

AUSTRALIAN LAW REFORM COMMISSION
JUSTICE RESPONSES TO SEXUAL VIOLENCE INQUIRY
SUBMISSION BY CATHY ODDIE

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1. Background:

My name is Cathy Oddie. I am a victim-survivor of sexual violence in four different contexts:

- Sexual harassment in various workplaces
- Sexual violence within an abusive intimate partner relationship
- Rape perpetrated by a stranger
- Rape and sexual exploitation perpetrated by a senior high-ranking Victoria Police officer

Whilst I felt too ashamed to report the sexual violence I was experiencing in the intimate partner relationships; I did report the stranger rape in 2005 and rapes by the Victoria Police Officer in 2022.

I have survived two long-term abusive relationships which occurred between 2001-2004 and 2010-2016. During these relationships I experienced coercive control and gaslighting. I was also subjected to severe, physical, emotional, psychological, sexual, verbal and financial abuse. My perpetrators were responsible for burning me, breaking my bones, holding me hostage at gunpoint, choking, kicking and punching me. My second abusive relationship culminated in my perpetrator causing the death of my baby daughter.

My life and the lives of my friends and family members were threatened repeatedly which made it hard to leave my abusive partners due to fear. My first perpetrator stalked me for ten years after my relationship with him finally ended. In 2005, there was a day and night when his stalking and harassment of me was so intense that I was too scared to return to my home and was left in a vulnerable situation where I was raped by a stranger.

Only a couple of hours after being raped I attended my local police station in Brunswick, Victoria. I had not showered yet, and I was still wearing the clothes I had been wearing the night before. My primary reason for attending the police station was to report the stalking and harassment that I was experiencing from my abusive ex-partner and to request assistance in seeking an intervention order (IVO) to protect me as I was still in shock over the rape which had just occurred. The female police officer who was on duty at the reception desk was very dismissive when I told her about what I had been enduring from my violent perpetrator and downplayed the level of fear I expressed that I was in. She did not take me aside into a private room to document a formal report or take my statement although I had just advised her of criminal offences that I had been subjected to and had not previously reported. She just advised me that I should attend the Broadmeadows Magistrates Court and speak to the Family Violence Registrar and that they would assist me with the process in applying for an IVO.

If that police officer had made the effort to show any compassion and concern about what I was reporting to her and had taken me somewhere private to formally document what I had told her, I am certain that I would have then felt comfortable enough to report the rape by the stranger that had only occurred a few hours beforehand. The fact that the police officer failed to show any duty of care to me when I would have been in a state of visible distress meant that Victoria Police missed the opportunity for any forensic evidence of the rape to be collected from my body and for the rapist to be located

whilst he remained in Australia. The rapist fled the country a couple of days later and has never subsequently returned to Australia.

I initially made my statement to the Fawkner Sexual Offences and Child Abuse Investigation Team (SOCIT) two days after the rape and my case was then referred onto Melbourne Criminal Investigation Unit (CIU) as the rape had occurred in their jurisdiction. The detective assigned to my case treated me with disrespect and contempt from the moment I first met him. His conduct made it extremely difficult for me to trust him as the police informant on my case, and after many incidents of unacceptable behaviour from this detective, I eventually had to make a complaint about him to Professional Standards Command.

The following is a list of the ways in which I was failed by this detective and other members of Victoria Police throughout the rape investigation:

- When I first attended the Melbourne CIU office, the Detective had not already read the statement I had made to the Fawkner SOCIT Detective. He went through this statement with me in an open plan office area where people were constantly walking around near us and would have been able to overhear everything. I found this experience extremely humiliating and could have been easily avoided if the Detective had taken me into a private interview room.
- When the Detective read in my statement that I had consumed alcohol on the night that I was raped, he visibly lost interest in my case.
- During the first meeting I had with the Melbourne CIU Detective, I mentioned to him that I was in the recruitment process to join Victoria Police. I had only discussed this with him as a means of building some rapport at a time when I was feeling very nervous and stressed. The Detective then took it upon himself to contact the Inspector of Recruiting at Victoria Police without my consent and inform him that I was a victim of rape. I was then subsequently summonsed by the Inspector to attend a meeting with him a few days later to discuss my suitability to continue along the recruitment process. The Inspector stated that he was unsure what he needed to do in this situation, and he needed to ensure that he was putting the best candidates forward. He then said something that I will never be able to forget; "It's not like you have just had your bins knocked over now, is it?!" It took the Inspector's office six months to decide regarding my suitability to continue along the recruitment pathway. By the time they advised me that I could continue, I had already commenced a different professional career path. The advice of my father resonated with me at that time when he stated to me "Why would you want to work for Victoria Police when they treat their recruits like that?"
- When I informed the Detective at our initial meeting that the rapist had told me after the rape that he intended to leave Australia that same day, the Detective stated to me that it would be very difficult for him to investigate what had happened to me. I then went and conducted some

investigation myself and located the place where I had been raped. It was only after I did this that the Detective was prepared to take any action in investigating the rape.

- In the statement I made to the Fawkner SOCIT Detective and in subsequent discussions with the Melbourne CIU Detective, I reported the extreme violence I had experienced from my abusive ex-partner and the stalking and harassment he was subjecting me to and had ultimately caused me being in the circumstances which led to the stranger rape occurring. Neither the Fawkner SOCIT Detective or Melbourne CIU Detective showed any interest or took any action regarding the perpetrator of intimate partner violence, even though I had formally reported offences which had been committed against me by both that abuser, as well as the rapist. They only appeared interested in the rape. My abusive ex-partner went onto stalk me for nine more years.
- The Detective made it very difficult for me to obtain the documents I required to provide to the lawyer handling my application for assistance from Victoria's Victims of Crime Assistance Tribunal (VOCAT). I had never been provided with a copy of my statement at the time I gave it, and it took me over fifty requests over a period of many months via phone and email to request a copy of my statement. This delayed me getting the financial and counselling support I desperately needed.
- At the final VOCAT hearing, my cousin who attended as witness on my behalf overheard the Detective providing the friends of the man who raped me with my name, phone number and address. After the hearing ended and I returned home, I started getting hang-up phone calls.

These actions by the Melbourne CIU Detective and Inspector of recruiting caused me to lose my trust and faith in Victoria Police. At a time when I was experiencing extreme trauma and was feeling very unsafe due to the actions of my abusive ex-partner, I sought the protection of Victoria Police and wanted them to take action to hold the rapist and my abuser accountable for their actions. Instead, what I experienced was being treated with disbelief, a lack of compassion and empathy and having my privacy continually breached without my consent. The whole experience of reporting to the police served to traumatise me even further than I already was at that time.

Prior to enduring Domestic, Family and Sexual violence (DFSV), I had not experienced any significant physical or mental health issues or injuries. For the last 20 years, I have either been in a situation of abuse or trying to recover from the harms perpetrated against me. I now have a range of physical injuries resulting from the assaults which cause me to be in pain every single day. To get relief from the pain, I have had to spend thousands of dollars on osteopath and massage treatments, as well as consult with a pain management specialist at Royal Melbourne Hospital. Not surprisingly, since the abuse and rapes, I began to suffer from PTSD, depression and anxiety which has meant I have required regular sessions with a psychologist since 2005 to remain capable of functioning in my everyday life. The physical pain and emotional anguish I have experienced over the years as result of the crimes perpetrated against me has at times been so debilitating that I have wanted to end my own life. I have

only been able to overcome this suicidal ideation through the care and support of my treating psychologist, osteopath, victim-survivor peer support, friends and family members.

Becoming a victim of sexual violence is something no one ever wishes to become even once in their lives, so to have survived sexual assault, harassment and rape perpetrated by multiple offenders, is something most members of the community would find difficult to comprehend. When someone has experienced the types of violence and abuse which I have, there is an expectation that the various agencies involved with the Criminal Justice System will support you into a situation of safety and that you will be able to receive justice for the harms which have been caused to you. Unfortunately, that has not been my experience or the experience of so many other victims of sexual violence. Throughout the years, I have been consistently and repeatedly failed by the systems and services which are meant to protect individuals who have become victims of crime. The process of trying to navigate the Criminal Justice System has significantly contributed to my trauma burden and has caused me further harm.

Australian Law Reform Commission's Justice Responses to Sexual Violence Inquiry:

The ALRC Justice Response to Sexual Violence Inquiry presents an important opportunity to hear the lived experience of victims of sexual violence and the challenges they have faced trying to navigate a complex, confusing system to achieve safety, protection and justice. I would like to invite the members of the ALRC to consider the following critical issues when developing their recommendations resulting from this Inquiry:

2. Giving victim-survivors of sexual offences the right to know the identity of their offender:

In 2005 I became a victim of rape by a stranger. I reported the rape to Victoria Police two days after the rape occurred and a subsequent investigation occurred. My rapist was from another country and left Australia four days after he raped me. Unfortunately, the police investigation had not been able to determine the identity of my rapist before he left Australia, so to this day he has not been arrested or formally questioned.

In 2008, I successfully received [VOCAT](#) compensation for a claim I had lodged in 2005 in relation to the rape. The rapist's friends who had been present at the apartment where the rape occurred attended the final VOCAT hearing as witnesses on behalf of the offender.

Victoria Police and VOCAT know the identity of my offender. The rapist and his friends/family know my identity. I am the person who has been violated and injured because of this rape, yet I am currently prohibited from knowing my rapist's identity as he has not been formally questioned by the police. Being prevented from accessing this knowledge has significantly contributed to the ongoing trauma and harm I have experienced from being raped.

In 2021, I reached out to the Department of Justice and Community Safety (DJCS) for assistance in determining the existing legislation which is preventing Victoria Police from providing me with the identity of my rapist so I can take steps for my own safety and protection that I wish to do. This was the response I received:

“Victoria Police have indicated that it would be highly unusual for police to disclose the identity of an unknown offender to a victim during a live investigation.

Section 8 of the Victim’s Charter Act 2006 provides that an investigatory agency (such as Victoria Police) is to inform a victim, at reasonable intervals, about the progress of an investigation into a criminal offence unless the disclosure may jeopardise any investigation of a criminal offence. If the disclosure of information may jeopardise any investigation, an investigatory agency is to inform the victim:

- about the progress of the investigation of the criminal offence relevant to the victim, to the extent possible without jeopardising any investigation*
- that no information can be provided at that stage due to the ongoing nature of the investigation.*

The prosecuting agency is required to tell the victim the offences charged against the person accused of the criminal offence (see section 9 of the Victims Charter Act 2006).

The provision of the identity of a suspect prior to charge may have implications re ‘displacement effect’. This arose in one of the trials of Adrian BAYLEY where the Victorian Supreme Court of Appeal (VSCA) found the trial judge erred in admitting ID evidence after the victim became aware of BAYLEY’s ID via media attention and then found an image of him on Facebook. The victim then positively identified him via a photo board: BAYLEY v THE QUEEN [2016] VSCA 160 – the court ruled this evidence should have been excluded at trial.

In addition to evidentiary issues, the provision of the identification of a suspect pre-charge may also have implications under the Charter of Human Rights. Section 13 states a person has the right not to have his/her reputation unlawfully attacked. Section 38 states it is unlawful for a public authority to act in a way that is incompatible with a human right. It could be argued this interacts with section 13 not to mention any other illegality that may exist in the civil jurisdiction notwithstanding the absence of a general right to privacy in Victorian law.

I understand that this isn’t the answer you were hoping to receive but it is good to know that Victoria Police are ensuring the alignment of their practices with the Victims’ Charter. It would be open to you to look at the role that the Victims of Crime Commissioner plays in considering system issues across the criminal justice system.”

- There is a lack of procedural fairness in the current process as it protects perpetrators and fails to ensure the emotional and physical safety and wellbeing of victim-survivors.
- The unintended negative consequence of the way in which the current policy has been designed and implemented is that it inadvertently causes harm to the very people it is intended to support and protect.

- When a person has been raped or sexually assaulted and they are prohibited from having the knowledge of any key suspects who have been identified by the police in the early investigation stages it precludes the victim survivor from the following:
 1. Being able to take steps to achieve greater emotional and physical safety and wellbeing through doing things such as making an application for a Personal Safety Intervention Order or the ability to block the offender and their friends/family on social media.
 2. Being able to access justice outcomes such as making a civil claim for compensation.
- It is unacceptable that this process has created a two-tier criminal justice system where people who know their offender's identity can access a greater range of supports and justice outcomes.
- When a victim-survivor of rape or sexual assault is prevented from knowing the identity of the person who so horrifically violated them, it seriously impacts a person's ability to get a true sense of closure. You are constantly left wondering whether you might walk around a corner and come face to face with the person who assaulted you.
- As we know from the statistics and evidence-based research into how underreported acts of sexual violence are to the police, and then how few of the reported cases actually proceed through a criminal trial process, the current system is already fraught with challenges for victim survivors. Do we really want to create another barrier to people having confidence in reporting the offences which have been perpetrated against them? I am absolutely certain that if many victim survivors who have been sexually assaulted or raped by a stranger became aware that under the current processes in place, they may never be allowed to know who attacked them, it would have incredibly negative impact on people's faith in the justice system. Let's do something to address this massive gap in support for victim-survivors in this situation so they can get some of the closure they need to be able to heal, recover and move forward from the trauma they have experienced.

I discuss these points further in the following articles I was interviewed for in 2021:

- Survivors of rape by strangers demand to know offender's name (The Age, 12/06/2021, Wendy Tuohy)

<https://www.theage.com.au/national/victoria/survivors-of-rape-by-strangers-demand-to-know-offender-s-name-20210611-p580cj.html>

- Recorded rapes double in 10 years but no more perpetrators are being sentenced (The Age, 22/06/2021, Wendy Tuohy)

<https://www.theage.com.au/national/victoria/recorded-rapes-double-in-10-years-but-no-more-perpetrators-are-being-sentenced-20210621-p582x5.html>

The following article by Wendy Tuohy provides an example of an underage victim of rape by a stranger in 2020 who is also deeply impacted by being prevented from knowing her rapist's identity:

- How Jamie went ‘from Snapchat hello to rape in five days’ (The Age, 25/04/2021, Wendy Tuohy)

<https://www.theage.com.au/national/victoria/i-have-made-a-new-friend-how-jamie-went-from-snapchat-hello-to-rape-in-five-days-20210421-p5719j.html>

Recommendation:

For the safety, health and recovery of historic, current, and future victim-survivors of sexual assault and rape by a stranger/s, I implore the members of the ALRC involved in this Inquiry recommend a formal review of these issues so that rights of offenders are no longer prioritised over the rights of victim-survivors.

3. Sexual violence perpetrated by a Police Officer:

In 2004, I ended a three-and-a-half-year relationship with my first abusive partner. Shortly after I ended this relationship, my perpetrator commenced stalking and harassing me. This was the beginning of what would be a ten year long campaign of these behaviours from him. After an incident when my perpetrator cut up all the clothes on my clothesline, I was directed by a friend in Victoria Police to report what had happened to a Sergeant at Northcote Police Station. The Sergeant initially was professional in his conduct when taking my statement, however subsequently made excuses as to why he needed to come to my home a couple of days later to collect the damaged items of clothing and to see where the offences had occurred. I was in my mid-twenties at the time this happened, and on reflection quite naive and trusting, particularly of people who were in positions of authority.

When the police officer came to my home, he was in-uniform, on-duty, alone and with a marked police vehicle. He raped me multiple times that day and then returned on several occasions over the following 12 months to continue to sexually exploit me. For more information about the crimes the Sergeant perpetrated against me, refer to my Victim Impact Statement, which is Attachment 1 of this submission or read this article I was interviewed for by journalist Nicole Madigan:

[Cathy had finally escaped her abusive relationship, but then a police officer arrived. \(mamamia.com.au\)](#)

For many years, I was too scared to report the Sergeant for the rapes he had perpetrated against me as I feared the retaliation I might face from him and other members of Victoria Police. It was only after I learned of the establishment of [Professional Standards Command’s Sexual Offences and Family Violence Unit \(SOFVU\)](#) in 2022, that I finally felt safe to report the Sergeant’s sexual offending. I learned at the time of making the report that the Sergeant had progressed up the chain of command since raping me and was of Inspector rank in 2022.

The experience I had of reporting to SOFVU was completely opposite to what I had experienced in 2005 when I reported the stranger rape. Every member of the [SOFVU investigation and Witness Support teams](#) treated me with respect, compassion, and belief. This approach helped to build a level of trust

with the police officers providing support and assistance to me. After conducting months of covert investigation, the Inspector who had raped me multiple times was suspended on full-pay in August 2022. A Brief of Evidence was then prepared and sent to the Office of Public Prosecutions (OPP) to determine whether the Inspector would be charged with any criminal offences. In March 2023, the OPP made the decision not to pursue criminal prosecution against the Inspector, primarily due to the consent laws which were in place in 2004-2005. Victoria Police's Disciplinary Advisory Unit (DAU) then commenced their own internal investigation and disciplinary processes. The Inspector was charged with Disgraceful Conduct, which is one of Victoria Police's most serious internal disciplinary charges. He resigned whilst under investigation in September 2023.

The follow is the feedback back I provided to Victoria Police once my case was finalised in 2023:

"As a victim-survivor of sexual violence perpetrated by a senior high-ranking Victoria Police officer, I would like to provide the following feedback about my experiences of SOFVU and the DAU over the last 18 months:

SOFVU:

When I think of SOFVU, the one word which immediately comes to mind is gratitude. After previously having had very negative experiences of reporting very serious violent crimes which had been perpetrated against me by four other offenders, it took a huge amount of courage for me to finally report the police officer who had raped me multiple times from 2004-2005. To be honest, when I initially contacted Melbourne SOCIT in April 2022, my expectations were very low. I did not think I would be taken seriously or believed, but I really hoped that I would. From that first phone call, to when I provided my initial statement to the Fawcner SOCIT Detective, to when my case was handed over to SOFVU, I have experienced the best-practice model of investigation and witness support that Victoria Police currently provides.

Every member of SOFVU who I have had the privilege of encountering since April 2022 has treated me such an amazing level of compassion and belief, whilst at the same time conducting themselves with incredible professionalism. However, there have been times when this has actually triggered moments of grief for me when I have reflected frequently throughout the last 18 months about how different my life would be now if every police officer who I had reported serious offending to, had just treated me in the same way the SOFVU team in charge of my case has. I'll never forget the moment during a phone discussion with a SOFVU Detective Senior Sergeant when he said, "We believe you." The power of those three words had such a profound impact on me at a point in my life where I had not felt believed or validated by members of Victoria Police previously. The SOFVU investigation and witness support model has truly restored my faith in Victoria Police.

Disciplinary Advisory Unit:

When the internal disciplinary processes commenced against the police officer who had perpetrated rape against me, I came to realise quite early that I was no longer a priority. The decisions being made

by the DAU were not being made with my welfare and well-being in mind, and instead it was the perpetrator's needs and voice who was completely centred at this stage of things. If it had not been for the ongoing contact that my Police Informant and my Witness Support Sergeant maintained with me throughout the months of tedious and stressful waiting between updates, I would have felt completely invisible.

In my case, the DAU allowed the perpetrator to drag things out far too long with zero regard to how this was impacting me physically and psychologically. I ended up having to resign from a position of employment that I had only commenced in 2023 because of how much stress the DAU processes were causing me. I found it completely infuriating to learn that the perpetrator (through his Police Association Victoria-TPAV representative) had been advised in June that he would not be allowed to have ongoing adjournments of his disciplinary hearing, yet then he was allowed to have things adjourned over and over again until he eventually resigned in September. The perpetrator had indicated as early as June 2023 that it was his intention to put his end of service paperwork in, so by allowing him to continually adjourn matters, demonstrates to me that the DAU were enabling him to manipulate the system for his own financial benefit. As the perpetrator was a public servant, that means he was taking advantage of taxpayer's money.

Since reporting the crimes perpetrated by this police officer in April 2022, I have had to take numerous months off work. The impacts on my physical, psychological, and financial health have been enormous. Whilst it felt unjust that the perpetrator was suspended on full-pay after he was arrested on 17/11/2022, as any of the numerous sectors I have been employed in would have suspended him on zero pay if a similar complaint had been made against him in those workplaces, I accepted that was the Victoria Police process for these types of cases. However, when the perpetrator received the formal internal disciplinary charge notice of disgraceful conduct, that is when his suspension on full pay, should have been changed to suspension on zero pay. As a victim-survivor experiencing major health impacts and financial hardship due to the trauma of reporting being raped, it felt like an absolute kick in the guts that the perpetrator was allowed to remain on full pay right up to the date he put in his end of service paperwork.

Finally, what probably upset me the most about the DAU processes was the lack of any opportunity to have my voice heard. As the victim-survivor of such horrific and life-altering crimes, it was critically important to me to be able to express the impacts of the perpetrator's actions in a formal setting. The one thing which would have made the world of difference to me would have been if the DAU had afforded me the opportunity to read out my Victim Impact Statement and that the perpetrator had to be present to listen to me. It is my strong feeling that the current processes used by the DAU allow perpetrators to escape having to face any true accountability for their actions. Despite all the processes in my case now having reached a conclusion, I regularly ask myself "What justice did I actually receive?" If the DAU had handled things differently, I would not be left continually feeling failed by the system."

Recommendations:

1. All victim-survivors of police-perpetrated domestic abuse and sexual violence need to have their cases investigated by SOFVU, rather than triaging some cases off to a victim-survivor's local Family Violence Unit.
2. The witness support model utilised by SOFVU is incredible and a version of this should be extended to all SOCITs and FVUs for victim-survivors to have access to.
3. Internal disciplinary processes need to commence at the same time as the criminal investigation processes.
4. Police officers who have been formally charged with either a criminal offence or internal disciplinary charge (or both) should have their pay status changed immediately from suspended with pay to suspended without pay.
5. If police officers are alleged to have perpetrated domestic abuse against their partners/children, there needs to be financial provision set aside to support them whilst the police perpetrator is going through criminal and/or internal disciplinary processes.
6. Police officers should not be allowed to send their TPAV representatives to attend DAU hearings on their behalf. Police officers should be required to have to attend all DAU hearings relating to them. TPAV representation should be in addition to the police officer's attendance, not in place of!
7. Victim-survivors of police perpetrators deserve the right to have access to a form of restorative justice. All victim-survivors should be offered the opportunity to read out their own Victim Impact Statement during a disciplinary hearing with the perpetrator present- or to have a person of their choosing (e.g.: the Witness Support sergeant) read this on their behalf.

4. Establishment of Independent Police Oversight Authorities and Redress Schemes for Police Perpetrated Abuse and Officer Involved Domestic Violence (OIDV):

Victim-survivors of Police Perpetrated Abuse and/or OIDV should be afforded pathways to restorative justice. Currently these pathways do not exist and as a result, many victim-survivors explore the option of civil litigation against the relevant State, Territory or Federal Police Force. This ultimately causes a great deal of additional trauma for the victim-survivor and there will be many who discover that they are excluded from being eligible from commencing such legal action. For example, when I sought legal advice in 2024 as to whether this was avenue which I could pursue regarding the police officer who raped me, I was informed that because the crimes had occurred more than three years ago that I was outside of the legal time-limit. Most victim-survivors of Police Perpetrated Abuse and/or OIDV will never see their cases progress to a criminal trial, therefore it is essential for the healing and recovery of these

individuals that they can have the opportunity to access restorative justice pathways should they wish to.

Recommendations:

1. Victim-survivors need to be provided with both verbal and written formal acknowledgements of harm that they have experienced. This needs to come from the relevant State, Territory and Australian Federal Police Force as an organisation formally acknowledging the harm one or more of its members have caused. State, Territory or Federal Police Forces could look to the model being implemented by the Victorian Department of Justice and Community Safety as part of their implementation of the new [Financial Assistance Scheme for victims of crime](#).

2. State, Territory or Federal Police Forces need to implement an official redress scheme to compensate victims of police-perpetrated offences. For example, Victoria Police has paid out over [\\$42 million in civil settlements and legal costs](#) in the past 5 years. Ultimately, no victim-survivor of police-perpetrated harm wants to go all the stress and trauma of going through a civil litigation process against a Police Force, when what they are really wanting is a formal acknowledgement of the harm caused by the offending police officer/s. Each State, Territory or Federal Police Force could save itself millions of dollars going forward, through the implementation of an official redress/compensation scheme similar to those used by ombudsman's services in various sectors.

3: There is an urgent need for the establishment of Independent Police Oversight Authorities for each State, Territory or Federal Police Force. It is simply unacceptable to have police in the role of investigating themselves. This recommendation is explored in more depth in this article written for Australian Lawyer's Alliance:

[Victoria needs a new independent police oversight authority – but to work what will it need to look like? - Australian Lawyers Alliance Limited](#)

5. Trauma Recovery Services:

There is an urgent need for affordable and accessible trauma recovery services to be made available for sexual violence. Currently there are very limited options which exist in Australia for people who require treatment for the trauma they have experienced in a holistic, trauma-specialist [Biopsychosocial](#) model. Existing public mental health services are not fit for purpose for the residential treatment of trauma as they are not therapeutic healing environments and are primarily focused on the medical model of treatment.

Victims of sexual violence who have experienced trauma as result of the crimes perpetrated against them deserve the right to access treatment, which is multi-disciplinary in approach, in tranquil settings

and where there is the ability to have dependent children, emotional support animals or a support person accompany you.

As an example of the current limitations of service provision, in Victoria the only trauma recovery centres which offer this type of treatment so desperately needed by so many victims of sexual violence are private organisations which charge on average \$1450 per night and do not allow any reduction in their rates through private health insurance or Medicare rebates. This makes getting access to life-changing treatment which could assist greatly in the trajectory of an individual's healing and recovery simply inaccessible for many victims of these types of crimes.

Trauma experienced by victims of sexual violence does not simply disappear. People experience trauma differently and the things which can trigger episodes of mental ill health are individual to each person. That is why both the State, Territory and Federal Governments need to respond appropriately and ensure the funding exists to enable those impacted by trauma because of crimes perpetrated against them is both readily available and affordable. As trauma can impact an individual for the remainder of their lives, it is vital that a Medicare item number is created that recognises the specialised healthcare needs of victims of crime. It would be beneficial for many individuals if they could be assessed for Enhanced Primary Care Plans which were able to include a combination of treatment services such as psychological supports, osteopathy, physiotherapy and whatever else is needed to respond to a person's immediate and ongoing healthcare needs.

Recommendation:

I was involved in the co-design and consultation processes which led to the development of Illawarra Women's Health Centre's [Women's Trauma Recovery Centre](#) which will meet the diverse needs of victims of sexual violence who identify as women.

The Women's Trauma Recovery Centre is in its early stages of development, it is a place for women to heal and rebuild lives after experiencing domestic, family, and sexual violence. Through an innovative and wrap-around approach, the Centre will support women to live independent and secure lives for the wellbeing of current and future generations.

Recovery is prevention. By investing in the safety, health, and healing of women the Centre will support not only the longer-term impacts of trauma stemming from domestic, family, and sexual violence, but also work towards breaking cycles of violence and abuse, preventing intergenerational transmission of trauma.

Importantly, this innovative model of care was co-designed with women who have experienced domestic, family, and sexual violence – it is exactly what women are saying will treat their trauma and limit further traumatisation by the systems that are meant to support them. Above all it is a compassionate response.

My recommendation to the ALRC Justice Responses to Sexual Violence Inquiry is to refer to the model currently being implemented by Illawarra Women's Health Centre as a suitable model to be replicated in various locations in every State and Territory of Australia. It would be essential that this model be expanded to respond to children and adults who have experienced sexual violence regardless of their gender identity.

6. Lived Experience Expertise and Peer Support:

I have been a Domestic, Family and Sexual Violence Survivor Advocate and Lived Experience Consultant since 2007. The following is a small selection of just some of the opportunities becoming an advocate has led me to become involved with:

- Research Assistant on La Trobe University's (in collaboration with CASA Central Victoria and Thorne Harbour Health) LOOP Project. (2024- ongoing)
- Family Violence Lived Experience Consultant on Transitioning Well's contract with the Federal Government regarding its 10 days of DFV paid leave for employees of small businesses project. (2023-2024)
- Victim Representative on the Victorian Department of Justice and Community Safety's (DJCS) Victims of Crime Consultative Committee. (2020-2023)
- Family Violence Lived Experience Consultant on Victoria Legal Aid's Specialist Family Violence Courts Project Steering Committee. (2020- ongoing)
- Family Violence Lived Experience Consultant on DJCS' Legal Services in the Orange Door Project (2021-2024)
- Victim Representative on the Victorian Victim's Legal Service Working Group (2022-2023)
- Advisory Group Member on MAEVE's "Experts by Experience: A Consumer Participation Model for the Family Violence Sector" Family Violence Philanthropy Collaboration Project (FVPCP). (2019-2020)
- Survivor Ambassador with Mettle Women. (2019- ongoing)
- Survivor Advocate with Safe Steps Family Violence Response Centre. (2007-2022)
- I made a submission and was called to give evidence to the [Royal Commission into Family Violence](#) which resulted in [Recommendations 104 & 106](#) and led to the [Review of the Victims of Crime Assistance Act 1996](#), which was tabled to Victorian Parliament in 2018.
- I made a submission and was called to give evidence at the [Inquiry into Victoria's Criminal Justice System](#) in 2021.
- Since 2007 I have done numerous media interviews (newspapers, tv, podcasts and radio), speaking engagements and provided training on responding to DFSV to organisations in the corporate, community and government sectors.
- Becoming a survivor advocate has given me the confidence to write about my lived experiences of DFSV and I have had blog pieces, poetry and short stories formally published, as well as a chapter I wrote for an anthology of survivor stories called "[Love, Bruises & Bullsh!t](#)".

My experiences of lived experience advocacy, consulting and co-design work have demonstrated to me the importance of organisations embedding lived experience participation at every level from governance through to evaluation. There should be no part of the continuum of co-design through to co-production of any policy/legislative or service delivery change that excludes the lived experience expertise and skills of consultants/advocates.

Organisations seeking to engage with people lived experience of Domestic, Family and Sexual Violence should refer to best practice guidelines such as the [*“Family Violence Experts by Experience Framework”*](#) which was co-produced by researchers from the University of Melbourne Research Alliance to End Violence to Women and their Children (MAEVe) with victim survivors from the MAEVe WEAVERs (Women and children who have Experienced Abuse and Violence: Advisors and Researchers) Victim Survivor Group. The project was also guided by an advisory group that included victim survivors and representatives from services who work with people experiencing family violence.

Organisations should encourage consumer participation whenever possible, however this needs to be done in a respectful, responsible, and non-exploitative manner. Furthermore, organisations need to budget to remunerate lived experience advocates/consultants for any speaking engagements, consultation/co-design processes or conference/research participation prior to commencing any new project or initiative.

Australian Peer Support and Advocacy organisations:

In Australia, a range of formal victim-survivor-led Peer Support and Advocacy organisations have formed since 2015 which specialise in supporting victim-survivors of DFSV and childhood sexual abuse nationwide. Each of these organisations publicly advocate for systemic, legislative and policy changes on issues impacting victim-survivors from an intersectional and trauma-informed perspective. The victim-survivor-led Peer Support and Advocacy organisations that are currently leading the way in this work are as follows:

- [The Survivor Hub](#)
- [With You We Can](#)
- [What Were You Wearing? Australia](#)
- [Officer Involved Domestic Violence \(OIDV\) Support Group](#)
- [Independent Collective of Survivors \(ICOS\)](#)
- [Reclaim Me podcast and Survivor Support Network](#)
- [The Grace Tame Foundation](#)
- [Loud Fence Inc.](#)

Members of these organisations have initiated and led key advocacy campaigns in recent years which have been instrumental in delivering a range of law, legislative, policy and other reforms. These include the [*“Your Reference Ain’t Relevant”*](#) campaign, the [*“#LetHerSpeak/#LetUsSpeak”*](#) campaigns and the [*“Say No To Drink Spiking”*](#) campaign. It is as a direct result of What Were You Wearing? Australia’s call to action and leadership, that Australians marched together in 17 different locations nationwide at the No More Violence rallies. To put it bluntly, these victim-survivor-led organisations are instigators of real

change and collective action which will assist in the prevention of sexual violence in the first instance, as well as improve the way victims of sexual violence navigate and can receive support and justice for generations to come. These organisations currently receive little or no government funding and are reliant on donations from public fundraising activities and people volunteering their time.

Peer Support Workers:

As a victim-survivor of long-term stalking, I participated in the consultation processes for the Victorian Law Reform Commission (VLRC) Stalking Inquiry in 2021. One of the recommendations I made to the VLRC was the need for formally trained Peer Support Workers to be introduced into court environments.

People who have lived experience of navigating court processes as victims of crime could play a critical role in bridging the massive gap which currently exists in the court environment which is not being addressed by legal representatives or the Court Network volunteers. I would propose that these positions should be remunerated in recognition of the lived experience and professional expertise Peer Support Workers would have.

The following links provide further information and suggested models of how Peer Support Worker positions could be embedded in the criminal justice systems of each Australian State or Territory:

- From Pain to Power: Crime Victims Take Action:

https://www.ncjrs.gov/ovc_archives/reports/fptp/bci.htm

- Advancing the Work of Peer Support Specialists in Behavioral Health-Criminal Justice Programming:

<https://csgjusticecenter.org/publications/advancing-the-work-of-peer-support-specialists-in-behavioral-health-criminal-justice-programming/>

There is also currently a missed opportunity to create Peer Support Worker roles within DFSV-specialist organisations. A consistent theme of discussion which occurs in the victim-survivor-led formal/informal peer networks in Australia is the desire for such roles to be implemented and what it would have meant to individuals if they could have accessed a Peer Support Worker at services they had engaged with for support.

Victim-survivors of sexual violence often speak about the power imbalance that can be felt between them as the service-user and the practitioner/s they are involved with. Embedding Peer Support Workers in DFSV-specialist organisations would go a long way to addressing this power-imbalance and improve victim-survivors' ability to engage with and navigate the services available to them.

Ecosystem of Peer Support:

The concept of the Ecosystem of Peer Support was developed by Founder of Reclaim Me Podcast and Survivor Support Network- Madeleine Heather and I in 2023.

This model was created to demonstrate the different pathways which currently exist in Australia for people to become aware of and access formal and informal peer support. The ways in which victim-survivors find and connect with each other are through the following:

Organic Connection

Examples:

- Meeting each other at events or conferences
- Chance encounters in the community
- Word of mouth
- Connecting online

Survivor-led Safe Spaces

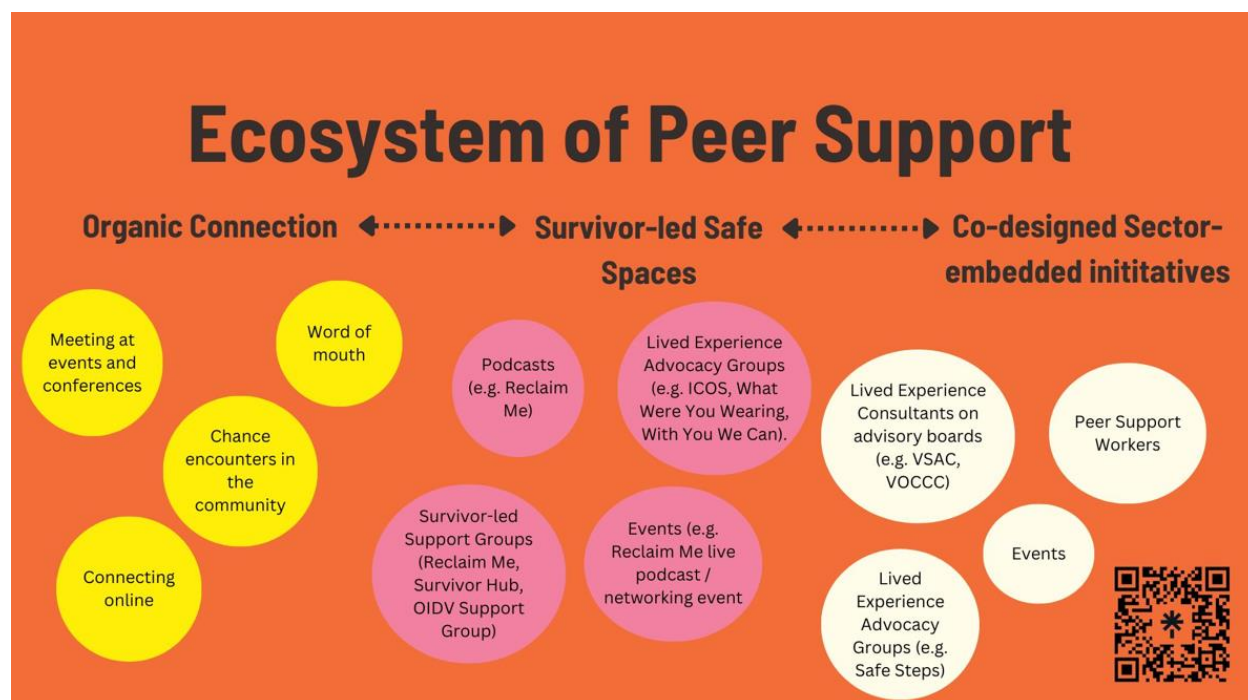
Examples:

- Podcasts (e.g. Reclaim Me)
- Lived Experience Advocacy Groups (e.g. ICOS, What Were You Wearing? Australia, With You We Can)
- Survivor-led Support Groups (e.g. The Survivor Hub, Reclaim Me, OIVD Support Group)
- Events (e.g. Reclaim Me live broadcast and networking event, What Were You Wearing?Australia's No More Violence Rallies)

Co-designed Sector-embedded initiatives

Examples:

- Lived Experience Consultants on Advisory Boards (e.g. VSAC, VOCCC)
- Peer Support Workers
- Events
- DFSV sector-led Lived Experience Advocacy Groups (e.g. Safe Steps, Full Stop Australia)



(Ecosystem of Peer Support concept and infographic developed by Madeleine Heather and Cathy Oddie, 2023)

Recommendation:

1. State, Territory and Federal Governments need to provide funding to the existing victim-survivor-led peer support and advocacy organisations to allow them to continue their critical work. This funding should be allocated in a way that allows the organisation to remain independent and autonomous from the relevant level of government. The work of these victim-survivor-led peer support and advocacy organisations can be further supported through cross-sector collaboration with government, and the community and corporate sectors.

This cross-sector collaboration could help these grassroots victim-survivor-led organisations to grow in their skills and capacity through accessing training opportunities regarding leadership and organisational governance, developing networks with key stakeholders, as well as providing opportunities for people with lived experience to become involved with consultation and co-design processes for service delivery improvement and policy and legislative change.

A great example of where this already being done exceptionally well is through the [Thriving Communities Partnership \(TCP\)](#) which is a cross-sector collaboration with the goal of ensuring that everybody has fair access to the modern essential services they need to thrive in contemporary Australia. The TCP includes membership from utility providers, financial services, telecommunications providers, transport companies and not-for-profit community sector organisations. The TCP partners with people with lived experience of various issues at all levels of the work and advocacy they engage in.

2. Peer Support Worker roles to be created in co-design with people with lived experience of DFSV and embedded in relevant community sector, health and legal jurisdictions. People who are selected for these roles should be remunerated respectfully and be on the relevant organisation's payroll as an employee and afforded all the same benefits that any other employee can access. Peer Support Workers should receive training to equip them to do their role successfully and receive ongoing professional support and supervision from their management team. Given that the DFSV sector is currently experiencing a large shortage of experienced workers, creating this additional pathway into employment could help address a lot of existing workforce issues as well as reducing barriers for people with lived experience expertise in entering the sector as paid professionals.

7. Freedom of Information Requests:

Currently victims of crime bear the cost of making Freedom of Information (FOI) requests to gain access to evidentiary documents which can assist them in receiving appropriate justice outcomes. For example, in Victoria, [Victoria Police](#) and the [Office of the Victorian Information Commissioner](#) have processes which are onerous and place the burden of cost on victims of crime. Although there is an existing ability for these fees to be exempted in certain circumstances, it appears that this is limited to only being an option for Concession Card holders.

Recommendation:

My recommendation would be that there needs to be an option that victims of crime can select when submitting FOI requests where they can identify their status as a victim and be automatically exempted from any cost burden from the outset. The current process is discriminatory to individuals who do not qualify for Federal Government income support payments and concession cards due to their residential visa status. Temporary visa holders are some of the most marginalised and vulnerable members of the community and are disproportionately at risk of becoming a victim of crime.

8. Conclusion:

To conclude my submission, I would like to include a poem I wrote in 2023

VIOLATION

By Cathy Oddie

I wake up to flashbacks of how men have violated my body.

The partner who was meant to love and respect me,

The police officer who was meant to protect me,

The stranger who should have just left me alone.

I feel like I am screaming silently into the abyss,

Like that Edvard Munch painting.

I hear their voices telling me

"If you loved me you would",

I tell him I am too tired.

"Take your top off, or I'll rip it off",

I am too scared to say no.

"Get on the fucking bed",

I am frozen into robotic compliance,

Seeing his police uniform lying crumpled on the floor,

His gun placed strategically in my line of sight.

My mind learns to dissociate

To keep me in a protective bubble,

As I feel myself leaving my body and floating into a virtual safe space,

Whilst these men grunt, sweat and degrade me.

Waves of trauma hit me like body blows.

Both my body and mind can never forget what they did,

What they took from me,
How they changed me forever!

Three rapists

Entitled, arrogant men

Who only cared about their own sexual gratification,

Not caring about how much harm they were causing.

It makes me feel nauseous when I think of the countless other men who have tried to violate my body.

Since I was a teenager,

I have learned that men feel that they have a right to do things to me without my consent.

So many of my friends have similar stories to tell.

Fuck this social norm!

Fuck rape culture!

Fuck the Criminal Justice System that lets so many rapists walk free!

It seems they only take crimes against property seriously.

I am not anyone's property, but I have been thoroughly damaged.

Where's my justice?

Attachment 1:

VICTIM IMPACT STATEMENT

BY CATHY ODDIE

When you joined Victoria Police, you swore an oath that you would 'Uphold the Right'. The crimes you have perpetrated against me demonstrate that you never took that oath seriously. I have spent all these years protecting your secret, whilst the trauma of the harm you caused me continued to intensify. Can you imagine what it has been like living in fear for 18 years? Fear of how you and your colleagues may retaliate if I reported you, and fear that I would not be believed if I did.

When I met you, I had just come out of a severely abusive relationship, and you knew that. I had been conditioned in that relationship to obey and do whatever I needed to do to please my abuser otherwise I would get hurt. You took advantage of this knowledge and my vulnerability. You abused your position of power and authority in the most egregious way. You knew I aspired to be a police officer and that I was going through the recruiting process, and instead of being a positive role model or mentor, you chose to exploit me for your own sexual gratification. You disgust me. I hope you are totally ashamed of yourself.

The reason I contacted you in 2004, was on the advice of one of your friends and colleagues who told me that you would be someone who could help me get the appropriate support to be protected from the family violence perpetrator who had commenced stalking me in October of that year. I naively placed my trust in you and believed that you would uphold the values of your organisation and act professionally. I did not just want your assistance in your capacity of a Victoria Police officer at that time; I needed it as my life was at risk due to the threats I had received from my family violence perpetrator and his criminal underworld associates who had access to unregistered firearms. All I wanted from you was to thoroughly investigate the incidents I had formally reported to you and had made a statement about. Most importantly, I wanted you to actually speak to my abuser and make him aware that his continued harassment and stalking of me needed to stop, otherwise he would face legal consequences.

Unfortunately, you failed to do either of those things, and instead made up some flimsy excuse as to why you needed to come to my home, telling me that it was required as part of the investigation. When you turned up to my house alone, in-uniform, on-duty and with a marked police vehicle, I did not for one moment suspect that you were motivated by anything other than doing your job. As a young woman in my 20s, I operated from the belief structure at that time that being in my own home in the company of a police officer should be inherently safe. Also, as someone who was in the recruiting process to join Victoria Police, I saw you as someone who could potentially be a future colleague and senior officer.

To this day, I still have frequent nightmares and whole-of-body PTSD flashbacks to the moment you decided to expose your true intentions for coming to my house. I can still feel myself frozen and scared on my sofa as you took your belt off containing your gun and placed it directly in my line of sight. You

knew that my family violence perpetrator had held me hostage at gunpoint and severely assaulted me only two years earlier and how much that had traumatised me. Your use of your police firearm to coerce and scare me into complying with your wishes is one of the most vile, repulsive, and violent acts that I have had the misfortune to experience in my lifetime. As you raped me over and over that day, I had to completely disassociate from my body, but I will always feel nauseous at the memory of how you kept your gun strategically close. A part of me died that day.

Being raped by you has stolen something from me that cannot ever be repaired or restored. The fact is that you did not stop at just raping me that first time you came to my house and instead you chose to keep returning and sexually exploit me for a 12-month period. Do you have any idea how difficult it was for me to sleep in the bed you had raped me in, but not being able to afford a new one at that time or feel like I could explain to anyone why I needed help getting a new one? You worked for the law and gained my trust and took advantage of me, but ultimately you showed a complete disregard for the law. You did not display the integrity and principles which are meant to be the foundation of a police officer then and you don't display them now. To do what you did to me makes you a calculating, dangerous predator, but it also makes you a devious, weak, immoral coward. I've learnt to accept that I will never be the same young, happy, carefree girl that I once was. After everything I have endured, I honestly do not know if I will ever be able to trust men or be in a physical relationship again. I used to be a bubbly and chatty person who only saw the good in people, but now I am much more closed off and find it really difficult to let anyone get close to me. The feelings of hope, excitement, and self-worth that I was feeling before I met you, were quickly replaced with humiliation, shame, fear and feelings of worthlessness and anger after what you did to me. I have struggled with these emotions ever since.

Your actions have forever altered my life path. I endured a further ten years of stalking and harassment from my first family violence perpetrator because you did nothing to hold him accountable for his actions and he continued to abuse me with impunity. I gave up on my career aspirations to become a police officer, which was absolutely devastating to me as I had worked so hard towards achieving that goal. However, the thought of becoming a member of a police force which included someone like you was just too much for me to comprehend. Your actions also made it very hard for me to be able to contact police when I needed their professional support and protection for other crimes which I have been the victim of after having the misfortune of you pass through my life. In the years since you raped me multiple times, I have experienced regular episodes of depression, anxiety, panic attacks and complex post traumatic stress disorder. This has impacted my ability to attend work and has had a very detrimental and limiting effect on study and career opportunities that I would have liked to have pursued. There are many times in my adult life where I have experienced severe financial hardship as a direct result of the serious violent crimes I have survived.

Even in the 18 months since finally feeling safe enough to report you to Victoria Police's Professional Standards Command- Sexual Offences and Family Violence Unit (SOFVU) in April 2022, the financial and emotional costs of the impact of your actions has been enormous. For example, I had to decline a \$20,000 training contract for a course I had worked so hard to create. The loss of the ability to proceed with this training facilitation contract was really upsetting, as I had not just lost \$20,000 of income, but I also lost the ability to travel around Australia delivering this training as was planned for June 2022. I had

been so looking forward to meeting other professionals in my chosen sector of work who I would have got to connect with whilst doing this travel and I also lost the potential future consulting and other training facilitation opportunities this trip could have led to. Due to how distressed I was at the time; I felt the need to stay home and close to my support network. I had to take numerous days off work in my role as a Specialist Family Violence Practitioner because of how traumatised I was feeling going through the police investigation process and having to recall all the things you had done to me in detail. I was continually being triggered when supporting clients at work, specifically those who had been sexually assaulted or who needed me to attend a police station with them in the context of my professional role. I was having daily flashbacks of you raping me and this became incredibly debilitating. I've gone through weeks where I have been barely functioning. Last year I also started grinding my teeth in my sleep as a result of the stress I have been going through to the point where I have cracked one of my own teeth. These factors ultimately culminated in me needing to resign from my role as a Specialist Family Violence Practitioner in January this year due to the level of trauma I was experiencing. I ended up having 6 months of being unemployed where I needed to focus on getting support to function on a basic level again. I have incurred extensive dental, osteopath, and counselling costs and had many moments where I was actively considering ending my own life.

I wish the recent changes to Section 36AA of the Crimes Act had come into effect in 2004. In relation to sexual offences, new circumstances have been added where there can be no valid consent. This includes when there has been force, harm or fear of force or harm of any kind; coercion or intimidation; abuse of a relationship of authority or trust. You are guilty of all these factors and regardless of what you tell yourself or others, I never consented to any of the sexual acts you forced on me.

The crimes you have perpetrated against me will continue to impact my life forever, I will never fully be able to express in words the emotional, physical, or psychological damage I have suffered because of you and continue to suffer. For the last 18 months I have called you 'Police Rapist' or 'The Cockroach' as even saying your actual name is incredibly triggering for me. Now that you have resigned, you are no longer a police officer in Victoria Police, you are simply a rapist. Whilst I rebuild my life, finally free of holding onto the shame of what you did to me, you will forever live with the legacy of your true nature and the horrific harm you caused me.

You have had in your power to put your end of service paperwork in right from when you were formally charged with Disgraceful Conduct, instead you have chosen to drag this out month after month with zero regard to the psychological impact that has had on me. You have continually demonstrated of what low character you are. From the crimes you have perpetrated against me to the way you have refused to cooperate with the investigation process, to how you have blatantly manipulated the Disciplinary process for your own financial gain. The fact that you lodged a WorkCover application after you were suspended for misconduct citing psychological harm is absolutely revolting, seeing as you were the person who has caused so much harm to me. It is also a slap in the face for all Victorian taxpayers. How dare you blatantly rot the system like this and seek to financially benefit from your abhorrent behaviour? You have shown a complete lack of remorse and compassion towards me as the victim of your crimes. I can only presume that you were under the impression that being a senior high-ranking

Victoria Police officer would provide you with a shield of protection, instead you have a displayed zero integrity or accountability.

Although it is reassuring to know that you will not be able to be employed in any Australian police force or public service role ever again, I strongly believe that you should also never be allowed to work in any position of authority which allows you to have access to people in vulnerable situations going forward. Your career with the police has ended in disgrace with you confirming what a coward you are through not answering questions from the SOFVU investigation team after you were arrested, and by not engaging with the internal Disciplinary processes and sending your Police Association (TPAV) rep on your behalf. Do not for a second blame me for your career ending. You caused this outcome for yourself because of the crimes you perpetrated against me and most likely many other women. With my current professional knowledge of perpetrator behaviour, I refuse to believe that I am the first or last woman you offended against, especially since you did what you did to me with such a high level of arrogance, entitlement, and confidence.

You are not a reflection of Victoria Police. I wish that I had met police officers like the incredible investigation and witness support teams from SOFVU back in 2004 when I started my Victoria Police recruiting journey. They are sort of role models and mentors that I needed back then. I want you to know that there can be absolutely no room for complacency when it comes to police officers who have abused their positions of power. Every officer who abuses their power further erodes public trust in the police, while every force that fails to dismiss them erodes it even more.

“Justice delayed is justice denied” is a legal maxim meaning that if legal redress or equitable relief to an injured party is available, but is not forthcoming in a timely fashion, it is effectively the same as having no remedy at all. Martin Luther King, Jr said it best in his statement; “Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly.” It is now in your and your former employer’s power to formally acknowledge the harm that you have caused to me. The question I have is will you or Victoria Police do the right thing and provide me with this form of restorative justice, because honestly, it’s the very least that you or they could do?

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