

SUBMISSION - Justice Responses to Sexual Violence: Issues Paper (2024)

INEPT & INEXCUSABLE INJUSTICE

They say that the foundation of justice is made up of the following: fairness, involvement, and accessibility. In an ideal society, everyone feels respected, provided for, and protected.

My name is [REDACTED] I am a Victim / Survivor of the most horrific acts of violence that anyone could experience. Unfortunately, I wasn't raised in a perfect world, and the injustices I've experienced throughout my life as a result of incompetent authorities are nothing short of shocking.

Adversity is something that everyone faces at some point in their lives, but sadly, I have been unluckier than most. I've spent my entire life bearing the burden of other people's wrongdoings.

You could argue the case that my maltreatment started the moment I was born because my mother tried to self-abort me twice as soon as she learned she was expecting me. Her disappointment at me for surviving grew to the point where, at the age of two weeks, she Voluntarily Placed me into "Temporary" Foster Care that eventually turned permanent.

In Out-of-Home Care, I endured unspeakable suffering.

- Sexually molested from infancy
- Neglected
- Battered Child
- Raped daily beginning when I was seven years old.
- Tortured
- Attempts to kill me.
- Subjected to internal vaginal inspections daily.
- Subjected to horrific mental and physical abuse up until my teens.

IGNORED - DISCLOSURE TO AUTHORITIES /FAMILY

Throughout the years, I have made numerous attempts to inform my teachers, doctors, extended relatives about my abuse; but, none of them ever took any steps to help me, so I have firsthand knowledge of the indifference and lackadaisical attitudes of people.

I tried to run away from the abuse when I was thirteen because I could not stand it any longer. My freedom was short-lived as I was taken back to the old [REDACTED] police station the following day after my friend's mother reported my whereabouts. I sobbed and pleaded with the Senior Sergeant not to send me back.

Despite going into explicit detail about my abuse, he dismissed me, and I was sent back to live with my abusers. I learned early on that I was completely alone, had no rights, and no one would stand up for me.

- In 2020), history would repeat itself when the [REDACTED] Police SOCIT would let me down once more.

FOI - (Freedom of Information) – Nil documents

After been lied too so much in my life, I filed a Freedom of Information request to obtain access to all of the records from my childhood that dealt with my out-of-home care. I was surprised to learn that there were **"Nil Documents Found"** in the results after months of intensive searching.

- The only explanation they could offer was that I was probably put into Informal **"Voluntary Placement"**.
- Voluntary Placement is where **NO Court Order** is required for a child to live out of their parent's care. - The parent consents to a Voluntary arrangement for the temporary care of their child but had **NOT** been made a Ward.

NATIONAL REDRESS:

When we talk about Flaws in the Judicial System nobody needs to look much further than the abysmal treatment I have received and how my entire life has been a miscarriage of justice because of an inept system where I experienced appalling treatment from those that we should be able to put our trust in.

A copy of the meeting was sent to me via email, and when I opened my report from the two-hour interview, I was shocked to discover that everything I had said was recorded wrong. I called National Redress and informed them that the information in my report was incorrect. I asked as to whether the Redress interviewer had actually heard anything I had said, because it was disgusting to have so many vital details wrong.

- They emailed me a copy of the amended claim, along with a “list of lawyers” I could get in touch with to obtain legal advice.

LAW FIRM REJECTION - NO JUSTICE FOR THE POOR

The idea that the rich and the poor should be treated equally is the foundation of the legal system. That may have been the case in the past, but today, access to justice is determined by how much money the law firm stands to make as I was soon to find out.

I called one of Melbourne's biggest law firms in Melbourne who specialised in Historic Sexual Abuse. I spoke with a solicitor in-depth, sent all the necessary paperwork, and was informed that I had an extremely powerful case.

Months passed and I still had not received a reply from the solicitor. Tired of waiting, I phoned the law firm to ask why they hadn't responded.

REPLY FROM LAWYER

Your Common Law Claim - We wish to advise you that upon review of your file, we do not believe you have a viable common law or redress claim.

Our evaluation is based upon two key reasons. - The first concerns an issue of liability - Your abuse did not occur by State of Victoria employees. As such we

cannot make out a vicarious liability argument, which in essence, makes liable the State of Victoria or any other institution for the wrongs committed by its.

The second issue concerns legal guardianship. - The State of Victoria were not your legal guardian at the time of your abuse and you were not a ward of the state at the time of your abuse.

- This means that we are unable to say that a particular institution was responsible for your guardianship at the time of your abuse.
- *Although we empathize with your past circumstances and believe your allegations, this is not sufficient to make out a legal claim.*

2nd Major Law Firm Rejection:

Despite feeling quite discouraged, I reluctantly contacted yet another prominent law firm and was given the same disappointing response. And once again, in spite of copious amounts of evidence—such as witness statements and police reports— The solicitor said coldly, "We acknowledge your terrible childhood rape and torture," but there is nothing in it for us because the offender has no assets. Adding, this is why we prefer to focus on "Institutional Abuse Cases". - I was gutted and gobsmacked.

BACK TO NATIONAL REDRESS

I scheduled a second appointment and informed National Redress. I told them that, despite their acknowledgement of the severity and validity of my horrific allegation of sexual assault, the two esteemed law firms they had recommended had rejected me.

I asked the National Redress representative Why did the National Redress allow me to go through the entire process even though they knew I wasn't eligible? His reply was cold and indifferent.

I asked him again because I wasn't happy with his condescending manner. Why did National Redress tell me that I was eligible, offer me false hope by referring me to a lawyer, only for me to be rejected and become even more traumatised by the entire callous procedure? The representative responded, which was a terrible attitude and answer, by accusing me of applying when I should have realised, I wasn't qualified.

CASAHOUSE - (Centre Against Sexual Assault)

I could feel my mental health deteriorating after my identity was questioned through a Freedom of Information (FOI) request, after a Careleaver organisation rejected my application because I didn't meet the requirements, and after lawyers turned down my case because I didn't have any documentation from my time in care, and finally after the National Redress handled my case in a way that was completely unprofessional.

In 2019, the Cardinal George Pell controversy dominated the news, and everyone, after each broadcast the media would put 'Helpline' numbers it was here that I heard about a "Casahouse", (Centre Against Sexual Assault) I had overcome a lot since I attempted a suicide in 2009 and I was determined I was my C- PTSD make me suicidal again so I made an appointment determined to confront my issues head-on.

When my relatives began to post on Facebook about Cardinal Pell abusing children and expressed their outrage at people who turned a blind eye, I became extremely angry by their hypocrisy. Bear in mind, these are the same people that said nothing while knowing that a member of our family had been sexually abusing children for several decades. I should know; I was also one of his victims. I felt angry and betrayed. I could identify with the children who had been so utterly let down by those who had a duty of care to protect them. The counsellor understood my anger at never receiving justice and advised me to go to **SOCIT** to make a statement about Historical Child Sexual Abuse.

I was reluctant to make a statement because I knew I would need witnesses to back up my claims if I reported it to the police. I sent a Facebook message to every member of my family stating that I intended to hold our [REDACTED] accountable for his crimes against me, which included raping me and sexually assaulting many other children over the years. I implored older family members who knew of the sexual assaults to come forward. - I was totally ignored by the other family members.

The rejection of my family left me feeling let down and disappointed, so I decided to go to the [REDACTED] police (SOCIT) [REDACTED]
[REDACTED]

(SOCIT) - Sexual Offences and Child-abuse Investigation Team

In [REDACTED], I went to the [REDACTED] police station [REDACTED] and we both made statements accusing [REDACTED] of sexual assault. We were assigned a very experienced, supportive, and hardworking investigating officer assigned to us, and we couldn't have asked for more. He would constantly call or email with updates on his progress.

1st Investigator - Detective Senior Constable

The first investigator who was assigned to us was a font of knowledge; he was resolute, sympathetic, and eager to help. He never stopped working on my case and acted upon every recommendation I made. He was respectful [REDACTED] and he kept us informed on what was going on on a weekly basis. He was a diligent worker. We also couldn't fault his work ethic.

My case was proceeding well until my investigator took a leave of absence, at which point everything came to a stop. After his eventual return from leave, my investigator called to let me know that, in the midst of my investigation, he had been transferred to another area - And my case went downhill from there.

2nd Investigator - Senior Constable

Regretfully, the second investigator, was completely different. Or should perhaps i should say, totally indifferent. When he called to introduce himself as the new substitute officer taking the place of Detective Senior Constable, it was evident that he was ill-prepared and had not reviewed our case beforehand. It occurred to me throughout our conversation that he had failed to include [REDACTED] [REDACTED]. When I asked him whether he'd called to introduce himself, he didn't know who I was talking about. I told him to read [REDACTED] as [REDACTED], he did not contact her. It seemed that because the crimes against me were more serious, it seemed as though he only paid attention to mine because [REDACTED] case was too trivial to be worthy of his attention.

CONTRADICTORY OPINIONS - WITNESSES IGNORED

Our first investigator advised us that all we needed was witness testimony to support our disclosure of the [REDACTED] claims to them.

The second investigator held a completely different view of the Witness Statements than my previous investigator. - *and that's when the issues with conflicting legal interpretations began.*

[REDACTED] family members who agreed to speak with the [REDACTED] Socit; they left messages for our investigator, offering to provide statements. To everyone's dismay, he refused to return their calls [REDACTED]

[REDACTED]

[REDACTED].

I tried to persuade our apathetic investigator to get in touch with the witnesses and obtain their statements. He told me that getting in touch with anyone may be interpreted as harassment. I informed him that they were happy to talk [REDACTED] and felt no pressure, but he forbade us from getting in touch with anyone ever again saying it will jeopardise the case.

Fed up with the investigator's constant roadblocks, I called the Officer in Charge, Detective Serjeant, and voiced my concerns about the Senior Constable's refusal to accept witness statements and his accusations against us for harassing people. The detective sergeant assured me that I had every right to get in touch with anyone about the statements. She also promised to send me a follow-up email so I could send her another list of potential witnesses. - Surprise! She didn't send me an email.

His apathetic attitude made it was clear from the start he merely intended to utilise SOCIT—like many others—as a stepping stone to a promotion to another area.

WITNESSES STATEMENTS

Our investigator wasn't interested in talking to anyone who wanted to come forward, but I eventually convinced him that it wouldn't hurt to have corroborating support.

After continual pressure, he eventually got in touch with the perpetrator's [REDACTED]

[REDACTED]

[REDACTED]

Eventually, witnesses — including me and [REDACTED] — came forward with statements supporting our claims that they knew of our perpetrators had sexually molested children [REDACTED].

I could feel our case was waning. I offered an enormous amount of evidence to support our allegation, yet it was inexplicably disregarded. For example, I forwarded on multiple emails [REDACTED]

[REDACTED]

[REDACTED] Because it took place in a different State, this evidence was disregarded.

I believe that all of the witness testimony attesting to their knowledge of victims who had been sexually assaulted by the predator for decades, along with the fact that the predator was well-known to the police due to previous allegations of sexual abuse against children, contribute to the proof of a long-standing pattern of deviant behaviour. (modus operandi)

VICTIMS IGNORED

Our investigator was an "ageist," and instead of calling me [REDACTED] who were the victims, he continued to call [REDACTED] asking her questions she knew nothing about. It was as if he thought we were [REDACTED] doddering old ladies who didn't have the mental capacity to speak for ourselves. When [REDACTED] why he continued to phone her rather than [REDACTED] me who were the victims, he simply chuckled sarcastically. Despite my repeated requests for him to include [REDACTED] who was also a victim, our investigator clearly had issues with her so avoided [REDACTED].

Understandably frustrated by being ignored and fed up with chasing progress reports, [REDACTED] got in touch with the Detective Sergeant in charge to voice her dissatisfaction with the way our case was handled and how she had lost faith in the investigator calling him a "Clown". And from that point on, our case quickly deteriorated.

The detective sergeant's defensive and extremely unprofessional response to my [REDACTED] in emails and phone calls shows that they had a personality clash and that she wasn't used to being challenged.

As the senior officer in charge, it was her duty to reprimand the officer for failing to do his duties and treating his victims with respect; however, the detective sergeant became outraged [REDACTED]. As the Senior officer she should have responded to my cousin by saying " While I don't like that one of my officers being called a clown," I understand how frustrated you are, and I promise to do all in my power to put things right and make sure you're engaged going forward.

However, the detective sergeant didn't act like a senior police officer; instead, she acted more like a mother whose child had been insulted, forbidding [REDACTED] from getting in touch with our investigator directly and instead permitting her to do so through her. It appeared from the beginning that he didn't think [REDACTED] case was important enough to warrant his time completely ignoring her file because instead focusing solely on mine. - What a deplorable attitude you have towards traumatised victims who have trusted you with the task of helping them get justice.

The utter disrespect and apathy directed towards [REDACTED] was an unacceptable; rather than offering her support or empathy, she was condemned and punished for having the audacity to question the competence of the police investigator.

I was deeply troubled by the fact that our investigator would only speak with me and not with [REDACTED] felt as though I was betraying her by speaking behind her back. I forwarded all correspondence to her, but he seldom sent emails, ensuring not to leave any paper trail so he could, as I would later learn, deny any allegations of misconduct against him.

PROPOSED CHARGES OUTLINED

The 1st investigating office, Detective senior informed me that SOCIT was attempting to bring charges against my perpetrator for several serious offences.

I was told that the majority of conduct outlined in my statement most events will meet an 'indecent assault' however we also have common law 'rape' made out as well.

The legislation will outline relevant sentencing for the alleged conduct though, so whilst a sexual assault would be the same charge as a penetrative rape (no penis involved) the offences we would still charge with are indecent assaults.

However, the sentencing amount would be higher.

For every charged event we look at time / date /location / specific occurrence (as best as we can).

- Penile penetration will be common law rape
- Objects/fingers/anus etc will be indecent assaults

Just quirks of the legalese from that time. We still allege the specific conduct

DECISION IMMINENT

I believed the case had reached its conclusion because the investigator received written witness statements from all of the witnesses who were willing to testify, as well as the transcript of the phone conversation between the offender and myself. The phone call was a damning piece of evidence because, in spite of the offender's claims that he cannot remember [REDACTED]
[REDACTED] He also repeatedly apologised to me when I told him that I had attempted suicide several times because he had raped me throughout my childhood, ruining my life.

I emailed the senior detective sergeant in charge of our case, letting her know about the phone call I had with the offender and that witnesses had made statements and promised to testify if the case went to court so when will a decision be made.

That evening, the Senior Sergeant called to inform me that a conviction was imminent because my attacker was well-known to the police [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Feeling confident that I was finally going to have my day in court, I called a lawyer to ask for advice. He went through the legal process with me and instructed me to tell my investigator that I had spoken to a him. - Then, he made a point of "Warning" me that he had witnessed SOCIT cases being dropped as soon as it was discovered that lawyers were involved. So, make sure to let them know that I haven't yet hired a lawyer. _

CASE DROPPED

I informed my investigator that I had spoken with a lawyer and that I was merely looking for advice. The following afternoon to my great disappointment and dismay, he called back to inform me that our case had been dropped, just as the lawyer had warned. Apparently, my perpetrator played the tried-and-trusted "Mental Health Card," claiming to have dementia a common ruse employed by malingerers.

I refuted the claims by reminding our investigator that the offender was interviewed in-depth and for a considerable amount of time by both the detective senior constable and the detective sergeant, both of whom were experienced senior investigators. - *They both rejected the offender's claim of dementia and stated that they were aware that he was lying about having a mental illness.*

RE-TRAUMATISED BY THE INJUSTICE

Standing there and listening to the investigator insult my intelligence left me feeling numb. If there hadn't been enough proof to support my claims, I may have accepted it, but the frustrating thing is that there was an abundance of evidence that proved a pattern of predatory behaviour over decades.

After eighteen months of opening Pandora's Box, dredging up long-suppressed memories to the surface, and picking at wounds till they bleed, insincere apology. before he ended the call, I asked him to have the common courtesy to inform [REDACTED] personally not leave it up to me. He assured me he would – **Sadly, he did not contact her.**

And just like that, my case went from [REDACTED] "*Perpetrator is not competent to stand trial*". I was overcome with hopelessness and a sense of defeat by a predator who was an expert at manipulating the system. Once again, he won.

ENGAGED LAWYER FOR VOCAT

I engaged a lawyer, and with her assistance, I applied for VOCAT. As I expressed my disappointment with the terrible way my case had been handled, she inquired as to if I had received an official letter from SOCIT explaining the rationale behind the case's dismissal. No, I replied, [REDACTED].

My lawyer began to understand my frustration when she encountered the same dismissive and indifferent attitude that I had encountered after making repeated attempts to contact [REDACTED] police.

When she finally did manage to make contact, she asked the Detective Senior Sergeant the following questions:

"Why" didn't SOCIT provide the victims a formal letter outlining why the case was denied.

- A short while later, the lawyer received a "formal letter," although it was clear from the absence of a date that it had only been typed. **NO REPLY**

The lawyer wrote back questioning "Why there was No date – NO REPLY

- when we still hadn't received a copy of the official letter, the lawyer wrote to the senior detective sergeant once more, wanting an explanation for why the

victims hadn't received a copy of the formal letter. – **NO REPLY**

- We never received a copy of the letter from SOCIT.

My lawyer persevered in questioning the detective senior sergeant about the reasoning behind decisions despite being constantly ignored.

- She asked why SOCIT didn't prosecute my perpetrator with "Tendency" as he had a long pattern of repeated sexual abuse? – **NO REPLY**

As is clearly demonstrated, the only consistent finding from SOCIT was a pattern I was to receive from was **NO RESPONSES**.

It is evident that when [REDACTED] called our investigating officer a "Clown" and I informed the investigating officer that I had spoken with a lawyer, my case came to an abrupt stop.

VOCAT DECISION - 2021

My solicitor sent an email to me stating that the VOCAT Tribunal that though they had acknowledged the violent act against me, under - Section 77 of the Victims of Crime Assistance Act which outlines the transitional provisions for historic offences - Due to a combination of the date of offending, the fact that my perpetrator had not been charged and the legislation that was in place at the time.

- There was NO mention of an Internal Investigation into SOCIT.

VICTIMS OF CRIME ASSISTANCE ACT 1996 - SECT 77

- [\[REDACTED\] /classic.austlii.edu.au/au/legis/vic/consol_act/vocaa1996271/s77.html#:~:text=\(b\)%20if%20an%20offence%20involved,at%20the%20time%20of%20](http://classic.austlii.edu.au/au/legis/vic/consol_act/vocaa1996271/s77.html#:~:text=(b)%20if%20an%20offence%20involved,at%20the%20time%20of%20)

2020 – OUTRIGHT IGNORED

The emotional impact of being let down by SOCIT was enormous. I never really recovered from the disappointment so in [REDACTED] expressed my disappointment via email to our investigating officer highlighting my issues with the handling of our case. – **NO REPLY.**

It wasn't the first time I attempted to voice my concerns; I sent SOCIT a never-ending stream of lies and contradictions that proved his dishonesty, including emails

[REDACTED]
[REDACTED] a matter of fact, throughout my case. - **In fact**, during my case, I continually provided proof pointing out specific instances where I knew he had lied. - **I provided them with a transcript of a three-month Facebook discussion I had with my offender** [REDACTED] - When I confronted him, he explained how his amnesia had affected him, stating that "he couldn't remember about 25 years of my life because of a lesion in his brain and reiterated how he had no memory of family members including his own children and grandchildren"- Yet he remembered me vividly. - **Knowing he was lying**, I questioned him about how, if he didn't remember his siblings or his own kids, how did he remember [REDACTED]
[REDACTED]
[REDACTED]

NOTE: I had not lived with my mother since I was 2.5 years old, when she put me in foster care. -

I confronted him once more, asking him to explain how, if he couldn't recall anyone, he managed to track down his [REDACTED]
[REDACTED] Frustrated with his lying, I kept challenging him, "You say you have no memories of the past 25 years, yet you remembered [REDACTED]
[REDACTED] His systematic, well-considered actions contradicted his claim that he was feeble-minded and suffering from dementia, and I continually disproved this claim with evidence.

The evidence was overwhelming and there was documented proof that he was of sound mind, yet despite all of my hard work gathering it, no one disputed his claim. Keeping track of my perpetrator's daily activity was easy because he has [REDACTED] Facebook accounts and was very active on social media. - He posted frequently, sending birthday greetings to friends and family—and sending "Friend Requests" to. — **“the same people he claims to have forgotten”**.

The Detective Senior Sergeant emailed back. -Unfortunately, I can't answer any of the below statements, but I see your point in respect to your suggestions that his amnesia claim is false.

2022 – Request to Review my Case

Every time I think I've conquered my demons; something happens that triggers my PTSD again. At first, there was the Cardinal Pell trial, followed by the Brittany Higgins and Bruce Lehrman trial. As the trial went on, I began to feel increasingly cheated and disillusioned by the legal system—or more accurately, the "injustice system in my case."

Another thing that set off my PTSD was seeing my perpetrators was very active on social media; when he wasn't using dating apps pretending to be a widow, he was writing reviews for restaurants. He even adopted a dog, which was a difficult process because the adoption agency required proof that the applicant could actually take care of a dog, which he passed. I was so overcome with a sense of injustice that I sent an email to the Detective Senior Sergeant in charge of my SOCIT case, explaining how active my perpetrator had been on social media and how I continue to refute his claim of having dementia because his everyday activities demonstrated that he was extremely lucid, so I submitted everything I could find in bullet point to emphasise that he was pretending to have dementia.

Detective Senior Sergeant Reply: I no longer work at [REDACTED] SOCIT. I don't currently have access to your investigation file; however, I will obtain access to provide you with a factually correct response as to why the matter did not proceed to prosecution. Once I have had the opportunity to review the investigation file and attached report/s I will provide you with a email or phone call, which ever you prefer.

– **NO CONTACT AGAIN**

[REDACTED]

After two years, I still hadn't heard back from Detective Senior Sergeant, so I sent her another email in [REDACTED] to let her know I had not received any word on whether or not my case had been looked into. – **NO REPLY**

It is unacceptable that I as a survivor have been treated with such complete disregard and indifference.

FLAWS WITH SOCIT

It is clearly evident that our case came to a complete standstill the moment [REDACTED] [REDACTED] insulted the detective sergeant by referring to our investigating officer as a "clown" and I told my investing office I had spoken to a lawyer.

My miserable SOCIT experience left me feeling as powerless and psychologically violated as I had felt after multiple rapes. Over the course of eighteen months, I had gone through every agonising detail of the horrifying torture and trauma that I had buried for decades. I am certain that COVID and a corrupt government that had nearly plunged Victoria into bankruptcy were to blame for my case's total failure. I think that in order to save court costs, SOCIT was told to cull cases where the defendant had no assets.

I could have dealt with it if there had been insufficient evidence to pursue my case; it's the lying and weak excuse of dementia that I find hardest to accept. But in my situation, it wasn't dementia; rather, it was simply poor investigation skills, shortcomings that were so glaring that it is hard for anyone to ignore the serious flaws with the criminal justice system.

I truly believe that if my perpetrator had assets, my case would not have been abandoned; however, he did not, so it was. As I have said. There is No justice for the poor.

MY OPINION – AREAS THAT NEED IMPROVING

My case and others like it would not have been rejected if SOCIT had the authority to refer cases to an impartial agency with resources, legal knowledge, and a live-experienced specialist with historical abuse.

The absurd excuse of dementia, which had already been refuted by two senior police officers, is the part that I find hardest to accept. In my opinion, a thorough independent psychiatric evaluation conducted at the outset of the case will either support or contradict the assertions made by offenders who feign mentally illness, saving both time and needless anxiety.

FILES STAGNATE

My case took much longer than it should have—eighteen months—because my first investigator kept taking time off for his allocated leave.

Police officers are entitled to the following:

- Five weeks recreation leave per year
- an additional two weeks in lieu of public holidays
- a further 10 days accrued time off in lieu of the 38-hour week
- sick leave of 15 days per year (accruing)
- a range of other generous leave entitlements including maternity and paternity leave, study leave and defence force leave
- long-service leave after seven and a half years of service
- Unpaid leave

Bear in mind that while a police officer is on leave, their cases remain abandoned because no one else is available to take on their cases. As a result, your file will fall farther to the bottom of the pile as more cases are added to the already mountain of older files that have sat unchecked for longer. Because of this, when new cases are added to the already enormous pile of older files that have been neglected for months, your file will drop farther to the bottom of the pile.

The impact of COVID-19 on victim cases was undeniable. Our investigations stagnated as a result of police officers—including mine—being reassigned to different areas. Though I believe COVID had some impact, I believe my case ultimately failed because of a lackadaisical mindset and poor work ethic which is clear evident.

Given the overwhelming evidence that the police were presented with, including their own evidence, I think that the outcome would have been different if I had been assigned a lawyer to represent me throughout my time with SOCIT. With competent legal counsel, the perpetrator WOULD have been charged in accordance with the law.

Interestingly, if I were the perpetrator, I would have had instant access to legal representation; so, why don't the victims have the same basic rights?

CASAHOUSE urged me to seek justice for the benefit of my mental health. I finally gave in to their counsel and ignored my better judgement, only to be severely let down again by the justice system once more after my case failed.

Despite years of appealing for help, neither my perpetrators—who committed horrific atrocities against me—nor the incompetent government officials—who did nothing to protect me—have been held accountable.

It's time to stop the inaction merry-go-round of government consultations, inquiries and reports and get to work, writes [REDACTED]

[REDACTED] - One of the strategies used extensively by Australian governments to avoid making any serious commitment to a particular issue is to establish an inquiry, a consultation, a panel, or an advisory group to prepare a report and make recommendations.

Victims mistreatment threatens integrity of criminal Justice System

[REDACTED] [hemandarin.com.au/242073-victims-mistreatment-threatens-integrity-of-criminal-justice-](https://www.hemandarin.com.au/242073-victims-mistreatment-threatens-integrity-of-criminal-justice-) [REDACTED]

The Victorian Victims of Crime Commission (VOCC) has blasted the state's legal system for "retraumatising" victims in the pursuit of justice.

[Commissioner Fiona McCormack](#) said [victims felt sidelined](#) by the process of pursuing criminal justice.

"I have been distressed to hear the devastating impact the justice process has had on so many victims, to the extent that some have attempted to take their own lives. It shocks me that as a society we are complacent to the routine trauma that victims experience in a justice system that is central to our democratic society," she said.

The report's findings were generated by conversations with about 200 experts and victims of crime. The central theme is that victims feel disempowered, silenced, and confused by the criminal justice system.

74% of victims surveyed said they were either never treated as a participant or only treated as a participant sometimes during the process.

Almost half (45%) of victims surveyed were so disillusioned, they said they did not want to participate in the justice process again because the system causes further trauma, they lacked confidence in the justice system and did not feel safe.

This has significant implications for the integrity of the criminal justice system as a whole. When almost half of the victims of crime say they would not willingly participate in a criminal investigation again, persuading victims and witnesses to come forward with evidence will become increasingly difficult.

"While the justice system is reliant on victims to report crime and give evidence, I heard that many victims are deterred from participating in the justice process due to the extent of trauma they see other victims experience or because they do not have enough trust in the system to report a crime.

“Around half of victims surveyed in this inquiry would not participate in the justice system again if they had a choice. Many victims told us they made the decision not to participate by not reporting a crime in the first place.

“While it is acknowledged that some parts of the justice system will always have the potential to cause distress, the VOCC was also told about incidents that may have been avoided had a trauma-informed approach had been adopted.”

The Victorian Victims of Crime commissioner handed down 55 recommendations intended to increase victim participation in the justice system.

This is about ensuring the integrity of criminal justice by ensuring crimes are dealt with by the relevant authorities, but also thinking about the needs of victims as separate to those of the system itself.

These go to addressing systemic barriers that may prevent people from accessing justice in the first place. These include wider use of online reporting, creating avenues for trauma-informed and culturally safe reporting and direct government intervention, in creating a victims’ support group.

The federal government has asked the Australian Law Reform Commission to perform a [similar review](#) at the federal level.