

Responses to numbered questions : [REDACTED]

1	<p>Your question presumes there is (1) either a single incident that I might have survived or (2) that I would have to compile a separate response for each occasion of sexual violence.</p> <p>My experience of sexual violence began when I was three years old, and the initial perpetrator was my mother. When I was about six my mother recruited my older brother to participate in sexual violence as well, supervised by her. The pattern of sexual violence was irregular after I was about twelve.</p> <p>When I left home at the age of nineteen, I was a very naïve and vulnerable person. I moved into a share house with fellow students at university. Over a period of several years I was repeatedly sexually assaulted by one of my fellow students who was about [REDACTED] years older than me.</p> <p>Owing to my engagement in a political campaign to open a judicial inquiry into [REDACTED]</p> <p>[REDACTED] a group of police broke into my home at night time and gang-raped me over a period of several hours.</p> <p>So there are many incidents of sexual violence that I have experienced in my lifetime. Research about child-survivors of sexual violence indicates that they are at higher risk for subsequent forms of violence in adulthood.</p> <p>Did I choose to tell anyone about my experience?</p> <p>I grew up in a context where sexual violence was so normal that I didn't know it was violence, nor did I know what sex was, so it wouldn't have been possible for me to tell anyone, since I thought what was happening was a punishment for being a bad person. I regularly confessed my sins to a priest at my parish church.</p> <p>After I graduated university I once told a friend about the sexual violence that was perpetrated against me by my fellow student. My friend went to that perpetrator and asked him if this was true. The perpetrator convinced my friend that I am a homosexual and that I had seduced him.</p> <p>About [REDACTED] years ago I rang a helpline for the [REDACTED] police and made an enquiry about how I would go about reporting what had happened to me [REDACTED] at the hands of a group of police. The operator told me that the legal period for reporting such a crime was two years and that I was not in a position to report the incident as it was too late.</p> <p>Supports available at the time</p> <p>Knowing what I now do about the way that trauma survivors protect themselves against the worst effects of a violent incident I think the questions here are somewhat naïve. It assumes that a survivor is usually in a position to report violence and that they would be expected to have a coherent, verbal or written account of their experience. That is absolutely not the case and to proceed with such expectations is unsound.</p> <p>Suffice to say there was no support for me in any of my experiences of sexual violence.</p>

2	I am not aware of what reforms may have been implemented in [REDACTED]. I do know that government support for helplines to support survivors of sexual violence and psychological services etc are grossly inadequate.
3	Reporting should not be directed to the police. There needs to be highly trained teams of trauma informed staff who mediate such reporting and support survivors in the collection of evidence. Reporting should not be handled by the police because it proceeds on the broad assumption that police would be beyond reproach with respect to the compilation of evidence about sexual violence. As someone who was violated by a group of police the idea of reporting to the police is contradictory.
4	Since so much sexual violence occurs in the home, and since we already know that there are extensive problems getting police in various jurisdictions to take the reports of sexual violence and intimate partner violence seriously, is it not obvious that a different (perhaps, new) organisation with more well-targeted powers should take the responsibility for managing such reporting away from police?
5	No: reasons outlined above
6	I don't know
7	If governments were serious about including such responsibilities in the domain of policing, they would provide far greater resources to police for the purpose of education and training. I am extremely dubious that governments are serious about properly addressing sexual violence in our community
8	No
9	I don't know
10	The impression I have is that relationships between prosecutors and police are often far too cosy and that a robust distance between public prosecutions and police should be systematised
11	No, since I never was in a position to report any of the violence I experienced
12	The only thing I have to say with respect to this is that the problems surrounding the task of getting a child-survivor of sexual violence to testify when the crime was perpetrated by a family member, is extremely complex, and that nothing in what I read here suggests that the justice system has probed this complexity in sufficient depth. To be blunt: I would have had to seek for police and prosecutors to take both my mother and my brother to court and charge them with historical sex offences, without anyone from my family being in a position to support or give evidence to support my testimony. Has the legal fraternity had time to consider the purpose of making a case for prosecution under these circumstances? And to what extent does the justice system project benefits to the community for pursuing such cases when the child is so vulnerable? The simple problem of being able to support a child-survivor to make statements about this kind of crime is more complex than this Issues Paper appears to suggest.
13	The legal determination of a burden of proof would need to be reviewed in order to provide child-survivors to give evidence in the first place without it being just another traumatic incident in which it was okay for perpetrators to deny their crimes.
14	N/A
15	I don't know

16	N/A
17	I don't know
18	<p>Yes I am aware of this research and my view is that those who doubt the veracity of narratives produced by children about these matters (in particular) are ill-informed.</p> <p>I am [REDACTED] years old and I was taught by my family to see myself as a liar who could not be trusted. It was in their interest to maintain a worldview in which mothers never engaged in criminal acts, let alone sexual violence. I still struggle with that worldview and blame myself for my experience. I have had seventeen years of psychotherapy but I know I will die without ever receiving any kind of justice for what happened to me. For there to be validity lent to the view that my memories of sexual violence are untrustworthy is not just offensive its based on a moral perspective, not a scientific one.</p>
19	Judges and lawyers who are specially trained should be selected to conduct hearings in these cases. It should not be possible to allocate the adjudication of these matters to a random member of the judiciary.
20	Some of the problems this question alludes to but which may not be properly understood is that the memories of sexual violence are not stored as narrative in the brain: they are stored as neurological behaviour that the survivor cannot control. This is one of the reasons why it is necessary that the forms of evidence and burdens of proof around what will enable a proper adjudication of complaints in these cases must be radically adjusted to look for patterns of reactivity to trauma, which moves the form of evidence beyond what it is possible to recount in a narrative form.
21	It would be a mistake if the judge was not properly trained to understand the nature of psychiatric and neurological evidence relevant to sexual violence.
22	N/A
23	I doubt it
24	I would have thought it was obvious that the current provisions, definitions and case law relating to sexual violence needs to be extensively reviewed so as to protect complainants. The moral ideologies surrounding sexual activity in general hold too great a sway in the adjudication of sex crimes/allegations
25	N/A
26	N/A
27	N/A
28	My experience is that defence teams will use any information they can to deny the accusations levelled by a complainant in a sex crime matter: a review of the legal parameters surrounding sex crime should take far better account of this tendency because sexual violence is not like other kinds of violence, and the development of evidence from therapy that a victim may have undergone is likely to be prejudicial.
29	I don't know
30	The use of distress evidence should be determined by an adjudicant at the point of hearing the matter
31	The way this question is posed is too brief and the issue too complex to allow me to provide a brief response.
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33	Yes both judges and lawyers should be properly trained. It should be a specialisation that require a legal office o have undertaken appropriate training to Masters level in a university
34	N/A
35	N/A
36	N/A
37	I don't know
38	I don't know
39	I don't know
40	N/A
41	I don't know
42	No
43	N/A
44	N/A
45	I think restorative justice might work in some cases but not in others
46	I don't know
47	It depends heavily on the willingness of individuals to cooperate
48	I would support all the suggestions except the last one: "the intersection of sexual violence issues with family violence matters, family law matters, and child protection matters". I think there are far too many cases of sexual violence that fall outside the domain of the family, and it would be a mistake to categorise them as if they are homogeneous on the basis of what a sex crime implies.
49	The issue of sexual violence needs to defined far more carefully so as to take account of vilifying public behaviour and harassment against gender diverse communities. Without including these issues sexual violence is confined to an existing definition of violence that is currently insufficient and which stems from outdated moral concepts
50	Once again, you have not defined sexual violence adequately to allow me to answer this question with respect to my experience of problems in my workplace.
51	The difference between criminal proceedings and those which pertain to the workplace should be abolished. Employers are poorly equipped to investigate sexual violence adequately and my experience is that they use specialists in workplace relations instead of those who might have appropriate training in sexual violence or trauma. In my experience employers are not interested in addressing sexual harassment or sexual violence in a manner that provides justice
52	N/A
53	This strikes me as a simplistic question that demand extensive research
54	My own attempt to report a crime leads me to believe that such charters are only as effective as the laws that enable survivors to make complaints in a satisfactory and meaningful way
55	I don't know
56	The main thing that comes to mind is that time limits on the reporting of sex crimes should be abolished, especially given that the impediments relating to children who are survivors of sexual violence are substantial