

For people who have experienced institutional child sexual abuse

LEGAL SUPPORT

This fact sheet provides information for applicants and support persons who wish to seek legal advice or support when engaging with the National Redress Scheme (the Scheme).

Free independent legal support

The knowmore legal service is for people who are considering applying for redress, or have already applied for redress under the Scheme.

It is free, confidential and independent. knowmore can assist you:

- with information on your options, including access to compensation through other schemes and civil claims
- before the application, to ensure you understand the requirements and the process
- while you are completing your redress application
- if you ask for an internal review of the decision made on your application
- to understand the effect of accepting an offer and what that means for future claims.

You can find out more about knowmore by visiting their <u>website</u>, https://knowmore.org.au/ or by calling knowmore on 1800 605 762 (call charges may apply).

Private legal support

You may choose to use a private law firm or lawyer to assist you with legal advice, your application, or to help you pursue a civil claim. A civil claim is when you sue someone for compensation (money), a civil claim can be decided by a court or through an out-of-court settlement.

A private law firm or lawyer may charge you a fee for their services. You will have to pay these fees as they are not paid for by the Scheme.

It is important that before a private law firm or lawyer begins work for you that you ask and understand the full details of their fees. Sometimes legal fees are not paid upfront and can be taken out as a percentage of your final redress payment.

You can also consider approaching other private law firms or lawyers to compare services and legal fees.

If you are unsure if the fees are excessive, it may be a good idea to contact knowmore who can provide you with free legal advice.

How to lodge a complaint

If you feel that the actions of your lawyer have not been ethical or professional, you can lodge a formal complaint. Complaints against lawyers can be made about:

- Illegal conduct
- Professional misconduct, such as dishonesty or charging excessive fees
- Unsatisfactory professional conduct, such as consistent neglect or unnecessarily delaying your case.

How you lodge a complaint will depend on the State or Territory in which the lawyer works. The time limits for making a complaint are different in each state and territory and can change depending on the kind of complaint you are making.

Below is a list of relevant organisations to contact if you wish to make a complaint.

Australian Capital Territory

- ACT Bar Association (02) 6257 1437
- <u>Law Society of ACT</u> (02) 6274 0300

New South Wales

- Office of the NSW Legal Services Commissioner 1800 242 958
- <u>Law Society of NSW</u> (02) 9926 0333

Northern Territory

<u>Law Society of NT</u> – (08) 8981 5104

Queensland

QLD Legal Services Commission – 1300 655 754

South Australia

- SA Legal Profession Conduct Commissioner 1800 337 570
- SA Legal Services Commission 1300 366 424

Tasmania

<u>Legal Profession Board of Tasmania</u> – (03) 6226 3000

Victoria

VIC Legal Services Board and Commissioner – (03) 9679 8001

Western Australia

- WA Legal Profession Complaints Committee (08) 6211 3699
- <u>Law Society of WA</u> (08) 9324 8600

Redress Support Services

Free, confidential Redress Support Services are available in all states and territories to provide practical and emotional support to applicants and their support persons. They can help you understand the Scheme, provide emotional support and guide you through the application process.

Redress Support Services can also provide free, safe and culturally appropriate support for people with disability, Aboriginal and Torres Strait Islander people, LGBTIQ+ people, and people from culturally and linguistically diverse backgrounds. For more information visit www.nationalredress.gov.au/support or call the Scheme on 1800 737 377 Monday to Friday 8am to 5pm AET, excluding public holidays - charges may apply.

National Redress Scheme data shows that on average, applicants who have received support from the free Redress Support Services or knowmore receive a higher redress payment amount than those who received support from another legal service.

If you need immediate support, 24-hour telephone assistance is available through:

- Beyond Blue 1300 22 4636
- Lifeline 13 11 14
- 1800 Respect 1800 737 732
- Suicide Call Back Service 1300 659 467
- Mensline 1300 78 99 78
- In an emergency call Triple Zero (000)