunity to provide feedback in a manner and form appropriate for them. The survivor has no obligation to provide feedback about the process, but where feedback is provided, the RRT will make all reasonable efforts to consider and be responsive to the feedback provided.

5. Compliance, monitoring and evaluation

The Manager, RRT is responsible for monitoring compliance with this procedure. The RRT will welcome and seek to obtain feedback on the DPR process from survivors, facilitators and DCP staff to ensure compliance with this policy, monitor the DCP process and facilitate continuous improvement.

6. Related documents

Related documents, forms and templates
Responding to Requests for Information (National Redress Scheme) Procedure
National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (Cth)
Direct Personal Response Framework 2018 (Cth)

7. Glossary

Term	Meaning
DCP	Department for Child Protection
DPR	Direct Personal Response
DPR Framework	Direct Personal Response Framework 2018 (Cth)
NRS	National Redress Scheme
NRS Act	National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (Cth)
RRT	Redress Response Team

⁷ NRS Act, section 16



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