

Common Payment Framework

January 2026



About the Framework

The common payment framework (the Framework) is the tool to guide decision making about what payment is offered to survivors of abuse in care who are accessing redress from government agencies under their alternative dispute resolution processes. It will be applied consistently by agencies when determining a payment offer for abuse in care redress following assessment of a claim.

There are two sections to the framework:

1. Payment categories [pages 2 – 4]. The categories set out what payment will be offered for what kind of abuse and neglect.
2. Definitions of abuse and neglect [pages 5 – 10]. The definitions explain key terms used in the payment categories.

Notes:

- The Framework does not determine what allegations are considered for the purposes of making a payment offer under this Framework. Rather, that is the function of the assessment that is completed in accordance with the redress agency's claims process.
- This Framework is to be used to determine payment for claims that are assessed by a State abuse in care redress agency following an individualised assessment. It is not used for claims that are using a rapid payment process as these have their own separate payment framework.
- This Framework does not provide redress for proven allegations of torture (as defined under the United Nations Convention Against Torture and the Crimes of Torture Act 1989). The consideration of any payment for proven torture sits outside this Framework.

Distressing content warning: The following information contains definitions about abuse and neglect and may be distressing for some readers.

You can find information about support here: [Support available | Crown response to the Abuse in Care Inquiry](#)

Payment categories

The Payment categories are intended to determine payments for abuse in care redress. However, there may be the occasional claim where a further discretionary payment is appropriate in line with separate discretionary payment policy guidance¹.

The categories and the characteristics described below simplify the complexities of abuse and neglect to provide clear categories and steps that can be consistently applied. There is no intent to minimise a survivor's lived experience or suggest a lesser impact on their lived experience.

The payment amount corresponds to the most serious abuse experienced while also acknowledging the survivor's total care experience. Each payment level recognises that less serious abuse, set out in lower payment levels, may also have been experienced.

There are five categories that range from Less Severe (\$7,500 to \$20,000) to Extraordinary Severity (\$75,000 and over). Each category includes one or more payment steps which move up based on the seriousness of the abuse, whether the abuse or neglect involved a carer or non-carer / other young person, and its frequency.

The Payment categories also enable the recognition of abuse and neglect by non-state carers who are not agents of the State (such as a survivor's parents), and by other young people who were in the same care, residential, education or health setting as the survivor. However, such abuse or neglect must arise from, or relate to, the acts or omissions of the State and have contributed to the abuse or neglect occurring or continuing. Any payment that is made for such abuse or neglect is to recognise the failure of the State.

Category One: **Less Severe** (\$7,500 to \$20,000)

Step	Characteristics of in care experience	Payment Amount
1	Less severe abuse or neglect by non-state carers or other young people which was infrequent	\$7,500
2	Less severe abuse or neglect by carers which was infrequent; or Less severe abuse or neglect by non-state carers or other young people which was frequent	\$10,000
3	Less severe abuse or neglect by carers which was frequent	\$15,000
4	Less severe abuse or neglect by non-state carers or other young people which was chronic; or More severe abuse or neglect by non-state carers or other young people which was infrequent	\$20,000

¹ All potential category five payments shall be assessed as a discretionary payment and the process described in the discretionary payment policy guidance is to be followed.

Category Two: **More Severe** (\$25,000 to \$35,000)

Step	Characteristics of in care experience	Payment Amount
1	More severe abuse or neglect by carers which was infrequent; or More severe abuse or neglect by non-state carers or other young people which was frequent; or Less severe abuse or neglect by carers which was chronic	\$25,000
2	More severe abuse or neglect by carers which was frequent; or Significantly severe abuse or neglect by non-state carers or other young people which was infrequent	\$30,000
3	More severe abuse or neglect by non-state carers or other young people which was chronic (more than 2 and up to 4 years)	\$35,000

Category Three: **Significant Severity** (\$40,000 to \$50,000)

Step	Characteristics of in care experience	Payment Amount
1	More severe level abuse or neglect by carers which was chronic (more than 2 and up to 4 years); or Significantly severe abuse or neglect by carers which was infrequent; or More severe abuse or neglect by non-state carers or other young people which was chronic (more than 4 years); or Significantly severe abuse or neglect by non-state carers or other young people which was frequent	\$40,000
2	More severe abuse or neglect by carers which was chronic (more than 4 years); or Significantly severe abuse or neglect by carers which was frequent	\$45,000
3	Significantly severe abuse or neglect by non-state carers or other young people which was chronic (more than 2 and up to 4 years)	\$50,000

Category Four: **Extreme Severity** (\$55,000 to \$65,000)

Step	Characteristics of in care experience	Payment Amount
1	Significantly severe abuse or neglect by carers which was chronic (more than 2 and up to 4 years); or	\$55,000

	Significantly severe abuse or neglect by non-state carers or other young people which was chronic (more than 4 and up to 5 years)	
2	Significantly severe abuse or neglect by carers which was chronic (more than 4 and up to 5 years); or Significantly severe abuse or neglect by non-state carers or other young people which was chronic (more than 5 years)	\$60,000
3	Significantly severe abuse or neglect by carers which was chronic (more than 5 years)	\$65,000

Category Five: **Extraordinary Severity** (\$75,000 and over)

Step	Characteristics of in care experience	Payment Amount
1	This category is reserved for extraordinary claims to recognise where there are clear aggravating factors and/or exceptional circumstances to the level of abuse described in category 4. To be placed in the category, survivors will usually have experienced consistent significantly severe and more severe abuse of 10 years or more. Payment is determined having regard to the individual circumstances of the claim.	\$75,000 and over

Definitions of abuse and neglect

This part of the Framework explains the key terms used in the Payment categories that determine payment offers. The intent is to support survivor understanding of the Framework as well as consistent application of Payment categories by government agencies. These key terms are:

- Abuse and neglect, including severity (less severe, more severe, significantly severe): what happened?
- Carers and non-state carers or other young people: who carried it out?
- Frequency (infrequent, frequent, or chronic): how long and how often did it occur?

Frequency of abuse or neglect

How often a survivor experienced abuse or neglect and how long that was experienced for are key factors in their care experience. They are part of determining a payment for abuse in care redress.

The following table will be applied by agencies to consider both how often and how long (duration) the abuse or neglect was experienced to identify the abuse or neglect frequency – infrequent, frequent or chronic – which then links to the Payment categories.

How often?

Once	Infrequent	N/A			
Sometimes (e.g. “occasionally”, “at times”)	Infrequent	Infrequent	Infrequent	Infrequent	Frequent
Often (e.g. “a lot”, “every week”, “regularly”)	Infrequent	Infrequent	Frequent	Frequent	Chronic
All the time (e.g. “every day”, “always”)	Infrequent	Frequent	Frequent	Chronic	Chronic
	0 to 6 months	More than 6 months and up to 1 year	More than 1 year and up to 2 years	More than 2 years and up to 4 years	More than 4 years
How long? (Duration of abusive period ²)					

Carers and non-state carers or other young people

For the purposes of applying the Payment categories, **carers** are agents of the State who have care and protection responsibilities for the survivor. They include:

² Which is not necessarily the full period of time in care.

- Caregivers approved and appointed by the agency which has legal responsibility for the survivor
- Staff of the agency which has legal and/or care responsibilities for the survivor (for example, social workers, teachers, other school staff, hospital staff).

Staff or caregivers of a non-government agency (NGO) or Iwi Social Service contracted to provide care services on behalf of the State agency which has legal responsibility for the survivor will generally also fall into this category, where the relevant State agency would otherwise have that responsibility.

All other individuals will fall under the definition of non-state carers or other young people.

Further details and guidance on these terms can be found in separate agency guidance.

Abuse and Neglect Definitions and Examples

These guiding definitions separate abuse and neglect into:

- **Types:** physical abuse, sexual abuse, emotional/psychological abuse, and neglect. This supports survivor understanding of what kinds of experiences are recognised and agencies' categorisation of these experiences. The Payment categories don't treat different types of abuse or neglect differently. For example, serious abuse is considered serious whether it's physical or sexual.
- **Severity:** less severe, more severe and significantly severe. This connects to which Payment category is used.
- **Examples:** are given of each type and severity. These aren't complete lists as there's a wide range of experiences across survivors and care settings.

Type: Physical abuse

Definition: Actions that result in, or could result in, physical harm or injury to a survivor.

Severity	A survivor has experienced
Less severe	Actions which ordinarily do not cause bruising or injury. Examples can include: <ul style="list-style-type: none">• Excessive corporal punishment that is outside of policy• Misuse of physical restraint that is outside of policy• Slapping/hitting with an open hand, shoving/pushing, hair pulling, ear pulling, tripping, kicking, harsh physical punishment (e.g. being forced to eat soap)• A staff member/carer directing another survivor to physically assault another survivor³• Inappropriate use of medical treatment (e.g. over medication in psychiatric facilities).
More severe	Actions which ordinarily cause bruising or physical injury such as cuts, welts and blisters. They demonstrate an increased level of violence or force from less severe physical abuse and can involve the use of objects and weapons. Examples can include: <ul style="list-style-type: none">• Striking, closed fist punching, whipping, stomping/kicking, blows to the head or body• Being slammed against a wall• Being held forcefully by the neck or throat.
Significantly severe	Physical assaults which result in injuries that would typically require, or should have required, more intensive medical treatment or hospitalisation. Examples can include beatings, punches and assaults which can cause: <ul style="list-style-type: none">• A loss of consciousness• Broken bones and dislocated joints• Serious burns• Internal injuries including brain damage. The use of medical treatment where it was administered in circumstances contrary to established medical practice and results in severe pain (e.g. unmodified electroconvulsive therapy (ECT)).

³ Depending on the nature of the assault, this may be considered more severe.

Type: Sexual abuse

Definition: Actions that involve forcing or enticing a survivor to take part in sexual activities, whether the survivor is aware of what's happening or not. It may or may not involve direct contact.

Severity	A survivor has experienced
Less severe	Actions involving exposure, witnessing sexual acts, grooming or sexualised behaviour. Examples can include: <ul style="list-style-type: none">• Being exposed to indecent material (whether, written, spoken or visual)• Acts for the purpose of sexual gratification of the perpetrator, e.g. survivor sitting on their lap, being watched when undressing• Being made to watch or view genitals, inappropriate sexual talk.• Encouraging a survivor to look at pornography or behave in a sexually inappropriate way• Grooming a survivor in preparation for sexual abuse (this may be done via the internet).
More severe	Non-penetrative sexual contact that does not meet the definition of unlawful sexual connection. Examples can include: <ul style="list-style-type: none">• Kissing, fondling, rubbing, genital touching or masturbation of or by the perpetrator – may be under or over clothing• Forcing or enticing a survivor to take part in sexual activities whether the survivor is aware of what is happening or not.
Significantly severe	This is contact consistent with unlawful sexual connection as defined by the Crimes Act 1961. Abuse at this level can include: <ul style="list-style-type: none">• Sexual connection, rape and oral sex• It can involve a part of the body of the perpetrator or an object• A staff member/carer involving the survivor in the making of pornography or in prostitution.

Type: Emotional/Psychological abuse

Definition: Actions (not physical or sexual) that can demean or harm a survivor emotionally. It is generally verbal but may take other forms. It is generally a pattern of behaviour over time, rather than single or isolated incidents.

Being placed in secure cells, seclusion, timeout, isolation or otherwise detained (such as in a shed or on 'Alcatraz' at the Whakapakari programme) may also constitute emotional /psychological abuse for the purposes of these definitions.

Severity	A survivor has experienced
Less severe	Examples at this level can include: <ul style="list-style-type: none">• Repeated name calling• Criticising, belittling, demeaning, mocking, misogynist and racist slurs• Accusing, blaming, insulting, threatening abandonment, manipulating, taking advantage, screaming, yelling• Engaging a survivor in criminal acts, making them tell lies• Strip searches that fell outside policy or legislation at the time• Threats of punishment• Harsh or harmful punishment intended to shame• Witnessing or being forced to witness acts of serious abuse• For MSD claims only – continuous placement in secure unit for a period of up to 1 calendar month• Being placed in seclusion in a psychiatric facility without reasonable grounds• Excessive use of timeout where the conditions and/or duration are outside policy or other documented standards.
More severe	Emotional/psychological abuse at this level will generally have persisted over a number of years or is of a nature that is likely to cause significant emotional harm such as threats to kill. Examples can include: <ul style="list-style-type: none">• Having a rifle/gun pointed towards the survivor• Being made to dig a hole into which the survivor is threatened to be buried• For MSD claims only - continuous placement in secure unit for a period of more than 1 calendar month.
Significantly severe	Emotional/psychological abuse at this level is likely to be exceptional. It could involve actions which induced the survivor to believe death was imminent such as firing a gun towards the survivor.

Type: Neglect

Definition: Neglect is where the basic needs of a survivor are not being met. This may be physical neglect, medical neglect or supervisory neglect. It is generally a pattern of behaviour over time, rather than single or isolated incidents.

The severity of neglect is determined by considering both the nature of the neglect and the period over which it occurred.

Severity	A survivor has experienced
Less severe	Examples can include: <ul style="list-style-type: none">• An ongoing pattern or practice of allowing or requiring a survivor to miss school unjustifiably• Failing to provide the care required to maintain adequate personal hygiene• Failure to provide sufficient food or clothing or required medical treatment• Condoning the use of drugs, alcohol, or involvement in crime• Living in an environment where for periods of time there is insufficient food, running water, power, functioning toilet• Having to complete chores/work that are inappropriate for the age and stage of the survivor.
More severe	Examples can include: <ul style="list-style-type: none">• Endangering the life of the survivor by not taking them to hospital or seeking appropriate medical help for a <u>serious</u> illness or injury where there is confirmation of that illness or injury• Physical neglect to the extent the survivor becomes malnourished or otherwise requires medical intervention.
Significantly severe	Neglect at this level is likely to be exceptional and reflect a situation where there is serious physical and/or medical neglect over a long period of time such that the life of the survivor is threatened.