

Submission for the Australian Law Reform Commission to
inquire into justice responses to sexual violence

I am a long-standing victim survivor of many violent sexual assaults by one perpetrator. As such I would like to add a submission asking that the ALR Commission takes a look at **possible long-term and disturbing health outcomes for victims who received little or no support services at the time of the event/s** - victims like myself both in past and now. From my observations and what I have seen in the media leads me into believing little has changed over the years despite all of the talkfests over many years.

Unlike young people today, "baby boomers" like me were not particularly outspoken. We were not inclined to report things to the police and my victim experience goes to show some of the reasoning why that position would be so. Please understand I am aware that the society I lived in back in the 1960s was nothing at all like the society we live in today. Children in the 1960s were taught to be "seen and not be heard" - it was the accepted thing to do and that was my position in every aspect of my life then. Over the years I have tried to change that. This year the genie has finally escaped from the bottle, and it will be hard to get it back in.

Young people today (including my children too who grew up in the 1980/90s) are encouraged to speak up, to stand for themselves, to be aware of their rights and to be heard on personal and public social issues. These days there are advertisements on television encouraging people to speak up as well. It was not so in the 1960s nor was there any understanding in the wider community, by the police and the courts about the poor treatment dished out to women and girls particularly, who were unlucky to have encountered being sexually assaulted and/or raped.

I wonder why the four or five females who alleged violent assault prior to me by this same man, the perpetrator in my case, **why did they not proceed with any further action?** Despite reporting him to the police I was told by the police that not one of these females had ever taken the next step, and that was to take him to court. I did, but I regret doing that for the treatment I received in every aspect of the process to get to truth and justice.

Unfortunately, my experience as a teenage child victim with the justice system, that is with the police and the courts was really disgusting. I was probably treated more like an adult in the Bulli police station and in the various courtrooms that I attended as the victim witness. Throughout that dreadful time and the months that followed, I did not receive any victim support or legal advice about what might happen to me during these processes. I had no legal aid counsel representing me in the court, nor was I given any legal advice in those court rooms. I might also add here that the jurors considering judgement upon my particular rape case that was before them, they were an all-male panel of twelve jurors; and I've read that was not unusual back then.

It seems that in many respects little has changed today. Even so, there were a lot of things that just would not be tolerated today if what was done to me back then in 1969 by the police and then by the court systems, were to happen to a woman or man, let alone children today. By today's standards all these things done to me were wrong; they were disgusting and outrightly abusive.

What happened to me in the 1960s, would be unimageable by any standard in the community/society today. It should have been unacceptable then but these horrible things did happen to me unfortunately. The mere act of recalling these memories for this email brings tears to my eyes, and uncontrollable shaking to my body. This is really hard for me to write.

You maybe thinking that I am talking about my assaults and kidnapping? If those assaults upon me were not bad enough, what followed by contacting the police and various other agencies was seriously mentally abusive too. And the courtrooms, places where truth and justice should be exposed were places where the roles became reversed as the defendant's team took liberties to making the victim, ME look like the guilty one, using unrelated details to detract from the perpetrators real guilt. There were questions like

"What did you wear?"

"How many sexual partners have you had?"

"You consented, didn't you?" ... to being punched and assaulted? It is wrong to be tormented into admitting anything by using tactics of fear. These tactics must stop. Use "lie" detectors if there is a concern about not believing the woman; don't destroy these victims by making out that they asked to be in this dreadful position.

It is not a fair fight in the court rooms at all. Victims should have their own counsel to protect them from these people.

Recently, I watched two television programs about young women who were in similar circumstances as I was, when they appeared in courtrooms as witnesses for the prosecution. All of these cases mentioned previously had perpetrators who were charged, found guilty and imprisoned BUT AT WHAT COST to their victims??

The three women and their families spoke of the things that the "defence can and does use - any and every tactic". These quoted words were the words of the then-head of the NSW justice system, who was the father of one of the women. The father said he understood the rules, the reasons for them, but further added the fact that, "the insights you get from travelling through the justice system with someone you love is different ... It feels like it's not a fair fight". It is not a fair fight or situation.

These women were in the

- ABCs Australian Story program called, "*Out of the Chaos*" as told by the daughter of an Australian Cabinet Minister, last month, and
- 60 Minutes program, entitled "*Trial and Terror*", where two women also told another similar story on television about their courtroom experience.

Please also remember according to Australian Law in 1969, at 18 years of age I was still a child, a teenager just out of high school. The crime/s of violent sexual assault, attempted rape & rape were perpetrated upon me repeatedly in the early morning hours of a day in May 1969 by a single perpetrator. Thankfully he was subsequently charged, found guilty and imprisoned.

The criminal court experiences that I had in 1969 that were so similar to what was discussed in both television programs, continue to severely impact my life now and that is how it has been over 50 years.

These days we see sexual assaults and rapes played out on our television screens in news headlines, in documentaries, and in movies even. It is spoken about openly and there are even regular advertisements posted on television offering help for those who are even suffering just from "witnessing" or hearing about these issues. They say ring 1800RESPECT.

There was no place to go to or ring in 1969 as a rape/sexual assault victim. I suffered in silence. In my adolescent and teenage years, ie in the 1960s, rape and sexual assault was seen as such a shameful and humiliating thing to happen to a girl. It was hushed up, and not spoken about openly. Humiliation and silence! I was ashamed and silent too. I was told I asked for it.

Some may say because I have not become an alcoholic or drug user, I must be okayand they will be wrong to say this because I just buried my trauma. Now, I am trying hard to beat those triggers. If the victim support had been forthcoming at the time of the assaults, with better police intervention and then, before and after the court processes, things probably would have been far better for me then and now. I am a mess especially now as I am getting older.

The criminal events were when & where?

The crime/s of kidnapping, sexual assault, attempted rape and rape were perpetrated upon me by a single perpetrator in the early morning hours of a day in May 1969. These violent assaults were many and in different locations over a period of 2 to 3 hours. The police did not address the kidnapping at the time or that I was held against my will??

I was the passenger in the front seat of a car being driven by the perpetrator, a person who I hardly knew. He had been introduced to me by my new next-door neighbour about an hour beforehand inside my flat. This neighbour and I shared an old house in Canley Vale that was divided into two flats. And it was this neighbour and his fiancé who vouched for this person earlier that evening, after I found him in my flat and hiding under my bed. This strange thing happened because I had left the back door of my flat unlocked and open, and the perpetrator snuck inside my flat while I was on the toilet, which was located on the outside porch. I became very alarmed when I heard footsteps on the porch going into my flat. Frightened by this, I banged on the common wall of the flats and called out to my neighbour for help.

The neighbour and his fiancé came in quickly and they laughed about this man's unusual and unannounced entrance into my flat. After a cup of coffee and chat, there were lots of reassurances about this man. The couple left but not before asking me if I would drive this person home in my car as they wanted to spend some time alone. They were getting married the next day they said. I naively agreed to drive him home but I needed to get petrol for my car.

When I stopped for petrol at a service station in Liverpool, the perpetrator asked if he could drive my car and foolishly, I agreed to this. Then a short time later and this was some kilometres along the Hume Highway, the perpetrator suggested to me about driving to the Mt Keira Lookout before dropping him off at his home in Glenfield. Unfortunately, I was not alarmed by any of his suggestions. The earlier reassurances by my neighbour seemed sincere and their words did the trick to convince me that he was trustworthy. They both had probably tricked me into thinking that he was OK, all was OK; and as such this was to be a devastating trick for me.

I was young and travelling to see a coastal view at this hour also seemed like a fun thing to do. In reality I did not realise that this was all part of a particular plan by this man, and maybe my neighbour was a party to his plan too. I'll never know nor will I

ever understand. [But I did find out later – the perpetrator turned up at the police court on the day of being charged with this crime, with his heavily pregnant wife and that information about being married was not mentioned to me in my flat by any of them].

When we were nearly at the spot to the right turn off to Mt Keira, the perpetrator said he had to go to the toilet. He pulled the car left off the main roadway (Picton Road), which put the car onto a quiet bush track. As he exited the car, he told me to close my eyes which I did (and how stupid it was but I did just that). I was not expecting anything was going to happen. I sat there in my car on a lonely bush track, in the dark with my eyes tightly closed. After a few minutes, my passenger door flung open and as the car light automatically turned on, I was shocked to see the perpetrator standing there, now totally naked – just standing there beside me. I was in shock and I froze at the same time.

He grabbed at my long hair, and pulled me now screaming from the car. The look on his face was terrifying – I often see that “were-wolf” face in my nightmares still. The perpetrator pushed me to the ground, violently beating me into submission with his fists. I was fighting him off as he ripped at my clothing, and he tried repeatedly to sexually assault and rape me there on the ground. Not knowing much about sex or intercourse, I thought he had.

I was not in any way strong enough to stop this man. All of my clothing was torn during this fracas and fighting. And fighting I was for my freedom; no ... for my life it seemed. I fought back but I was not winning. But I have lived to tell this horrible story, while still experiencing the nightmares that still haunt me too. At some point the fighting ended and he allowed me to get dressed and back into the car while he dressed again.

It was then that I tried to lock him out of the car but my car did not have internal locking - it only locked with a key externally. He had the keys. For this attempt at escaping, I endured a further beating. And I was caught in this, my own car, not knowing where we were exactly. There were no mobile phones in those days. I was with a man who had just raped and bashed me, and who was now threatening to kill me if I did not do as he told me to do.

Outside of the car, it was so very dark and eerily quiet. Yes, it was a very lonely quiet place in that bushland. No one would have heard my screams. It had been raining previously so the ground was wet and muddy. As a result, I was covered in mud and my own blood from the beatings I'd received about my head, arms and chest. Since then, I cannot enjoy a normal bush walk with my family or friends, nor can I travel the Picton or Appin roads to visit my sister-in-law who lives in Bulli, without recalling and reliving this nightmarish and violent event.

I would prefer not to go into more detail about those sexual assaults that took place there as it has taken years for me to try and remove those nightmare things – those times and thoughts from my mind, and from my horrible dreams too. But let me say there were numerous times he violently sexually assaulted me both inside the car, which was also at various other different locations early that morning; and as well as the first time, outside the car on that muddy ground in the bush. It certainly was not a pleasurable experience. It was brutal, vicious and so wrong. I thought I was going to die.

As we drove away from that first location we were actually back on the Picton Road, and this time the car was being driven back towards Sydney, from where we'd come. While driving the car, I remember so vividly how the perpetrator talked repeatedly about taking me with him as his captive, at the same time threatening me with death if I did not agree to go with him. That meant, and he said this repeatedly, I would not ever, never ever see my parents again. I pleaded with him to stop hurting me, to let me go, which resulted in more beating. There were multiple times that he struck me around my head, shoulders and my chest area. In fear I just stopped talking.

All the time as he drove along, I was thinking of how to escape from him. I was no longer free; I was in this man's clutches and he was doing whatever he wanted to do to me. I was kidnapped, bruised and broken. My life meant nothing to him. If I did not have sex with him, he would punch me again and again about the head. Mind you it was an awkward thing to do in that little car, to achieve the outcome he wanted sexually but that did not stop him. He tried again and again whenever he stopped the car, and similarly; I tried hard very hard not to comply with his wishes. It was horrible and something that I really hate remembering.

He would stop beating me and he'd start moving the car again; stop and start. The car was back on the main roadway and all the while, I was praying that all of this would end; that I would wake up and this nightmare would be over... He turned the car again heading back towards to Sydney but he turned again and we were heading this time towards Bulli along the Appin Road. From memory it was just out of Picton, that he turned off that Appin Road but this time left into a quarry-like place where he stopped the car motor again. It started all over again; the sexual assaults on me and the aggressive bashings – he was so very strong and determined. By this time, at this second location, I was exhausted but I was still alive. When he was finished with me, he moved the car again back onto the Appin Road, heading towards Bulli this time. It seemed like we were going around in circles.

As he drove along, I noticed however, that he drove the car faster into road corners and bends, while along the straights, he drove particularly slowly. I sensed that this was perhaps his way of looking for another bush track to enter, and probably he would start these brutal physical and sexual attacks on me all over again, which I did not want to happen. I was fearing that he was going to kill me the next time he stopped. In my thoughts I planned to use the slowing down of the car to open my door and jump out from the car ... and I did this.

I jumped from this slowly moving car and ran away as fast as I could from the car and roadway into the darkness, into the bushes. There in the darkness of the night and in the bush, I lay down on the muddy ground to hide from him. I could hear him calling out to me while he was driving slowly back and forth along that roadway. As he did this, I heard other very fast-moving cars passing nearby on the Appin Road; and so, I planned that I would run out onto the roadway and throw myself down in front of the next car. By stopping a car, I was risking being hit by a car but... For me it was better to risk being run down and die that way rather than to be in the clutches of this violent man, being physically assaulted and raped again. My fear was that he would probably kill me the next time he got his hands on me... I had to take this chance to stop a car ... and I did.

A fisherman with his two mates in his Ute, stopped for me when I ran out on the road and they took me to the nearest police station, which was in Bulli, near Wollongong.

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1. Following my escape and rescue, I endured a further five to six hours of relentless interrogation by two male police officers, exacerbating my already traumatised and sexually assaulted self. These two policemen however, repeatedly insinuated that I must have asked for it, that I was a bad person and that was how they treated me until my father arrived. Having my father there helped. This treatment by the police on top of being mentally tortured and physically assaulted and raped by this perpetrator, has deeply affected me. I have a fear and deep anxiety about policemen.
2. Without any break for gathering my composure for food or cleaning myself up by washing, I was paraded down Bulli's main street in a bloodied and muddied state by the police. Their reasoning for this was to buy replacement clothing, but this only resulted in my anxiety being further raised as I was feeling mostly humiliated and ashamed. People stared at me being accompanied by the uniform police. I must have looked like a criminal. The police kept my clothes as evidence for the court hearings. On their return months later, I burnt these torn clothes which were actually my dowdy waitress uniform (below my knees) and my now torn and somewhat shredded underwear.
3. Upon changing into new clothing, I underwent a very embarrassing physical examination at a nearby doctor's surgery to confirm these assaults took place. This checkup and examination were done without me taking a bath or any sort of cleaning up being offered either. There was no photographic documentation taken of my sustained injuries by the police or by that doctor. The male doctor was also totally regimented in the manner he took notes – he was unsympathetic and said judgementally unkind things to me which at the time and under the circumstances was poor patient care, let alone victim support; well, that is how I felt and still do. I may not remember his exact words but I remember how his words made me feel
4. I was taken in a police car (multiple police officers and cars accompanied the vehicle I was in) back to the various locations and scenes of these assaults by these many policemen, extending my ordeal to nearly 24 hours. No thought was given to the state of my mental health and that my body and mind was exhausted. BUT I WAS.
5. My car was seized and dismantled by police for evidence. I didn't regain my own car until many months later, after the Supreme Court hearing and by then the perpetrator was gaoled. [I was unaware of this as no one advised me of his imprisonment].
6. When I eventually got home, I remember soaking for hours in the bath. Until that fateful day, my life had been fairly free of any dramas like this, and I hope never to be in this situation ever again.
7. For months I could not leave my flat or go to work without fear. I was so scared and so ashamed by what had happened to me. Thankfully the flat owner evicted the next-door neighbours; and the owner filled in the back porch area so that the toilet was now inside the flat not outside like before. But that was not enough.

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8. My father pleaded for me to return to the family home in Fairfield so I relinquished my independence due to fear and self-doubt. And actually, I could not afford living independently without the second job.
9. Eventually, and as a result of my fears, I had to change my Australian public service job in the Sydney CBD workplace as I could not bear the thought of, travelling on trains late at night or even travelling early in the morning to get to work. The APS personnel department transferred me to another APS job, a workplace in Granville that was closer to my parent's home back in Fairfield. I started that new position with the CES in Granville on 1st September 1969.
10. Things also improved once my car was returned to me and I did not have to travel on the train to go to work in Sydney's CBD or even taking the train to Granville which was traumatising. After this however, my own car was a constant reminder of the ordeal and trauma I'd been through.
11. But another impact this ordeal had on me (and I have previously implied) was that I had to resign and leave my second part-time job too as I could not cope working as a waitress in a restaurant with so many male customers. I was way too scared to work there. My income was totally affected. I had to move back in and live with my parents as I could not live in the flat nor could I afford to live in a flat without having a second job.

This above account only scratches the surface.

I haven't even touched upon the court hearings or the Supreme courtroom experiences, all of which have had profound and lasting effects on my life.

The Outcome for me has been PTSD, depression and anxiety

In a forensic and diagnostic report requested by the NSW Victims Services (VS) and compiled [REDACTED] in 2009, [REDACTED] wrote that I met chronic and severe levels of PTSD, severe depression and anxiety. To this day, I suffer still from that anxiety and depression; I have very high blood pressure from having both of these illnesses for the fifty years since that May 1969 event.

At the request of [REDACTED], in 2009 my husband, [REDACTED] was asked to write his observations of my temperament. I would say that I mostly agree with his analysis then and add that little has changed now ... that I have:

- a belief that disaster or catastrophe is just around the corner, (I'm very suspicious of people and their motivations);
- difficulties in distinguishing reality from fiction especially in television dramas involving violence, (I cannot watch violent action movies at all);
- an excessive black and white, and right or wrong view of the world;
- is overprotective of our children, even as adults, (when my daughter went missing in the ACT, I panicked, having visualised her in my story and my desperate situation);
- is very defensive of her own character and reputation;
- is very wary of policemen;
- and [REDACTED] said that I am extremely good and effective in responding as well as being quick-thinking in any crisis situation.

Recent trauma relating to government and Victim support services

I would add that in recent years I have had to reluctantly accompany various immediate family members into courtroom situations and that has caused me many times to have complete meltdowns. Seeing barristers dressed in their court gowns and robes, in court, out and about on the street and as well, uniformed policemen; these situations have caused me to be triggered and become very distressed - to cry and to shake uncontrollably. I now suffer from Essential Tremors.

██████████ I was working in a government run program for “women returning to work”; and in this situation, I was working as a library technician in-training for the ██████████. ██████████ Again, this was hard for me to do but I faced my fears and bit the bullet. It was a job. In this position in the library, I had access to the ██████████ Police Gazette stored at that particular library. Purely out of curiosity, I looked for my 1969 case in that gazette and I found it. I noted too, however, that the perpetrator had struck again after getting out of prison, and he had sexually assaulted and raped another young girl in very similar circumstances to the case I had unwillingly found myself in. But this time with her, he had used a knife to attack her. Two of us had taken him to court and won. But had we?

In 2009 I phoned the Wollongong police for information about my rape case, and my purpose was to obtain details only to support my “late” claim application within Victims Services. The Wollongong policeman I spoke with could not find anything about me so instead, he looked up the perpetrator’s name, ██████████ in their files. That policeman told me where ██████████ now lived and that same policeman said that ██████████ was well-known more recently for domestic violence. I did not ask for this personal information about ██████████ but I was given it. I wished the policeman had not told me this private information. It has unsettled me completely and still does to this day. If I can find him, can he find me?

At the time of my “late” Victim Services (VS) application in 2009-2010, I was a 60-year-old adult who had not had any counselling or compensation awarded to me for the 1969 event. Now in 2024 as an aged pensioner, I’m 73 years old, and I’m residing in regional NSW where counsellors with genuine PTSD training and experience are scarce. My counsellor-psychologist, ██████████ hails from the Central Coast of NSW and it took several years and approximately four or five counsellors (I cannot remember the exact number now) before finding ██████████ who has been the right PTSD counsellor for me.

██████████ Central Coast location is about a four hours’ drive away from me ██████████. ██████████ I used to drive 4 hours for my hourly session and then drive the 4 hours home. Since just before COVID, we’ve been utilizing ZOOM for our counselling sessions. Unfortunately, many of these sessions have been disrupted by poor internet connections, resulting in delayed starts or premature endings. However, having come this far ██████████, I am reluctant to start over with a new psychologist. Sharing my story verbally is the most painful experience for me, and writing these details for this email is equally challenging.

Another challenge for me has been in **getting correct VS information regarding my case.**

Early this year my counsellor advised me that VS funding for my counselling was to stop. I rang the VS office to get my case details and after the phone call to VS, I’d

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sent an email to VS counselling with an attached letter on 12 March at 4.00pm. As I hadn't received any acknowledgement from VS about that email arriving, I rang VS again on Tuesday 19 March, which was a week later. All I wanted to ask the VS person was if my email sent on 12 March had been received. On 19 March I spoke with another VS contact person, who was very helpful. She suggested forwarding my first email again, and she acknowledged immediately that email as being received at 4.38pm. But my concern doesn't end there.

I'd written to VS because there has been apparently a funding cut for my counselling service [REDACTED], and I have been led to believe that this VS decision is based on various assumptions, being:

1. I have received the maximum number of counselling sessions as they apparently considered me an adult at the time of the event.
 - a. I questioned this assumption regarding my age then. However,
 - b. I agree that I did put in a late claim to VS as an adult in 2009-2010. At the time in 2009 I was not advised that there was a difference or that I should have pointed out the difference.
2. There seems to be a belief that I am now "okay" and I should "move on" after 20 plus sessions.
 - a. I am uncertain about how VS decided this determination, and this also troubles me deeply.
 - b. Has VS consulted with my counsellor, [REDACTED] on this issue and if not whom?
3. During COVID there was a leniency towards doctors providing additional mental health plans
4. BUT in March 2020 I was told by a team leader [REDACTED] that I would be getting VS funded counselling for the rest of my life. I was shocked and devastated by the advice received in 2024.

Gathering accurate information about my current situation with VS has been distressing as well as difficult.

Discrepancies between the information provided to my psychologist's office [REDACTED] and the information I received from the VS contact officer when I phoned VS initially ie before 12 March, prompted me to seek legal advice about this. That legal person had me sign an authority giving her permission to investigate by contacting VS on my behalf.

Consequently, this solicitor advised me to write a confidential detailed letter within an email to clarify my personal details in 1969 and detailing as best I could, the criminal event that happened in May 1969. This letter has taken me two weeks to write, and I have at least ten pages about those violent things; details that I have not really spoken about since 2009-2010. It was then that I attempted to recall those details in a three-hour session with [REDACTED] the forensic psychologist. VS engaged [REDACTED] to initially interview me and formally test me.

Also, and most distressing has been the questioning of my age at the time of this crime by VSNSW. At 18 years of age in 1969, I was considered a child under Australian law. The change in the Age of Majority Act of 1974, which lowered the age of adulthood from 21 years to 18 years, does not retroactively change my status at the time of the crime, surely? This change in legislation was primarily political, aimed

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at increasing the number of younger voting Australians. Processes continue to punish me it seems. So now if I was one year younger 17 years of age having been born in 1951 instead of 1950, I would have been eligible for "rest of life" VS counselling?

Upsetting me also is the presumption too by VS that I am "okay" now, which is far from accurate. The physical violence and complex trauma I endured during the many assaults and afterwards on morning of May 1969 continues to haunt me, resulting in numerous breakdowns over the years. I did not leave my home for three months before returning then to a new job closer to my home, and resigning my casual part-time job that I had been involved with for two and a half years while still at school.

And there were many times, in the years that followed, I've had to leave workplaces and change jobs just to survive as I did not have the coping mechanisms to deal with my triggers. It was easier to run away and start again. These were extraordinary and violent events that happened to me, and the processes afterwards that happened would be unimaginable in our society today. The mere act of recalling these memories unsettles me now bringing tears to my eyes and uncontrollable shaking to my body. Writing these details is agonizing, and I am suffering all over again.

Despite being a child by Australian law in May 1969, I was unfortunately treated like an adult in the Bulli police station and various Wollongong courtrooms. For example, I questioned by the police for three hours as I arrived in the police station. When my father arrived the treatment, I was receiving from police, improved for the next three hours of additional questioning that followed the first three. In hindsight, the police should not have started questioning me until a parent or a support person was present there with me. There was no comfort provided to this victim.

Throughout that time and the months that followed, I did not receive any legal advice or support. I had no legal aid counsel representing me, nor was I given any legal advice prior to or during the court hearings. Additionally, the portrayal of me in the courtroom by the perpetrator's solicitor and barrister was malicious and unfounded. Instead of receiving support, these legal processes became a form of punishment for me. The truth and justice I sought were elusive then and even maybe now.

I am a survivor yes but at what cost. This extraordinary experience has burned deeply into my memory, affecting my head, my heart and my health. Not a day goes by and as I'm getting older, it is getting worse. These memories are triggered by so many things.

My health has been severely affected as a result. I cannot explain this memory of mine, and this "opening of past wounds" to try to get my counselling back has hurt big time. When asking my GP doctor what is happening to me he says my resilience is very low due to my chronic health conditions, including the PTSD, anxiety and depression.

Yours sincerely,

██████████
██████████
██████████

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[REDACTED]

My submission to the ALRC re justice responses to sexual violence... [REDACTED]

Question 1 If you are a victim survivor, did you decide to tell someone about your experience? **YES**

As a victim survivor, I immediately reported this person, the perpetrator, to the police when I escaped from him. When I escaped, I flagged down a car with 3 men inside and they took me to the nearest police station. At the time these 3 men kept asking me did I really want to go and report this to the police. Even though I was just a kid, and I knew that I had not seen it coming, I had been tortured and thought I would be believed because I was telling the truth, and considering the physical state I was in, I thought surely, I would be believed. I was naïve to think that.

If you did tell someone, did you contact: y a particular support service; y the police; y a health professional, a teacher, an employer; or y a family member, friend, or some other person? (see above).

Was there **sufficient** information available to you to help you decide who to tell and what to do? **NO**, none at all about this situation that I had not ever been in before. I was just a kid, a teenager and did not know what to expect or what to ask for. I got nothing and knew no better.

Where did you find that information? **There was no information made available to me at all.** The 2 policemen began questioning me straightaway and their intent initially was to blame me within those first 3 hours of questioning.

Was the response you received adequate? As I was just a kid and I knew no better and **NO, IT WASN'T ADEQUATE. The police response (their questions & actions) added to my trauma and this was re-traumatising, telling my story then and even now.**

What supports did you need at that time? I would have needed some comfort and assurances that I

- was safe now &
- would be listened to;
- a support adult person should be made available like a parent –

No questioning should have been started until those things were done & why do I say this?

- **because I was already in shock;**
 - had fought for my life and
 - been assaulted numerous times
 - while being held against my will for hours.
 - I had escaped a near death event and had waved down 3 men in their utility car on their way fishing.

Were the supports adequate? **No there were not any supports until my father arrived.** My experience went from shock & horror & very bad to retraumatising while the police gathered information; taking me to a shop in the village of Bulli to buy replacement clothing so they could have my clothing for evidence. I was then taken to a doctor's surgery & he was not at all supportive or compassionate to what I had just been through either. And without showering or having been cleaned up, or medicated for shock & state I was in, I was taken by more **policemen** back to the various places where these assaults had taken place for more hours.

How could they be improved? I immediately felt I had been wronged by this perpetrator but the police treated me like I needed to prove myself before being believed. I was not believed initially...

If you decided not to tell someone about your experience, you may wish to share with us the reason(s) why. After this experience above with the police & in the courtroom I did not share this information with **many people at all for years.** I was made to feel shame & guilt that I had done something to warrant his attacking me by the police who I had gone to for help as well as the court system ... **the shame and guilt I was made to feel by police & the courts have haunted me for years.**

My submission to the ALRC re justice responses to sexual violence.. [REDACTED]

Question 2 What reforms or recommendations have been implemented in your state or territory? I believe there have been many; too many for me to report on here. I am struggling to tell my own story.

How are they working in practice? I believe there are still problems well beyond my scope of knowledge and understanding

What is working well? Advertising available support is shown on TV & heard regularly on radio so that people needing help can find these services if they want to use them.

What is not working well? I cannot answer this confidently but my own recent experience with Victims Services NSW has not been good. Communication and compassion lacking.

Question 3 How can accessing the justice system and reporting be made easier for victim survivors? I've had past problems in communication with the police reporting system & the court systems, and recently, there have been problems with the NSW Victims Services – ie accessing

- details about their policy and guidelines by phone (I engaged with a solicitor who acted on my behalf to find out what the departments policy) was going on;
- details about my own case (I engaged with a solicitor who acted on my behalf with written authority to find out what was going on with my case).
- Corresponding details of my own case should be clear and regular, not sporadic and uncaring like the way they advised that
 - my VS funding for counselling was ending and then
 - the review I had asked for was denied (two sentences were sent to me – very impersonalised & uncaring).

What would make the process of seeking information and help, and reporting, better? **A case manager should be set up for each victim's case** so that the victim/survivor is not retraumatised asking for advice about his/her own case. This should be followed up with an SMS or email or letter advising the outcome of what has been discussed, so that there are no misunderstandings of what has been discussed.

You might consider the kind of information given to victim survivors, the confidentiality of the process, and the requirements of particular groups in the community. For example, I was told by phone when I called VS & this advice was by a **team leader person** [REDACTED] & it was he, the team leader who told me that VS was going to grant me a lifetime set of appointments. As I was not getting any confirmations in writing of discussions that had taken place, I accepted this result as done and dusted. I thought this information would have been passed onto my counsellor's office too.

Question 4 Do you have other ideas for what needs to be done to ensure that victim survivors have a safe opportunity to tell someone about their experience and get appropriate support and information? At the present time and like in the past, **the human factor** fails the victim. Are all people working in this area trained properly on how to handle a victim/survivor? The victim/survivor should NOT have to be retraumatised after their event that brought them to the police, to the hospital, to a doctor, or to the courts in the first place.

In court rooms defence lawyers should not be able to say libelous things about the victim that do not relate to the event or tell anything that related to lies, period.

Question 5 Yes, I contacted the police. I escaped from my perpetrator by jumping from a moving car hiding in the bush and then by running from the bush where I had hidden, out on to Picton Road and put myself in front of a passing utility car. The 3 men in the ute took me to Bulli Police station. They were good Samaritans

My submission to the ALRC re justice responses to sexual violence.. [REDACTED]

Question 6 I do not know about the reforms in NSW but they do not seem to be working because of what has been shown in ABCs Australia Story, "Out of Chaos" & the 60 Minutes show, "Trial & Terror". Both stories deal with the dreadful court room treatments of victims.

Question 7 I do not know what the NSW Police do now but what they did to me has made me frightened of them for most of my life since that May in 1969. All the trust has gone.

Question 8 ODP is that the public prosecutor? In 1969 it was the Supreme Court in Wollongong that handled this case in which I was the victim. There was no contact with me before or during the trial except to be asked questions during the trial by DPP.

I recall however at the lunch time break on the last day I ran over to the office of the DPP and I pleaded for him to stop the defence barrister's making assertions that a pubic hair found in the back seat of my car was not the perpetrator's. DNA was not around then but I knew it had to be my own hair. The defence alluded to an assumption that it was another male's hair?? It was most probably my hair BUT the QC prosecutor told me quite emphatically that the trial was ending and he did NOT have time to go into another argument about the pubic hair. QC added that he was not here to protect me (the victim) ... he was here to prosecute the perpetrator. I was devastated.

My life had been muddled by the lies and untrue insinuations of the perpetrators defence team. Great for a a young person to feel this way who had been the victim of a dreadful serial rapist and who had believed in truth and justice. I don't any more.

Question 9 Reforms?? Are there any? Of course, there are but I am not aware of then other than what has been provided here as reading matter.

Question 10 I don't know. My experience is that justice is found by those who have money; those who have their own counsel/solicitor; not necessarily by telling the truth. Defence teams are allowed to say anything without evidence it seems.

Question 11 My experience was that the 1969 case was heard initially in the lower court in Bulli, and there was a police prosecutor in that court who actually stopped the defence solicitor saying unjustifiable things about me. Trouble was then that I expected similar support in the upper court too ie the Supreme court with QC barristers in gowns. I was so distraught by what happened there. My life was turned upside down. My father walked out in disgust by what the defence team was saying about me and my father was told he could be charged with contempt of court for walking out. It was a terrible experience for my dad and I.

Question 12 Trauma – well you can use me as an example of what lack of care and support does to traumatised youngsters who ideally seek truth and justice. I am a mess now and I am getting worse as I get older.

Question 13 Victims who you call complainants need to **have their own counsel** to deflect the arrows of terror flying from defence team. Those arrows are usually lies and insinuations about the victim.

Question 14 My interview with police was long and not recorded. Initially it was for 3 hours with a break when my father arrived from Sydney. It seemed my dad knew one of the policemen so things improved for me but I was questioned for a further 3 hours. This does not include the hours taken by police in their police car taking me back to the multiple locations of my trauma & assaults.

Question 15 Not applicable

Question 16 No intermediaries were there to assist me. Having one would have countered how alone I felt. I felt more like a perpetrator than a victim. I note the point of ground rules – that sounds good for victims.

My submission to the ALRC re justice responses to sexual violence.. [REDACTED]

Question 17 Not applicable

Question 18 In the court rooms (and there were at least 3 times I went to court hearing for this case) – the charge day in Bulli court where the police prosecutor charged the perpetrator who made his plea of not guilty; then the lower court; and then the Supreme court. **My memory** was very good about what had happened to me and I did not stop to think about it – it poured out to the police, all of the details. So, I do not agree about this research saying that sexual trauma will stop a victim from telling what has happened immediately as that was not the case for me. I still can recall that horrible night and day that followed vividly. Maybe it is that case where it is a loved one who harms the victim & they find it hard to tell on the perpetrator who they've loved.

The court room scenes are somethings I've tried to very hard to forget and have managed to bury it but my body reacts to triggers simultaneously... to policemen, gowned lawyers and courtrooms; and being questioned sets me off.

If you look at the report done for VS by the expert psychologist (it is really very unprofessionally written and therefore is a worry). But she did say I was traumatised and suffering from PTSD.

I think there are a lot of myths about sexual assault victims – it seems we are all supposed to either be troubled by drugs and alcohol otherwise we must be OKAY?? I can tell you a really different story about how it has affected my life. We are all different and that needs no expert saying that. My body is showing the years of the silent suffering of trauma.

Question 19 Myths and misconceptions: I escaped from my perpetrator and I flagged down a passing utility to help me. The occupants of the utility (all men) asked me if I really wanted to go to the police to report this man. Self-righteous me who had been brutally attacked and sexually assaulted for a few hours knew I'd been violated. So, as embarrassing as it was, my good Samaritans drove me to the police station. I did not hesitate to report him immediately or as soon as I could. Does that mean I am different or not traumatised enough? We are all different and the way we have been assaulted is different too.

I do not recall the supreme court final hours as I was labelled as someone who had consented to be bashed and raped. The circumstances were foolish & maybe hard to believe but I was young and misled by someone who wanted to take advantage of my innocence. Nothing was going to stop this man.

What is the Longman rule? An explanation would have been helpful.

Question 20 I think it is dangerous to bring in so called experts in when each sexual case is different. My jury was all male and the perpetrator or defendant's team was out to scandalise my character by telling titillating (untrue) stories about me in front of these 12 men in an effort to save the defendant from prosecution. It is all very well to try and bring up the dirt on the victim if there is any, or even create some by merely insinuations BUT irony is that the perpetrator's life is left alone. How fair is that? My perpetrator had had 4-5 other women report him to police before I did, and after he was paroled, he sexually assaulted another woman but this time he used a knife not just his fists. I would say he was a serial rapist. I have wondered how many more he has assaulted since.

Question 21 I believe that a trial by judge alone should occur for most if not all sexual assault cases, not a jury. Juries are made up by people who have often preconceived ideas about the reasons why men or women sexually assault others. The defence teams will play on these accepted society trends (like how the "me too" recently infused the media and public opinion & thinking of many people) whereas judges have often been exposed to similar situations and are not usually drawn into character assassinations. Judges give written reasons for their decisions whereas juror members do not, and they just walk away.

My submission to the ALRC re justice responses to sexual violence [REDACTED]

If you look back at the 1960s and the society that I lived in, it was common thinking for people to say that women asked for it by dressing inappropriately, that they were women with low morals and probably had plenty of sexual partners. Police often thought that too; look at domestic violence – the police often turned a blind eye to these offences, blaming the women not the men. These preconceived ideas should not be inferred but they were and maybe, still are.

Consent is another problem for women – if they were drunk or drug affected. That argument was used in my case but surely the fact of being physically assaulted and escaping made this defence untenable. I do not know because I did not stay for the outcome. I was too distraught.

The recent case of Bruce L against Channel ten & Lisa Wilkinson is the perfect example of good judge alone determinations. It was a civil case brought about by the perpetrator himself [REDACTED]. In that criminal case a juror did not adhere to court rules that is NOT to take reading matter into the court/jury areas. That juror person was doing their own research using questionable material and so when this was discovered, the criminal case was unfortunately abandoned. [REDACTED]

Question 22 To the 3 questions asked here YES cross examination & NO, NO. In 1969 I was subjected to cross-examination by character assassination - The portrait painted of me in those courtrooms by this perpetrator's solicitor and barrister was of a person completely unknown to me and my family. I had no counsel to defend me or my reputation in those various police courts, and certainly no barrister representing me in the Supreme Court room. It was like I was "a lamb in the slaughter room". My life was torn to shreds by both of the perpetrator's team his solicitor and his barrister. The judge did not intervene and neither did the QC prosecutor. Instead of being the victim, I felt that I was the criminal in every aspect that followed the court event. Where was the truth and justice for me in 1969? And now again in 2024; is it the same?

Question 23 No not adequate. The victim will be subjected to cross examination and should have a court appointed lawyer defending him or her.

Question 24 That myth is the truth in my case. I reported as soon as I could that is after I escaped and I remembered every detail and still do 50 years later. All cases will be different.

Question 25 No I did not need an interpreter. I needed counsel to defend me from the perpetrator's defence team – they were ruthless.

Question 26 I don't know

Question 27 There were none and I am not sure if that was ever the situation in 1969.

Question 28 I don't know

Question 29 It is hard when it one person's word against another. I was bashed and covered in mud and blood. Was I lying and had rolled around in the mud consent to being in this situation? Distress as evidence has to be admissible evidence surely.

Questions 30 to 32 I don't know what harmonisation or what discreditable conduct is

Question 33 Yes specialist courts would be good; and training for judges maybe as well (Judge Michael Lee would be good to give instruction I believe). Maybe specialist lawyers too. Maybe it should be a huge part of their university LAW course & training.

My submission to the ALRC re justice responses to sexual violence... [REDACTED]

Question 34 There were no delays from what I recall back in 1969 & perhaps because women or victims were just not coming forward. I have no ideas about court delays

Question 35 I don't know and make no further comments on this "delay" item

Question 36 No, I recall the perpetrator did not plead guilty. His defence team said it was consensual?? I was not a party to the prosecutor's negotiations with the perpetrator & his defence lawyer team. I was left out of everything as I recall and please remember, I was "youth" so they, the adults probably did not include me because of that.

Question 37 I don't know and make no further comments on this item on the preparedness of offenders & their teams ...I am sorry but I find this question & if it's a suggestion really offensive as a victim I was not prepared for the kidnapping and the brutal ways that he assaulted me or that tried to rape me. Why should he get any leniency?

Question 38 I don't know and make no further comments on this item on sentencing ... except to say that I was not told in 1969 about the outcome of this court case. I was in the dark about his gaoling until 2009 when I looked in the Police Gazette held at the [REDACTED]. It is no longer there because of privacy issues I believe.

Question 39 I don't know and make no further comments on this item on sentencing

Question 40 I was not told in 1969 about the outcome of this court case or his sentencing. I was in the dark about his gaoling until 2009 when I looked in the Police Gazette held at the [REDACTED] [REDACTED] (The Police Gazette is no longer there [REDACTED] because of privacy issues I believe).

Question 41 I don't know and make no further comments on this item on Sentencing. And there were victim's statements in 1969.

Yes, victims should have independent and free legal representation during all aspects of the process

Question 42 I have a lot of ideas about court and it's processes but too many for here.

Question 43 If there was an appeal, I was not aware of it in 1969 as I was completely ignored by the justice government departments like police and DPP

Question 44 I don't know and make no further comments on this item

Question 45 I have read about restorative justice and seen examples of it shown on television programs like COMPASS. For most sexual assault & rape victims this is not a good thing for the victim I believe. Maybe later on a lot later

Question 46 I don't know and make no further comments on this item

Question 47 I don't know and make no further comments on this item

Question 48 I don't know and make no further comments on this item

Question 49 I don't know and make no further comments on this item

Question 50 Not applicable to me & so I don't know and make no further comments on this item

Question 51 I don't know and make no further comments on this item

Question 52 YES, I did receive compensation in 2009 as a 'late' claim but again this was a surprise and I really did not have anything explained to me as I recall now. I was and still am interested in having counselling provided by the state.

My submission to the ALRC re justice responses to sexual violence... [REDACTED]

Question 53 I don't know and make no further comments on this item

Question 54 In 1969 there was no charter of rights for VOC – I was not treated with courtesy compassion or respect throughout the investigation by the police following the assaults or the court system. I was not given access to welfare, health, counselling or legal services...I was abandoned by all of the services.

I was not given any information relating to the investigation and prosecution of the offender nor was I offered any protection from the offender or my privacy at the time or since.

The systems that were there to protect the victim all let me down and I was considered to be a child by the law at the time in 1969.

Question 55 I don't know and make no further comments on this item

Question 56 I am really shattered by the fact that I am a victim who was diagnosed and I am still suffering but I continue to be disrespected by the support systems like in 1969. I was abandoned by the systems in 1969 and again in 2024, I have been abandoned by VS whose VS team leader representative, [REDACTED] said in 2020 that I would have VS funded counselling for the rest of my life.

My victim survivor rights in NSW are listed below and some I believe have been grievously abandoned and missed as follows:

1. Respect – victim survivors are treated with courtesy, compassion, cultural sensitivity and respect for your rights & dignity. Since being advised in 2020 that I would be funded by VS for the rest of my life and I have not received any phone calls from the NSW VS department staff nor have I had letters from the NSW VS department either. I was led to believe that I did not need to fill in forms or be advised so no advice came in the post by mail or by phone. Then suddenly in January this year, I was asked by my counsellor's office to contact VS myself as their office NOT ME, was advised that VS would not be funding any more.
 - a. Why didn't the VS contact person courteously respectfully advise me either by phone or by mail?
 - b. During various phone-calls to find details of my case, both my counsellor's office manager and I were given wrong information, and therefore, I secured a solicitor to enquire on my behalf to get the right information.
 - c. The letter sent via email on [REDACTED] was not worded compassionate and was sent to someone who was an identified longstanding victim survivor like myself. I'd poured out my heartfelt story and received a short and abrupt denial letter signed by [REDACTED] with nothing else to say but to go to my GP and get counselling through a mental health plan...abandoned again.
2. Information about services and remedies – I repeat why didn't the VS contact person courteously & respectfully advise me either by phone or by mail regularly and when they did it was in no way compassionate?
3. Access to services – I had to ask for these services in 2009; I was a forgotten victim.
4. Information about investigation of the crime – I was not advised in 1969
5. Information about prosecution of accused – I was not advised in 1969, and I found out information about my case in 1987 [REDACTED] [REDACTED] and I looked inside the Police Gazette [REDACTED]
6. Information about the trial process and role as witness – I was not advised in 1969; from memory I received the basic information to appear in court. I do not recall whether it was by phone or by letter.
7. Protection from contact with accused – I was not given any protection in 1969
8. Protection of the victim – I was not given any protection in 1969

My submission to the ALRC re justice responses to sexual violence.. [REDACTED]

9. Attendance at preliminary hearings – I recall being at the charge hearing which followed his capture
10. Return of property held by State – I received back my clothing and my car. I burned the clothes and was traumatised by my car until I got rid of it
11. Protection from accused - I was not given any protection in 1969
12. Information about special bail conditions – I was not given any advice in 1969 or since
13. Information about outcome of bail conditions – I was not given any advice in 1969 or since
14. Victim impact statement - I was not given any advice about impact statements in 1969 or since
15. Information about impending release, escape or eligibility – I was not given any advice in 1969 or since
16. Submissions on parole and eligibility for absence from custody of serious offenders – I was not given any advice in 1969 or since
17. Financial assistance for victims of personal violence – I was not given any advice in 1969 about this
18. Information about complaint procedure where Charter is breached - I was not given any advice in 1969 or since. I believe some of the 18 rights have been abandoned when it comes supporting a diagnosed sufferer of trauma - PTSD depression and anxiety by their independent forensic psychologist.