

Justice, Integrity and Community Safety Committee
**Inquiry into the Civil Liability (Holding Institutions Accountable for Child
Abuse) Amendment Bill 2026**

May 2026

**Providing leadership and advocacy,
using psychiatric expertise to shape
policy, influence systems and
improve mental health outcomes**

Royal Australian and New Zealand College of Psychiatrists submission

Inquiry into the Civil Liability (Holding Institutions Accountable for Child Abuse) Amendment Bill 2026

Acknowledgement of Country

The RANZCP Queensland Branch acknowledges the Turrbal and Yuggera Peoples as the Traditional Owners and Custodians of the land on which the Queensland Branch is located. We pay our respects to Elders past and present, and recognise their continuing connection to land, waters, culture and community.

Recognition of Lived Experience

We recognise those with lived and living experience of mental health challenges and distress, their chosen families, whānau (fah-no), carers and kin. Their contributions, diverse perspectives, insight, and courage keep us grounded and inclusive, and focused on humanity, healing, and hope. We strive to work in genuine partnership in all that we do, honouring their voices by centring their experiences and expertise.

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About The Royal Australian and New Zealand College of Psychiatrists

The Royal Australian and New Zealand College of Psychiatrists (RANZCP) is a membership organisation that prepares doctors to be medical specialists in the field of psychiatry, supports and enhances clinical practice, advocates for people affected by mental illness and advises governments on mental healthcare.

The RANZCP is the peak body representing psychiatrists in Australia and New Zealand and as a bi national College has strong ties with associations in the Asia-Pacific region. The RANZCP has over 9000 members, including more than 6500 qualified psychiatrists.

The RANZCP Queensland Branch represents 1174 Fellows and 503 trainees. This RANZCP Queensland Branch submission has been prepared in consultation with the Queensland Branch Chair.

Scope and boundaries of this submission

This submission is intentionally limited in scope. The Queensland Branch of the RANZCP does not offer views on:

- specific legal thresholds, evidentiary standards or drafting choices in the Bill;
- issues of retrospective liability, constitutional validity or statutory interpretation;
- insurance, indemnity or institutional risk implications; or
- the merits of individual claims or cases.

The Branch's contribution is confined to outlining general clinical perspectives derived from psychiatric practice, to assist broader policy consideration.

Civil Liability (Holding Institutions Accountable for Child Abuse) Amendment Bill 2026

The Bill seeks to amend the *Civil Liability Act 2003* to:

- allow institutions to potentially be held vicariously liable, including retrospectively, for claims of abuse of children under their care, supervision, control, or authority, by extending the definition of

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persons associated with an institution to include persons in a relationship akin to employment by the institution; and

- allow courts to set aside and reconsider certain prior settlements for child abuse claims, where it would be just and reasonable to do so.

Psychiatric perspectives on delayed disclosure and long-term impacts of child abuse

Psychiatric practice recognises that experiences of child abuse can be associated with long-term psychological distress and mental health challenges that may persist into adulthood. These impacts may affect emotional regulation, sense of self, relationships, help-seeking behaviour and engagement with systems of authority.

It is also recognised in psychiatric and trauma-informed practice that disclosure of child abuse is frequently delayed. Many individuals do not disclose abuse until later in life, or may do so incrementally over time. From a clinical perspective, delayed disclosure can reflect the effects of trauma, developmental stage at the time of abuse, power imbalances, fear of consequences, and the dynamics of the environment in which the abuse occurred.

Within psychiatric practice, delayed disclosure is understood as a common feature of childhood trauma, rather than as an indicator of fabrication or inconsistency.

Trauma-informed principles relevant to reconsideration of historical claims

Trauma-informed practice is a widely accepted framework in mental health care and associated systems. While approaches vary, core principles generally include recognition of trauma, minimisation of re-traumatisation, and respect for the dignity and agency of individuals who have experienced harm.

From a psychiatric perspective, trauma-informed principles relevant to the reconsideration of historical child abuse claims may include (refer [RANZCP Position Statement 100: Trauma-informed practice](#)):

- acknowledging that earlier responses to child abuse often occurred in contexts with limited understanding of trauma and its long-term effects;
- recognising that past processes may not have fully accounted for barriers to disclosure or the psychological impacts of abuse; and
- appreciating that engagement with legal or redress systems can itself be distressing for survivor-affected individuals.

These principles do not determine legal outcomes but may provide helpful context for understanding survivor experiences when historical claims are reconsidered. The RANZCP Queensland Branch advocates for legal and investigative processes under this reform to be trauma-informed and to minimise the risk of harm to complainants and witnesses.

Queensland Commission of Inquiry into Child Safety

The RANZCP Queensland Branch acknowledges the Queensland Commission of Inquiry into Child Safety has been tasked with conducting a thorough and independent examination of the state's child safety system. The inquiry's terms of reference include consideration of legislative reforms, which may include recommendations for legislative reform to ensure institutions are held accountable for child abuse. The RANZCP Queensland Branch understands the final report was delivered to the Queensland Government on 22 May 2026 and calls on the Queensland Government to publicly release the final report in full.

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Conclusion

The RANZCP Queensland Branch considers that contemporary understandings of trauma, including delayed disclosure and long-term psychological impacts, provide important contextual background for public policy relating to child abuse and redress. Providing this clinical perspective may assist the Committee's consideration of the Bill without encroaching on legal analysis or operational matters.