In this issue

Welcome to the 10th edition of ACSSA Aware, the newsletter of the Australian Centre for the Study of Sexual Assault. This edition, our first for 2006, includes news of relevant forums, launches and publications released late in 2005 as well as previews of events proposed for the first part of 2006. The feature article in this edition of Aware is a review of a forum held in October 2005 by the Western Australian Federation of Sexual Assault Services. The forum, entitled Sex, Laws and Videotapes, brought together legal experts and sexual assault providers to discuss the recent reforms to sexual assault legislation in Western Australia. In this edition we also review two training videos/DVDs, launched at the WA forum by Perth Sexual Assault Referral Centre.

We provide an overview of a number of key reports released in the latter half of 2005. These include No Longer Silent, the final report produced by Dr Denise Lievore in her role examining criminal justice responses to sexual assault at the Australian Institute of Criminology; and the NSW Evaluation of Child Sexual Assault Special Jurisdiction Pilot report, by Judy Cashmore and Lily Trimboli at the NSW Bureau of Crime Statistics and Research.

The service profile for this edition is of the Specialist Legal Clinic jointly run by the Springvale Community Legal Centre and the South Eastern Centre Against Sexual Assault (SECASA), Victoria. Our Good Practice Profile for this issue is of a booklet designed for Bosnian women who have experienced sexual assault, particularly in the context of armed conflict, which was produced by CASA House (Centres Against Sexual Assault) in Melbourne.

There are our regular columns on conferences and training, as well as literature highlights from recent additions to the ACSSA library collection at the Australian Institute of Family Studies. As always, ACSSA remains keen to receive feedback on how we can better meet the needs of those committed to working against sexual assault, so please continue to provide us with your comments on current or future publications. If this is the first issue of Aware you’ve read, earlier editions can be requested via email or by returning the form on the back page of this issue. And don’t forget, all our publications are freely available online at www.aifs.gov.au/acssa/pubs/pubs menu.html.
The Australian Centre for the Study of Sexual Assault aims to improve access to current information on sexual assault in order to assist policy makers, service providers, and others interested in this area to develop evidence-based strategies to prevent, respond to, and ultimately reduce the incidence of sexual assault.

The Australian Centre for the Study of Sexual Assault is funded by the Office for Women, Australian Government Department of Family and Community Services, through the Women’s Safety Agenda. The Centre is hosted by the Australian Institute of Family Studies.

The team at ACSSA is delighted to announce that the Australian Institute of Family Studies will continue to host the Centre over the next two years. We are confident that this opportunity to build on a second phase of ACSSA will help us to broaden the information and resources we can provide to help you in your work against sexual violence.

We also take this opportunity to thank the talented and irrepressible Monique Keel who left our team at the close of 2005. She knows little of the impact she has made – using her creativity, her capacity to work collaboratively, and her ability to write across hugely complex and challenging areas. Her Briefing Paper on *Family violence and sexual assault in Indigenous communities – “Walking the talk”* – remains one of the most frequently sought after papers so far produced by ACSSA. Many thanks Mon – your presence filled us up, as did your cherry cakes and polenta cookies!

Melanie Heenan

ACSSA continues at AIFS

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ACSSA publications

As there are so few forums in which those working in the sexual assault field can share information with one another, we are keen to publish articles within this newsletter. We now accept contributions of up to 5000 words, although book reviews, news of conferences, training and research projects are also welcomed (up to 1500 words). If you would like to contribute an article or review to ACSSA Aware, details of how to do so are on the inside back cover of this newsletter. You can access our “contributor’s guidelines” from the website or contact ACSSA directly.
On 12 September 2005, ACSSA and Amnesty International co-hosted an event at the Gryphon Gallery at the University of Melbourne. We were privileged to have four feminist artists and activists from the Philippines – who had been invited to provide keynote addresses at the Refocusing Women’s Experiences of Violence Conference in Sydney – detour to Melbourne to share their knowledge and insights with us.

The speakers, Merci Angeles, Alma Quinto, Frances Santiago, and “Linda” (full name withheld), spoke about their work with/as survivors of trafficking and other forms of sexual abuse. The women are founding members of the group Peace Women Partners, a feminist organisation that works for “healing of survivors of abuse, as well as the elimination of all forms of violence against women to build a peaceful world”. They covered issues of policy, legislation and service provision, as well as “art and healing for survivors of abuse”.

Merci Angeles began the evening with a presentation entitled Victimisation and Healing Journeys, in which she talked about her work over the last 15 years as “as a friend and mentor of an organised group of women survivors of prostitution and trafficking in the Philippines”. She spoke specifically on prostitution and trafficking in the Southeast Asian context, along with legal and policy issues, and named the experience as one of women’s “homelessness: in their own bodies, and in the world.” Merci also spoke of why the group had chosen the title Healing Journeys for the event: “the theme of the ‘journey’ is significant.
because it symbolises the journey ‘back home’, to the control of their own bodies, for prostituted and trafficked women, and every abused woman who becomes homeless in her body.”

“Linda” gave a moving account of her own experience of being trafficked into prostitution, first in Manila, and later in Japan. She also recounted how, having been trafficked as a teenager and having no skills for work, she found it enormously difficult to escape prostitution, even once she had physically escaped her traffickers. The trauma “Linda” had endured was palpable, as was her immense courage, and she left many in the audience in tears. Since 1994 “Linda” has been involved with organisations of survivors, particularly prostituted and trafficked women, and has been active in promoting theatre and music venues for healing and advocacy for women who have suffered abuse.

Alma Quinto, president of KASIBULAN (Kababaihan Sa Sining at Bagong Sibol na Kamalayan, or “Women in Art and Emerging Consciousness”), a women’s art organisation which advocates for women’s empowerment in the arts, gave a presentation called Victims to Victors: Healing through Art. The presentation incorporated slides from the exhibit, SOFT Dreams HARD Realities, which was later held at the Refocusing Women’s Experiences of Violence conference in Sydney (12-14 September 2005). The exhibit was a collaborative work Alma created with young female survivors of sexual abuse from CRIBS Philippines, a center for sexually abused children aged 7 to 17. Alma spoke of how she had conducted workshops for the girls since 1995, so the collaboration was the result of the friendship and trust that had developed between them through the years. She was given permission to use some of the girls’ stories, which she “visualised” in the colorful tapestries.

The exhibit also included soft toy sculptures that were designed “to recreate a colorful and playful world that the girls never had when the they were growing up”.

The toys, Alma explained:

were inspired by images that have been embedded in our consciousness as Filipino/a. They are culled from Philippine mythology, folk tales and our cultural traditions. The central figure is a Babaylan mattress. The Babaylan is an ancient and significant female figure in our society who is a healer, leader, bearer of knowledge and a proto-scientist.

Alma spoke of how the soft materials and colorful textiles served as contrast to the traumatic, wounded and dark life of the victim/survivors, and how they represent a dream of a better future. “With patriarchy,” she said, the girls “became objects and properties of men. But with feminism, the Babaylan and women artists, they are transformed and empowered”. She spoke of how, in the process of creating the tapestries and soft sculptures, Alma and her students could harness this healing and transformative power of art, noting that:

The visual and performance arts are effective and powerful ways to make people aware, as well as to effect changes in abused women and girls’ sense of self and self-esteem. Art affirms them as unique and creative individuals capable of changing and empowering themselves.

The evening ended with a performance of Indigenous Filipina dance and song, entitled Pagbubuo, Pagbubuklod, or “Passion, Healing, Celebration,” led by Frances Santiago. Frances is deputy coordinator of the “Peace Women Voices and Images” program of Peace Women Partners, “organising and facilitating women artists in evolving performances which tell women’s stories through the different art forms of music, dance, poetry, ritual and the visual arts.” The performance was danced and sung by Frances and “Linda”, with Alma playing traditional drums. Afterwards, the audience were invited to take up the many traditional musical instruments provided and join in the dance. The atmosphere had slowly changed from one of sorrow, hearing “Linda’s” presentation, to one of joy and creative energy during this final activity. Many people stayed behind after the events had finished, to play the instruments and chat to the presenters. The evening was testimony to the transformative power of “activist art” to heal and empower.
This report represents the final instalment to the project undertaken by Dr Denise Lievore during her time at the Australian Institute of Criminology as the project officer dedicated to research on sexual assault and the criminal justice system. The project was funded by the Office for Women under the Australian Government’s National Initiative to Combat Sexual Assault that concluded in June 2005. The new funding commitment provided under the Women’s Safety Agenda builds on this important foundation through research that will focus exclusively on “Justice, equity and diversity: The criminal justice response to sexual violence in diverse communities” (see page 10 for an update).

Dr Lievore’s reports have consistently provided us with the reliable, thorough and comprehensive overviews of important national and international literature, as well as contributed primary research findings in the areas of prosecutorial decision-making and more recently, in terms of exploring the help-seeking decisions of victim/survivors in seeking access to support services, health care, and legal responses. We wish to acknowledge her remarkable contribution to resourcing the sector in ways that will assist us for years to come.

It is with her permission that we provide an unedited copy of the Executive Summary of the findings from her final report *No Longer Silent: A study of women’s help-seeking decisions and service responses to sexual assault*, by Dr Denise Lievore, Australian Institute of Criminology, for the Australian Government’s Office for Women, Commonwealth of Australia, Canberra, 2005. Links to each of the earlier reports written by Dr Lievore are provided at the end of this summary.

**EXECUTIVE SUMMARY**

*No Longer Silent: A study of women’s help-seeking decisions and service responses to sexual assault*  
**Dr Denise Lievore**

**Background**

In 2004 the Australian Government Office for Women (OFW) commissioned the Australian Institute of Criminology (AIC) to conduct a qualitative study of victim/survivor decision-making and coordinated responses to adult sexual assault. The research addresses gaps in knowledge about the social and personal contingencies that influence victim/survivors’ help-seeking behaviour and their decisions in respect of the criminal justice system and on the efficacy of coordinated service responses to sexual assault. One of the primary aims of the study is to provide information for service providers so that they can offer suitable support to help victim/survivors make informed decisions about whether to pursue legal redress.

This report makes a number of original contributions to knowledge, including a fine-grained analysis of social, situational and personal factors that influence decisions to seek help from formal and informal support sources; taking up the added complexity of help-seeking decisions for survivors with disabilities and from Indigenous and non-English speaking backgrounds; and addressing the scarcity of research on coordinated approaches to service delivery in the Australian context.

**Methodology**

The research had two components. The first part examined social and personal factors that impact on victim/survivors’ decisions to seek help from various sources, including whether to pursue legal redress, which
support services were perceived as helpful or unhelpful, and recommendations on ways of improving criminal justice responses. Semi-structured interviews were conducted with 36 female victim/survivors of adult sexual assault who were recruited through sexual assault services across Australia. To complement the women’s narratives, sexual assault counsellors were asked to give their views on factors that influence women’s decisions to report sexual assault to police and to continue through or withdraw from the criminal justice process. Consultations were conducted with 65 individuals representing twenty-three services across Australia, including specialist service providers working with women with disabilities or from Indigenous and non-English speaking backgrounds (NESB).

The second component of the study collected qualitative information on sexual assault workers’ perceptions of the efficacy of coordinated service provision and their recommendations for improving service delivery. Fifty-five staff at fourteen sexual assault services across Australia were consulted about their experiences of collaborating with criminal justice and forensic medical personnel.

Initial disclosures

The interviews with victim/survivors demonstrate that first disclosures often reflect the dynamics of and opportunities offered by women’s social contexts, their informal social networks, and their social location. In many cases help-seeking decisions were fundamentally shaped by the context of the sexual assault or the social context in which disclosure was possible. The findings highlight the instrumental role of informal social networks and health providers in facilitating further help-seeking from formal sources, including police. The interviews revealed three distinct disclosure patterns with differing motivations and degrees of choice.

Disclosure was not always a conscious decision or planned action and not all survivors had a clear objective in disclosing. Those who did were primarily motivated by the need for safety, protection and support; not wanting to be alone; or were seeking information to help them to clarify their understandings about the nature of the assault. Most women’s needs on initial disclosure were met.

Reporting to police

The recipients of sexual assault disclosures act as vital information sources for victims on how to behave in situations of crisis, ambiguity or fear. Decisions to report to police were often made after other people confirmed that this was a serious criminal victimisation and that they would support the woman if she decided to bring the matter to police attention.

Six of the 36 women did not report the sexual assault(s) to police. The primary reasons for not reporting centred on women not naming intimate partner violence as sexual assault, fear of retribution, and fears about confidentiality and disbelief.

Thirty reports were made to police, with 17 women reporting on their own behalf. Most women gave multiple reasons for reporting, with the most common responses being that they were encouraged to report by a friend or counsellor, or that they had no hesitation or doubt, because they did not blame themselves, saw it as their duty to report, wanted justice, or feared for their safety.

For 13 of the women, the reports to police were made by other people. Nine of these women felt comfortable about someone else reporting on their behalf, but the other four women would not have reported of their own volition and felt the decision had been taken out of their hands.

Regardless of whether a sexual assault was reported to police and who reported it, most interviewees expressed concerns or had negative perceptions about becoming involved in the criminal justice process. Primary concerns about reporting were underpinned by fear: fear of disbelief, police attitudes, about confidentiality, being blamed for precipitating the assault, of their personal or criminal history being used against them, of the legal process, and of the adverse consequences of reporting. A number of women experienced negative social reactions from police and others, which deterred further help-seeking in some cases.

Case attrition and disposition

In this sample attrition was primarily the result of filtering by criminal justice agents or processes. In general, once a decision was made to report to police, the women were committed to following through on this course of action and rarely wanted to stop the process. Some women experienced some degree of doubt about whether to commence or continue with legal proceedings, but their hesitation was allayed after discussion with supportive others or simply by getting through a period of anxiety.

The interviews raised questions about the extent to which women’s decisions to either enter into or withdraw from the process were matters of free choice, informed choice, or a choice between equivalent outcomes. In general, the women’s information needs were not adequately met and they felt that they lost control once they entered the criminal justice system. Some women’s options were reduced when decision-making was taken out of their hands. Lack of information about their options or the criminal justice process limited their capacity to make informed choices that were appropriate to their own circumstances and, in the worst case, contributed to secondary victimisation during the legal process.
What was helpful and unhelpful about interactions with criminal justice and associated agencies

A small number of factors contribute to women’s perceptions that their interactions with police, prosecutors and forensic officers were helpful. These factors include belief, respect, information and being taken seriously, as denoted by police taking swift action. While some women encountered individuals who were compassionate and knowledgeable about sexual assault, the majority were either disillusioned or further harmed through their involvement with the criminal justice system. Of major concern is the number of women who encountered misogynistic attitudes, or felt “fobbed off” or that they were “wasting” criminal justice officials’ and doctors’ time.

The most highly valued aspect of the criminal justice system stemmed from comments made by magistrates or judges presiding over victim compensation schemes: this was often the only form of belief and validation the women received throughout their involvement with the system.

Knowing what you know now…

The 30 women who had some involvement with the justice process were asked whether they would report a sexual assault to police again. Seven women said they would not report again, often because they received neither substantive nor procedural justice. While the majority said that they were likely to report again, this was often subject to some type of qualification; some responses were equivocal at best.

None of the women explicitly stated that they would advise another woman against reporting sexual assault to police. Their responses highlight firstly, that it is crucial for women to regain control and make their own decisions about what steps are necessary to advance their personal well-being and secondly, that decision-making is facilitated by social support and knowing what options are available. They also point to the value of speaking out about sexual assault, rather than remaining silent, whatever the reporting decision.

Helpful and unhelpful responses from non-legal and informal support providers

While a substantial number of the women said they had received help from a range of formal and informal support sources, there were clear variations in the quality of support, or the overall helpfulness of different sources. The specialized training and knowledge of sexual assault counsellors was highly valued by the majority of the women while, in the main, other formal helping agencies, such as medical and mental health services and not-for-profit community organisations that offer counselling, crisis help lines, or accommodation, were perceived to be less helpful and less empathetic and were subject to more criticism.

In relation to informal support networks, the women were more likely to disclose to friends than family members and to perceive them as more helpful and supportive than family members. While some friends and family members were patently unsupportive and unhelpful, it appears that the majority wanted to help but were often unsure about what to do or say.

Seven women who lacked informal support sources and had poor mental or physical health indicators sought additional formal help from services in addition to police and sexual assault services. These women’s stories are consistent with research that shows that violence is a prevalent and serious contributor to the burden of disease among women. Women who have fewer social supports and financial resources, or a lesser ability to protect themselves, may be particularly vulnerable to violence and its health impacts.

The ripple effect

Traditional criminological approaches to the under-reporting of sexual assault are based on the view that survivors’ major decision is whether or not to invoke the criminal law. However, the interviews revealed that sexual assault affects every domain of survivors’ lives. In the immediate or longer-term aftermath of sexual assault, the question of legal redress is only one of a range of decisions faced by women whose lives have been completely disrupted and are marked by loss.

Stakeholder perspectives on victim/survivor decision-making

Sexual assault services help victim/survivors with decision-making around a variety of issues by offering information, support and advocacy. They do not direct women towards any particular outcome, as best practice is to provide information and offer choices that help them to regain control. Once women enter the criminal justice system, their support and information needs may change over time or across situations, while an additional range of factors comes into play with the involvement of different criminal justice agencies.

Criminal justice agencies and the media play a powerful role in defining women’s realities and sending messages about sexual assault. High attrition and low conviction rates, the perception that sexual assault is very difficult to prosecute and that judges are isolated from social reality, as well as the moralistic tone of media coverage, send discouraging messages to victims, but are highly encouraging to offenders. The media are particularly influential in rural areas.

Women with disabilities face distinct issues in respect of sexual victimisation, choice, and participation in the criminal justice system. In particular, women with intellectual disabilities are offered fewer choices in life than women in the general population and their capacity for decision-making is further reduced by a criminal justice
system that is generally exclusionary of people who are disadvantaged intellectually or in other ways. The attitude of service providers is a major factor in the decisions made by these women. Misunderstandings about intellectual disability perpetuate harms at the group level, as many members of the legal profession are unable to see past disability and focus on survivors’ capacities.

Consultations with service providers indicate that women from non-English speaking backgrounds (NESB) face different issues depending on their pre-migration experiences. Having said this, many NESB communities in Australia come from collectivist cultures and this can have a profound effect on the way that decisions are made and on the appropriateness of dominant service models, which are geared towards women from the dominant culture. NESB women are doubly disadvantaged by poor outreach from the mainstream sector and by community silencing. The choices of many immigrant women are constrained and shaped by their alienation from a range of legal, health and victim services.

Consultations with services that work with Indigenous women reveal that their help-seeking decisions are often more communal and community-focused than in the dominant culture. Disclosure decisions are heavily influenced by geographical and social isolation, kinship structures, the intergenerational nature of sexual assault, mistrust of service providers, particularly the criminal justice system, and the prospect that the victim will be further harmed by disclosing the assault. Help-seeking may compound rather than alleviate women’s problems and the individualistic understandings underlying western models of decision-making are not necessarily appropriate for Indigenous victim/survivors, since the optimal outcome is to assist entire communities to heal through holistic processes.

Victim/survivor decision-making: discussion

The dominant theme emerging from the analysis pertains to the multi-faceted and socially situated nature of sexual assault survivors’ help-seeking decisions. The report demonstrates that survivors’ help-seeking decisions are formed through relationships with others, within social contexts, and at multiple decision points. Survivors often seek social information to help them select the most appropriate way of responding to sexual assault, particularly when the situation is ambiguous and they are in crisis. The reactions of and support offered by the recipients of these disclosures are often highly influential on future actions. Other people act as information sources that help women to clarify the nature of ambiguous experiences, verify and validate that they have been sexually victimised, determine what to do next or at least establish what choices are available.

Criminal justice personnel can be instrumental in changing social messages about sexual assault. What is required is renewed enthusiasm and leadership by well-trained and knowledgeable police, prosecutors and judges, who are willing to challenge stereotypes, call for a halt to prejudicial defence tactics, pursue test cases and push boundaries, and educate juries about the realities of sexual assault.

Sexual assault workers’ views on service provision

From the perspective of sexual assault workers, none of the regions represented by the services included in the study has yet achieved a fully coordinated community response to sexual assault, although considerable steps have been taken by criminal justice agencies, forensic medical services and sexual assault services in some areas. While a reasonable and sometimes very good degree of collaboration has been established in some regions, the concept of a coordinated approach has not been institutionalised at the government, systemic, or practice levels. There appeared to be a higher degree of satisfaction with service delivery and relationships with criminal justice agencies among workers in sexual assault services that had input into, if not control over, the provision of forensic medical services. Regardless of what types of service models or protocols are in place, there are a small number of underlying principles that facilitate cooperation among service providers, including:

- formal and informal networking;
- building respectful relationships;
- sharing information;
- accepting and tolerating different philosophies, objectives and practices and valuing complementary roles; and
- proximity of services.

Recommendations

The recommendations put forward in this report largely focus on improving social responses to sexual assault and promoting organisational change. A brief summary of the major suggestions includes:

- promoting community awareness of the prevalence and nature of sexual assault and challenging rape myths and changing social responses to violence against women;
- dismantling barriers to services, which often reflect wider social structural inequities;
- specialised training for staff in criminal justice agencies and education for all professionals or volunteers who are likely to have contact with survivors;
increased support for sexual assault centres and specialised service providers;
greater focus on offenders and holding men accountable for their actions;
specialised training for all systems personnel dealing with marginalised groups;
collection of reliable statistical data on sexual assault among women with disabilities and from Indigenous and non-English speaking backgrounds, underpinned by the allocation of targeted research funding;
more transparency and accountability among criminal justice system staff, particularly in respect of biases, prejudice, intolerance and apathy;
admission as evidence of offenders’ history of violent or controlling behaviour or breaches of intervention orders; and
clarification for juries that the burden of proof beyond reasonable doubt does not mean beyond any doubt.

At the level of individual systems staff, the results show that the objectives of all agencies are best served when victim/survivors are informed and aware of what is happening and why. Supportive attitudes and behaviours that help victim/survivors to make informed decisions about what services to access include:

- belief;
- listening and understanding;
- communication and information;
- cooperation and collaboration with other support systems; and
- acting on women’s needs.

In respect of promoting coordinated community responses to sexual assault:

- Leadership and coordinating mechanisms within and across agencies are integral to establishing collaborative structures, concretising policy initiatives, and overseeing adherence to the guidelines.

Cross-sectoral training and professional development are key components of establishing effective interagency partnerships.

Staff turnover among police and sexual assault services is an impediment to the development of strong relationships, which will continue to be important until and beyond a time when coordinated responses are ingrained.

Recommendations for improving forensic medical services include enhancing the professional expertise of doctors who participate as expert witnesses, recruiting more female doctors with forensic training, instituting changes in states and territories where access to a forensic medical examination is controlled by police and establishing forensic nursing as an integral component of local responses to sexual assault.

Adequate funding for police, health and sexual assault services is imperative to meet increased reporting rates to police, numbers of people seeking assistance from sexual assault services and community requests for information and training.

Funding bodies should also consider the need for further research that investigates the complex effects of sexual assault and what this means for criminal justice responses to different groups, including prison populations or people who are arrested for drug use.

Sexual assault counsellors continue to provide the most valued support for survivors and sexual assault services also undertake a range of community and other activities. The public good is served by promoting awareness of the role, functions and contact details of sexual assault services. Sexual assault counsellors’ expert knowledge is a resource that should be recognised and utilised in planning legal and social policy changes, training staff from other agencies and promoting intersectoral links.
As part of the Australian Government’s Women’s Safety Agenda the Office for Women (OfW) has commissioned the Australian Institute of Criminology (AIC) to conduct research in 2006 on sexual violence. The primary research project focuses on sexual violence in Indigenous and culturally and linguistically diverse (CALD) communities. An additional research priority for the AIC is the trafficking of women for sexual purposes.

There is a critical shortage of information on rates of sexual violence in diverse communities, combined with a lack of understanding of the needs of victims/survivors in these communities. The AIC will explore the expectations and experiences of women from diverse communities regarding the criminal justice system. The research will be conducted across a number of states and territories, and include rural, remote and urban communities. To ensure that the research methodology is culturally sensitive, the AIC conducted two roundtable seminars in October 2005. Invitees included women from around Australia who have experience working with victims/survivors from diverse communities. The seminars highlighted the importance of engaging with communities and promoting collaborative approaches to data collection methods with Indigenous and CALD communities. As a result, the research will utilise a range of methodologies in order to meet cultural protocols and be as culturally appropriate as possible. To achieve this, the AIC is working collaboratively with sexual assault services, Indigenous and CALD workers and other support agencies. Experienced counsellors and researchers are being engaged to conduct focus groups and interviews with Indigenous and CALD victims/survivors of sexual violence.

In addition to speaking with victims/survivors directly about their experiences and expectations of the criminal justice system, the AIC will consult with service agencies using a written survey. The survey will be available online in early 2006, and includes questions about respondents’ experiences working with victims/survivors of sexual violence and the services and resources available to assist victims/survivors. The AIC will also liaise closely with criminal justice agencies to establish current initiatives, training and good practice examples.

The Women’s Safety Agenda aims ‘to promote policies and practices that address prevention, early intervention and crisis assistance’ and ‘promote incorporation of demonstrated good practice at national, state, territory and local levels’. Through the Sexual Assault Project, the AIC aims to highlight existing good practice, effective intervention strategies and how to promote effective partnerships between criminal justice agencies and services that support victims/survivors of sexual violence. In this way, the OfW/AIC Sexual Assault Project can drive policy directions for criminal justice agencies, relating to training, appropriate responses to victims/survivors of sexual violence and overall good practice.

If you work with Indigenous or CALD victims/survivors and would like to complete a copy of the survey, or wish to contribute to the project more broadly, please contact:

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On the 4th of October 2005 members of the Western Australian Federation of Sexual Assault Services (WAFSAS) flew into the city of Perth to participate in Sex, Laws and Videotapes - a forum dedicated to considering the legal response to sexual assault in Western Australia. WAFSAS members were joined by service providers, clinicians, lawyers, researchers, police and others with an interest in sexual assault law reform to participate in the day’s proceedings, the first WAFSAS forum to debate these issues since 1996.

The purpose of this overview is not to delve into the details of each of the presentations, but to provide readers with a flavour for the kinds of issues and challenges raised. Full versions of the WAFSAS presentations can be found on our website (www.aifs.gov.au/acssa/conferencepapers.html).

The Western Australian Attorney General, the Honourable Jim McGinty, opened the conference by outlining the range of legislative reforms that had been introduced over the past five years and, in particular, drew participants’ attention to the package of reforms passed in 2004, which arguably placed Western Australia at the forefront of innovation in the area of sexual assault law. He spoke of changes to police procedures, of tighter restrictions around the conduct of cross-examination in sexual offence proceedings, and of the potential of technology to have re-shaped how victim-complainants, especially child witnesses, could expect to give their evidence without physically being required to appear in court.

The Attorney General also spoke candidly of his concerns about the inequities that remain within the criminal justice system, and how in sexual assault matters they often manifested themselves in ways that resulted in a secondary victimisation. He spoke of the inordinately high reporting rates for sexual offences versus the low levels of convictions in this context, and of the critical need to find more effective ways through which prevention initiatives might have an impact on both.

Speaking for the most part, but not exclusively about child complainants, he also addressed a number of specific problems, many of them procedural, that continued to pervade prosecutions involving child witnesses. First, he noted the historical effect of laws that have actively worked to undermine, or call into question, the veracity of children’s accounts, and of the legacy of legal rules that presume the evidence of children is the product of imagination or fabrication, merely because they are children.

The findings from the study undertaken by Christine Eastwood for the Australian Institute of Criminology were outlined in this context (Eastwood 2003), where the Attorney-General recounted the portion of the report that dealt with children’s views of the process. Three main themes or concerns emerged: the issue of time delays (Mr McGinty suggested the average time for prosecutions involving child witnesses was 17.5 months); the trauma of seeing the alleged offender in court; and the experience of cross-examination, which was often described as abusive.

Of those who were interviewed about their experiences, 64 percent of children who had been through the system in Western Australia stated that they would report the offences again, compared with 44 percent of child victims in Queensland and 33 percent of those in NSW. The research showed that many children, and their parents, felt that the outcomes from the process was not worth the trauma and distress they experienced in the lead up to, and during, the trial. Indeed, even one third of legal practitioners interviewed for the research stated that they would not advise a family member to go through the system if
they had experienced a serious sexual assault. Mr McGinty concluded that for too long the system had offered neither care nor protection to child complainants.

In response to these and other concerns, a number of legislative changes have since been introduced in Western Australia, the most significant of which were contained in the 2004 reform package. Firstly, committal hearings were abolished for all sexual assault cases so that victims are only now obliged to give their evidence and be cross-examined once at trial. This change was also intended to reduce the length of time most prosecutions take. In all other states and territories in Australia, committal hearings are still required.

Western Australia (WA) had also tightened the restrictions on allowing defence lawyers’ access to complainants’ counselling records so that it is now, according to the Attorney General, “next to impossible” for this evidence to be admitted. Even more recently, legislation overseeing proceedings involving multiple victims has increased the opportunities for cases involving multiple victims to be heard together. This has important implications for proceedings involving siblings, or other family members, who have each made allegations against the same accused. While in the past, the law was reluctant to “join” multiple allegations into a single proceeding, for fear of prejudicing the jury against the accused, the new laws provide for a presumption being made in favour of the cases staying together.

In response to children’s fears about having to see the alleged offender in court, the legislature allowed for the use of closed circuit television (CCTV) so that children and other “special witnesses” (defined in broad terms as adults who have suffered “serious sexual assault”) could routinely give their evidence from another room. In the absence of CCTV, the use of screens, blocking the line of sight between the witness box and where the accused is situated, is also available.

However, more recently, and of greater significance, has been WA’s trail-blazing in developing procedures that allow for the acceptance of pre-recorded evidence of children in sexual abuse cases. Melanie Heenan, in her keynote address, highlighted the significance of this move for “specialising” a response to sexual assault victims that could take account of the structural difficulties that continue to be identified. While Melanie lamented the scope of the provisions not extending to adult complainants, she suggested the approach could easily be modelled in other Australian jurisdictions and was deserving of real consideration. Indeed the Victorian Law Reform Commission had recommended the introduction of similar provisions following the success of the WA model.

A common theme throughout the opening addresses was this belief in the system’s capacity to do better for victims. Indeed for Melanie:

> the criminal justice system not only has an obligation to provide, but is best placed to provide, a meaningful brand of justice to everybody – and that includes both victim-complainants and people who are accused of sexual offences. And I say this knowing that the law has, and often continues to, fail victims of sexual assault. And perhaps women and children in particular given they remain the most highly sexually-victimised groups in our society. Indeed research on the legal system’s responses to the crime of sexual assault shows the extent to which the law regularly turns away from victims when they report experiences of sexual assault. And that it turns its head most systematically away from Indigenous women, from women with disabilities, from immigrant women, and from refugee women.

However, her presentation suggested much could be gained by looking at models of specialisation and potentially applying them to the criminal justice processing of sexual offence cases. Her paper discusses the benefits described by overseas jurisdictions of introducing “specialist lists” or “specialist courts” as a new approach to both case management and of attending to “the quality” of the victim’s and the offender’s experiences in court. According to Melanie, the “quality” is vastly improved by legal practitioners and judges who have an established expertise for appearing in, or presiding over, sexual offence cases. She suggested this expertise would not only ensure a greater appreciation of the particular difficulties faced by victim-complainants, but would better ensure that the provisions safeguarding the admission of sexual history evidence and the confidential material from victim’s counselling files were properly observed:

> specialisation could allow for a uniformity and predictability in the exercise of judicial discretion in these areas. It could [also] allow the development of judicial experience in tailoring appropriate sentencing options for offenders and provide an opportunity to evaluate the success or otherwise of treatment or behaviour change programs for offenders.

Later in the morning, Paul Yovich from the Office of the Director of Public Prosecutions took delegates through the world of the prosecutor, detailing the ways in which the law, through a history of higher court
rulings and through legislation, continued to make it difficult for prosecutors to secure convictions in sexual assault trials. He suggested that only 40 percent of a total of 242 sexual assault trials heard in WA during 2004-2005 resulted in convictions, with an even lower proportion being found amongst trials involving adult complainants (31%). This, he noted, was significantly short of the 56 percent success rate of convictions noted for trials involving other serious criminal offences. Paul spoke in some detail about the various legal principles that informed the nature of judges' directions to juries in criminal trials, however he also described how many are disproportionately applied in sexual assault trials, and generally to the detriment of the victim.

Paul summed up his experience as a prosecutor, noting that in his years of work:

I have had to listen to hundreds of Judges’ summings-up, ranging from the concise and lucid to the rambling and, with respect, occasionally incomprehensible. The law seems to require summings-up to be more and more complicated as the years go by, and undoubtedly many juries are left feeling confused and unsure. Confusion can lead to doubt, and doubt of course means acquittal. Given all those facts, as well as the many other difficulties faced by sexual assault complainants that I haven’t discussed, you might wonder, not why so few accused are convicted, but why so many are.

Media responses to sexual assault cases were also discussed at the forum. Using a more novel approach, the forum's facilitator, Geraldine Mellet, interviewed Colleen Egan, a journalist with the *Sunday Times* about the rules and regulations that govern the coverage of sexual offences, and of the ethical considerations that arise for journalists when seeking comment from some of the parties involved. Colleen outlined the legislation that prohibits the publishing of identifying information in relation to victims, and of the occasions in which this is sometimes breached.

She also provided some important “tips” to forum participants, and for victims in particular, about how they might more effectively negotiate the conditions under which they would be prepared to provide media comment. Colleen recounted her own learnings in this area, having published articles where victims were subsequently distressed, or upset by what was included in the article. She is now more sensitised to the importance of victims feeling they have some control over the process and routinely allows them to read the story before forwarding it to her editor. Her advice to those who wish to engage with the media was to establish firm rules around which the journalist should work and to feel confident to “shop around until you find one who will work with you on your terms”.

After lunch, Gningala Yarran-Clanton, an Indigenous lawyer, gave a personal account of growing up in a community in which many of her immediate and extended family experienced sexual assault. Gningala told of the breakdown of her family's safe home life as a result of an act of racist violence that caused the death of her grandfather. She talked about the ongoing effect that his death had on her extended family, and the vulnerability of her family, that ultimately resulted in her being sexually abused as a child. She also spoke more broadly of the generations of violence perpetrated against Nyoongar people by white Australians and the damage this legacy has caused the community.

Gningala noted that although she had been abused as a child, she had not tried to access the criminal justice system. She said that the personal cost of revealing her abuse would be worse than remaining quiet, noting that "I was pretty certain that my mother would have killed the perpetrators and I saw the need for a mother far outweighed the need for so called justice."

Gningala spoke at length about some of the obstacles that confront Aboriginal victims, recalling stories told by women at an Aboriginal Health conference in which one woman noted that a:

major stumbling block [to justice] was the fact that the perpetrator was a respected member of the community… This woman wasn’t able to give a voice to her children’s suffering for fear of being ostracised within the community. Prior to European colonisation sexual impropriety was dealt with severely – punishable by spearing. Now we have a system of concealment and a shroud of secrecy that makes it very difficult for people to voice their pain. Being ostracised within a community is like doing time, it’s as if you are being punished for speaking out.

She went on to talk of the difficulty Nyoongar community members have when trying to seek justice:

Family members have pursued the avenue of redress through the court systems and found it a very formidable playing field indeed. Many talk of the struggle to get heard and acknowledged. One of the major stumbling blocks is the fact that the support services were not culturally appropriate. It wasn’t until the Gordon Inquiry that services established to assist victims of crime made a move to engage Aboriginal support workers, to provide a cultural framework for Aboriginal victims of crime.
The difficulties that Gningala experienced in assisting victims were common experiences, she said, for other Aboriginal women:

An Aboriginal woman who was assisting some Aboriginal women who had been the subject of sexual violence and other violence relayed the story that these women were being persecuted by their own families, and members of the perpetrators families set upon them outside the court proceedings. Nothing was being done by support agencies and the police to create a safe environment for these women to tell their stories.

Gningala spoke of the low prosecution rates involving Aboriginal women complainants as another barrier to justice. She noted that, “some members of the Aboriginal community see it in black and white and see a lack of response as one driven by other motivating factors, such as race. To exclude race and race issues from the picture is looking at the problem through rose-coloured glasses. Institutionalised and structural racism exists.”

Being in Western Australia, the issue of sexual assault within Aboriginal communities is high on the political agenda following the Inquiry into Response by Government Agencies to Complaints of Family Violence and Child Abuse in Aboriginal Communities (known as the ‘Gordon Inquiry’) in 2002. This Inquiry came about as a result of the tragic death of a young Aboriginal girl, Susan Taylor, at the Swan Valley Nyoongar Community. The Coroner in the case found sexual abuse of young Aboriginal persons to be an “enormous problem” in Western Australia. The Coroner noted that, “this case has highlighted the fact that sexual abuse of young Aboriginal persons throughout Western Australia is common. It is clear that only a very small proportion of these cases are reported to the appropriate authorities” (Gordon, Hallahan & Henry 2002: 30).

Gningala outlined the profoundly disturbing statistics that show Aboriginal children under the age of four years are subject to gonorrhoea and Chlamydia notifications in “significant numbers” (Gordon, Hallahan & Henry 2002: 26). The Department of Health rates for 10-14 year olds indicates a ratio 186:1 for Aboriginal to non-Aboriginal notifications of gonorrhoea and 124:1 for Chlamydia. The Coroner found that Susan Taylor was possibly sexually abused from a very young age. Susan made a complaint of indecent assault to police six weeks before she was found dead at the Lockridge campsite, however, the police did not follow basic police procedures in investigating Susan’s death. Gningala said that she remained optimistic that positive changes will come out of the Gordon Inquiry, although she remained disheartened by how few of the recommendations made in the Royal Commission into Aboriginal Deaths in Custody (RCIADC) report had been implemented.

Following Gningala’s presentation, Lorraine Stephens, a WAFSAS member from a remote area of WA, spoke of the practical difficulties facing the Sexual Assault Resource Centre (SARC) workers assisting their clients through the judicial process. Some of these difficulties, she noted, were experienced universally by SARC workers regardless of geography, including: that the client does not often meet their legal representative until just before a court case; the continued reluctance of police members and prosecutors to proceed with a case if the complainant has a mental illness; the lack of information provided to the complainant about the judicial process; the often humiliating and arduous nature of the court process; and the length of time that often lapses before the case makes it to court.

Reclaiming Voices - A Collective Voice for Women Surviving the Trauma of Sexual Assault.

Attending the WAFSAS Forum were a number of women representing a new voice for survivors in Western Australia (WA), Reclaiming Voices. Recently funded through the Department of Community Development’s Office for Women’s policy, this group is the brainchild of a group of women who realised the value and importance of forming a network of strong like-minded women as a vehicle for regaining personal strength and empowerment in the aftermath of sexual assault. It had its seed in the Melbourne group of the same name and grew out of a focus group of former clients of WA’s Sexual Assault Resource Centre.

Reclaiming Voices is actively committed to raising community awareness and providing education in relation to the complexity and prevalence of sexual assault.

The women within the group aim to provide a valuable consultation service to sexual assault support agencies including, police, social workers, and medical and legal professionals.

Reclaiming Voices will be hosting a one day workshop in early 2006. Information about this forum and about meeting days and times can be obtained by emailing reclaimvoiceswa@aapt.net.au or phoning 0404 333 409.
Some of the other problems Lorraine detailed, however, were heightened by a context of living in rural and remote areas, such as: the “small town” element of complainants being in particularly close proximity to the alleged offender before, during and after the trial; the lack of victim support services; and the need for more specially trained police. Lorraine provided those forum delegates who were not sexual assault workers with an insight into the difficulties that SARC staff have in assisting clients through the legal process. Her views were reinforced by the words of some survivors who attended the forum and who spoke bravely about their experiences of the process. One group, who had joined together to form a support and lobby group known as “Reclaiming Voices”, spoke passionately about the difficulties that they had faced subsequent to the assault/s perpetrated against them.

Helen Porter, Chief Assessor with the Western Australian Department of Justice, book-ended this discussion by detailing what the state’s defines as its current obligations to victims in terms of providing compensation. She outlined the details of the Criminal Injuries Compensation Act, shedding some light on what is a complex area of law for the legally untrained, but one which, perhaps, for many survivors, offers the only area of redress. Helen gave most of her attention to the new features of the revised criminal injuries compensation scheme enacted by the Criminal Injuries Compensation Act 2003 (hereafter referred to as “the Act”), which came into effect on 1 January 2004.

The Act made a number of significant changes to the scheme to provide compensation to victims of crime, while retaining the general framework of the old legislation. In effect it is now simpler and easier to apply for, and receive, compensation. Hearings are no longer compulsory as they were under the old Act and interim payments can now be made to assist victims while their application is being assessed. In addition, an assessor may now make provision for expenses likely to be incurred in the future. This might include payments for counselling or other treatment of injuries where treatment has not been included or is likely to be required again in the future, for example where life events can re-initiate some of the symptoms of the injury. Another change gives assessors the power to determine at an earlier stage not to seek to recover the amount of the compensation from the offender, where the applicant is concerned that to do so may provoke further episodes of offending. This obviously has particular implications for victims who have been abused by current or former partners or by other family members. And finally, Helen pointed out that the maximum award for compensation had been increased to $75,000 for an offence committed after 1 January 2004.

Helen then moved on to discuss two important aspects of the legislation that impact upon applicants for compensation, especially in cases involving sexual assault. The first aspect concerns the requirement of victims to report an offence to the police before they can make an application, and the second issue concerns the manner in which the nature of the investigation, and the outcome of any subsequent prosecution, may impact on their eligibility for compensation. Both of these features have important implications for applicants. We suggest that given the complexities of this information, readers with an interest in understanding what is required in order for compensation to be awarded, refer directly to the presentation (Criminal Injuries Compensation, by Helen Porter), available on the ACSSSA website at: www.aifs.gov.au/acssa/docs/WAFSAS/porter.pdf.

The final speaker for the day was Dr. Maureen Phillips, who is the Co-ordinator of Medical/Forensic Services at Perth SARC. Maureen presented a potted history of SARC, detailing its evolution from a small service located within the hospital Emergency Department to a large dedicated service, providing medical/forensic services, counselling by trained professionals and education to a variety of organisations including the police, and other regional counselling support and health services, as well as schools. Her presentation was particularly geared to discussing the current debates surrounding the introduction of Sexual Assault Nurse Examiner models (SANEs) to provide forensic care to victims of sexual assault. Maureen cautioned against her presentation being perceived as advocating either for or against the option of SANE models. Her aim was merely to outline some of the approaches that have been taken to implementing SANE in other jurisdictions both in Australia and overseas, and to consider the merits of its introduction in a WA context. Maureen suggested that the lack of properly trained forensic practitioners in regional and remote areas was so profound in WA that options to improve this situation must at least be explored.

The forum closed with a panel discussion that reviewed some of the more contentious issues of the day, providing an opportunity for participants to highlight some of their own experiences or ways of negotiating the various machinations of the legal system. Mostly, participants were keen to harness the momentum of the day in collectively progressing a change agenda. The Attorney-General’s commitment
to monitor the application of the recent reform activity, and his willingness to explore other possibilities, such as contemplating the merits of “specialisation” were seen as positive first steps.

References


Monique Keel is a Research Officer with the Australian Centre for the Study of Sexual Assault (ACSSA) at the Australian Institute of Family Studies.

All the presentations referred to in this paper can be found on the Conference Papers page of the ACCSA website at: www.aifs.gov.au/acssa/conferencepapers.html

WE INVITE YOUR VIEWS
ACSSA invites readers to discuss the issues raised in this feature review through our email discussion list, ACSSA-Discuss. ACSSA-Discuss is a moderated email list for the discussion of topics of interest to people involved with the sexual assault field.

To join ACSSA-Discuss send an email to ‘majordomo@aifs.gov.au’ with the message ‘subscribe acssa-discuss’, and leave the subject line blank. For more information about the ACSSA email discussion group visit the Mailing Lists page on the ACSSA website at www.aifs.gov.au/acssa

The Tellsomeone Project: On-line Survey
RMIT University is calling for volunteers to complete an anonymous on-line survey that will be used as a basis to help individuals and communities affected by depression, suicide, trauma, domestic violence and sexual assault in Australia. The Tellsomeone Project urgently needs 5000 volunteers, who are 16 years or older, from all backgrounds to participate in this important Australia-wide research.

The principal researcher, Andrea Stewart, believes the research will provide “an opportunity for individuals to do something positive and practical about serious social problems, irrespective of their own circumstances”. The researchers are calling on women and men of all sexual orientations to complete the on-line survey. They are keen for both those who have experienced trauma and those who have not had traumatic experiences to participate, and would like as many people as possible to be informed about the survey.

Key messages for participants are that:
- Violence and sexual abuse affects everyone in the community
- Everyone over 16 years is invited to participate
- The on-line survey guarantees total anonymity
- Silence & invisibility allows many problems to continue
- You can help by telling others about this survey

The survey has been sensitively designed with easy-to-follow instructions for participants to read before deciding whether to participate. The purpose of the research is clearly outlined and participants are given a range of options for making it easier for them to complete. There are also links to relevant support services across Australia.

To find out more, contact Andrea or David (anonymously) at tellsomeone@rmit.edu.au or on (03) 9925 7646.
To access more information about, or complete the survey, go to: http://weblearn.rmit.edu.au/tellsomeone/
AFL launches policy on Violence Against Women

On November 8, 2005, the Australian Football League (AFL) released their policy entitled Respect and Responsibility - Creating a safe and inclusive environment for women at all levels of Australian Football. The policy was launched at the Telstra Dome by AFL Chief Executive Officer, Andrew Demetriou; Victoria’s Minister for Women’s Affairs, Mary Delahunty; and the Chief Executive Officer of the Victorian Health Promotion Foundation (VicHealth), Dr Rob Moodie, and was widely welcomed by workers in the sexual assault field and women’s policy arena.

The AFL policy was developed in conjunction with the Victorian Government’s Statewide Steering Committee to Reduce Sexual Assault and the Office of Women’s Policy. Key elements of the policy include:

1. the introduction of model anti-sexual harassment and anti-sexual discrimination procedures across the AFL and its 16 Clubs;
2. the development of organisational policies and procedures to ensure a safe, supportive and inclusive environment for women;
3. changes to AFL rules relating to “conduct unbecoming”, which cover the specific context of allegations of sexual assault;
4. education of AFL players and other club officials with avenues for dissemination of the program to the community level being explored;
5. the dissemination of model policies and procedures at the community club level; and
6. the development of a public education campaign.

According to Andrew Demetriou, the release of the policy was the culmination of many months’ work by a committed group of experts, led by Professor Jenny Morgan (Deputy Dean at the Law School of the University of Melbourne), that included representatives from VicHealth, the Victorian CASA Forum of Centres Against Sexual Assault, Victoria Police, the Victorian Institute of Forensic Medicine, and the Adolescent Forensic Health Service.

Mr Demetriou said that “the position of the AFL and our clubs is quite clear – we find any form of violence towards women abhorrent and we support moves by government and other community-based organisations to eliminate violence or the potential for violence”.

Mr Demetriou said the AFL would work in partnership with VicHealth for the next two years during which the policy would be implemented in the AFL and at other levels of community football. “VicHealth has played a significant role in the development of our policy and their expertise will be invaluable to us as we implement the policy,” he said.

While the publicity surrounding the launch of the policy was generally positive, the community advocacy group Football Fans Against Sexual Assault (FFASA) hopes the AFL views the policy as a work in progress. According to Kath Haines, one of FFASA’s co-founders, the policy “takes a legalistic approach, with women having to take criminal or civil action before sanctions can be applied”. FFASA would like to see “a more positive approach focussed upon player behaviour and the sorts of things they can do (as opposed to shouldn’t do) in building a safe and inclusive footy culture for women.”

The Manager of Victoria’s No To Violence Male Family Violence Prevention Association (NTV), Danny Blay, is also concerned that the policy focuses disproportionately on anti-sexual harassment and
anti-sexual discrimination procedures instead of finding ways to improve the players’ and clubs’ understanding of sexual violence and encouraging respectful behaviour. He suggests that, “while the policy outlines a number of sanctions that will be implemented if a player or official is implicated in a sexual assault allegation, it seems the responses to players and officials are punitive rather than preventative”. He suggests that in developing future training, “players and officials are given the opportunity to consider the gendered nature of violence against women, its impact and the capacity and need for men – within the AFL and in the broader community – to take responsibility and challenge others to do the same”.

The Players’ Association has registered other concerns about the potential impact of implementing the proposed regulations surrounding clubs’ responses to incidents of “conduct unbecoming”. According to the AFL Players’ Association director Brendan Gale, players found violence against women repugnant, but had misgivings about the application of some aspects of the rule changes because players could be treated differently to normal citizens (Sydney Morning Herald, 9 November 2005, p.36).

Australian Council of Civil Liberties president Terry O’Gorman said the policy greatly encroached on a player’s rights: “The presumption of innocence is meaningless if a person was deprived of their income and their livelihood, and potentially in the eyes of a jury, that they have been stood down from a team, does interfere with a presumption of innocence,” he said. “The AFL should immediately reverse the policy, it is just a gesture policy, and by that I mean a policy just to be seen to be doing something warm and fuzzy, they can take their warm and fuzzy somewhere else” (Australian Associated Press: 11 November, 2005).

However, the peak body for sexual assault services across Australia, known as the National Association for Services Against Sexual Violence (NASASV), has congratulated the AFL on the release of the policy although they suggest its “true measure will be in how it is implemented”. They nonetheless commend the policy for including an independent evaluation of the education package, and for its commitment to developing a template to assist clubs in responding to allegations. Overall, however, the Chair of NASASV, Ms Vanessa Swan, believes “policies such as these are best viewed as works in progress with room for modification and fine tuning”.

Melanie Heenan, ACSSA’s co-ordinator, has recently been appointed to the Working Group, which will now turn its attention to the implementation of the policy. ACSSA will keep readers posted of how the policy progresses over the coming months.


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**ARC grant awarded for research on adult sexual assault: Congratulations to Dr Caroline Taylor**

On November 30, 2005, Victoria Police and the University of Ballarat announced their commitment to enter into a five-year collaborative project to research adult sexual assault after being awarded a 1.3 million dollar linkage grant by the Australian Research Council. The project will result in the implementation of a policing model aimed at advancing the rights and welfare of those who have experienced sexual assault, the exercise of greater professional judgement by investigating officers, and higher conviction rates of perpetrators.

Victoria’s Chief Commissioner Christine Nixon officially launched the project, praising the innovative nature of the long-term partnership. The research will be led by the highly accomplished Dr Caroline Taylor from the University of Ballarat with the Victoria Police as the industry partner, and in association with the University of Melbourne.

The project will involve extensive research into the reporting practices and experiences of victims of sexual assault. The research team will examine how sexual offences are investigated by police, the preparation of briefs of evidence, and the effects of the police investigation and the judicial process on victims.

According to Acting Deputy Commissioner and co-chair of the Statewide Steering Committee to Reduce Sexual Assault, Leigh Gassner, “researchers will also study the practices of police and prosecutors, examine case
material and generate comprehensive statistical analysis of police records of sexual assault cases to identify patterns of police responses to sexual assault reports. Eventually, a new evidence-based policing practice will be developed for Victoria Police."

Professor Kerry Cox, Vice-Chancellor, from the University of Ballarat said the project’s research was invaluable in the campaign to eradicate sexual assault and to significantly assist victims of this crime. “The academics involved in these research projects are to be commended for their work and dedication,” Professor Cox said. “To be awarded a grant from the ARC is testimony to the high standard of the research involved”.

There will be three PhD scholarships and one post-doctoral fellowship available through this project. For details contact Dr Taylor at the University of Ballarat at: c.taylor@ballarat.edu.au.

New UK research suggests public blames women for being raped

A new ICM opinion poll commissioned by Amnesty International indicates that a third (34%) of people in the UK believe that a woman is partially or totally responsible for being raped if she has behaved in a “flirtatious manner”.

The poll, Sexual Assault Research, published on 21 November as part of Amnesty International’s Stop Violence Against Women campaign, shows that similar “blame culture” attitudes exist over clothing, drinking, perceived promiscuity, personal safety and whether a woman has clearly said “no” to the man.

For instance, more than a quarter (26%) of those asked said that they thought a women was partially or totally responsible for being raped if she was wearing “sexy” or “revealing” clothing, and more than one in five (22%) held the same view if a woman had had many sexual partners. Around one in 12 people (8%) believed that a woman was totally responsible for being raped if she’d had many sexual partners.

Similarly, more than a quarter of people (30%) said that a woman was partially or totally responsible for being raped if she was drunk, and more than a third (37%) held the same view if the woman had failed to clearly say “no” to the man.

Amnesty International UK Director Kate Allen said that:

It is shocking that so many people will lay the blame for being raped at the feet of women themselves. The government must launch a new drive to counteract this sexist ‘blame culture’. In addition to uncovering disturbing attitudes over women being ‘to blame’, this poll also reveals the scale of public ignorance of the unacceptably high numbers of women raped every year in the UK as well as the dreadfully low conviction rates. The government has an international duty to prevent this gross human rights violation yet it’s clear that the government’s policies on tackling rape are failing and failing badly. These findings should act as a wake-up call to the government to urgently tackle the triple problem of the high incidence of rape, low conviction rates and a sexist blame culture.


Some of these results accord with findings reported in Australia 10 years ago, when 15% of people surveyed as part of a national phone-in commissioned by the former Office of the Status of Women agreed with the statement that “women who are raped often ask for it”. Just over a third of respondents (34%) also disagreed with the statement that “women rarely make false claims of being raped and 18% were confident that ‘women often say ‘no’ when they mean ‘yes’” (Office of the Status of Women, Department of Premier and Cabinet, 1995: 38-39).

The Victorian Health Promotion Foundation (VicHealth) is this year undertaking a survey of community attitudes on violence against women and the kinds of factors that influence their development. A representative sample of Victorians will be asked about their perceptions and understanding of domestic violence and sexual assault and how seriously they view the issue of violence against women in their communities. The survey will generate results that can be compared to the 1995 study, so that any shifts in attitudes can be measured over time.
his report, authored by Judy Cashmore and Lily Trimboli, makes an important contribution to our understanding of how reforms designed to lessen the trauma for victims going through the court process are being implemented on the ground. The report outlines an evaluation of a pilot project to establish a specialist jurisdiction for child sexual assault matters in Western Sydney. It canvases the difficulties children often face when testifying in court under an adversarial system, and how little has improved over the last two decades, in Australian jurisdictions and internationally, to change what remains a profoundly distressing experience for most child witnesses. The authors note that:

various inquiries have made a number of recommendations concerning the experiences of child complainants and witnesses, especially in relation to the prosecution of child sexual assault matters. Each of these inquiries has explored and attempted to address difficulties such as:

- long delays;
- a formal and intimidating court environment;
- concerns about coming face-to-face with the defendant and the defendant’s family and friends;
- complex language and confronting questioning;
- child-unfriendly processes; and
- rules of evidence that children and non-lawyers find incomprehensible. (p.1)

In March 2003, a specialist jurisdiction was established at the Parramatta, Penrith and Campbelltown Courts in NSW. The pilot was based on the recommendation of the inquiry conducted by the NSW Legislative Council Standing Committee on Law and Justice in 2002 and the proposal of the Director of Public Prosecutions. The aim of the specialist jurisdiction was to address the difficulties in prosecuting child sexual assault matters and to improve the court experience for children. It was intended to:

- reduce delays;
- improve the physical environment of the court and use special measures to assist children to give evidence; and
- increase the skills of the lawyers, judges and magistrates in dealing with children.

Reducing delays

The specialist jurisdiction was expected to reduce delays by using case management procedures and pre-trial conferences. The aim was to minimise adjournments and to ensure that the case was ready to proceed. While one of the courts in the specialist jurisdiction introduced some case management procedures and pre-trial mentions, these measures were limited by various factors:

- the failure to develop practice directions;
- the late appointment of crown prosecutors to specific cases;
- problems with the equipment; and
- the specific requirements of some judges and lawyers that children be at court ready to give evidence at the very beginning of the trial.

Physical environment and special measures

Four physical features of the court environment were expected to improve the experience for children:

- the new child-friendly remote witness suite at Parramatta;
- an upgrading of the equipment;
- a presumption in favour of using special measures such as closed-circuit television (CCTV); and
As a result of these studies there has been an increasing push for special measures for child witnesses, such as electronically recorded interviews, closed-circuit television and prerecording the whole of the child’s evidence. There have also been calls for changes in relation to the rules of evidence, judicial warnings and cross-examination procedures, as well as specialised training for lawyers, judges and magistrates. Some such changes have recently been incorporated into the Western Australian system, as outlined in our review of the issues discussed at the WAFSAS Forum on page 11 of this newsletter.

A recent inquiry undertaken by the New South Wales Legislative Council Standing Committee on Law and Justice (2002) had, as its principle recommendation, the establishment of a specialist child sexual assault jurisdiction, which is the focus of this evaluation report. The evaluation will be of great interest to those interested in sexual assault law reform, and could provide an insight into the benefits and difficulties associated with establishing specialist courts, for adults as well as children.

ACSSA was given permission by the authors to present an unedited summary of the major findings, available on the website of the NSW Bureau of Crime Statistics and Research: http://www.lawlink.nsw.gov.au/lawlink/bocsar/ll_bocsar.nsf/pages/bocsar_publication


Specialist Jurisdiction Pilot

admitting the child’s pre-recorded interview with the police/JIRT [Joint Investigation Response Teams] team as the child’s evidence-in-chief.

Children, their parents and the professionals made positive comments about the remote witness suite. They said it was a more appropriate and child-friendly environment than the CCTV and waiting areas within the courthouses. However, they suggested that more appropriate activities be provided for older children. Also, the suite was rarely used to link children to either Campbelltown or Penrith courts.

There were benefits in using the pre-recorded investigative interview as the child’s evidence-in-chief and in using the CCTV so children did not have to be in the courtroom. However, the court process was less efficient and effective than it could have been. This was due to delays caused by late editing of the tapes (which often occurred after legal argument between the defence lawyer and the prosecutor), technical difficulties with the equipment and some court staff being unable to operate the equipment.

Specialist education

While there was some specialist education for judges and prosecutors, it is not clear what effect this has had on practice. Court observation by the researchers and the interviews with children, parents and court professionals indicated that children are still subjected to questioning which is overly long and complex. Intervention by judges, to clarify the questions or to control accusatory or aggressive questioning by defence lawyers, varied across trials.

The evaluation was limited by the small number of trials that proceeded and could be observed during the evaluation period, inconsistent practices across the three courts in the specialist jurisdiction and the fact that the pilot did not operate in country areas. While the remote witness suite was well received and benefited those children who were able to use it, in practice there were few other real changes. The problems outlined by the parliamentary inquiry about delays, problems with the technology and the way children are treated in court (especially during cross-examination) continue.
he Education and Training Unit of Sexual Assault Resource Centre (SARC), based in Perth, Western Australia, has produced two training videos/DVDs aimed at counsellors and others working with victim/survivors. The videos/DVDs are subtitled *Responding to Sexual Assault and Abuse*; and *Working with Aboriginal Adolescents and Adults*. They each illustrate ways of working with those who have experienced sexual violence, and feature role-played counselling sessions designed to demonstrate various skills such as:

- general counselling skills – listening skills, empathy, use of questions, summarising, reframing, and a non-judgemental approach;
- responding to disclosures of sexual assault or child sexual abuse;
- raising and assessing the links between mental health and alcohol and drug problems and sexual violence;
- working within a cultural context; and,
- strategies to manage dissociation and self-harming behaviours.

One of the videos/DVDs deals with issues specific to Aboriginal adolescents and adults, presenting two counselling sessions. In the first, the counsellor meets with an adolescent Aboriginal girl who raises concerns about sexually inappropriate behaviour from a relative, exploring the impact on her family and her schooling. The second session focuses on the counsellor’s response to a disclosure of child sexual abuse by an adult Aboriginal woman.

The other video/DVD features three counselling sessions. The first explores the recent sexual assault of an adolescent, and raises issues of consent, sexual rights, and the adolescent’s concerns about feeling responsible for the assault due to her intoxication. In the second session, the counsellor responds to a woman’s disclosure of childhood sexual abuse, and assesses the possible links between the abuse and her drug use, anxiety and self-harming behaviours, exploring strategies for dealing with her distress. In the third session, the counsellor provides information about services and options available for an adult woman who has been recently raped by her ex-husband, and responds to the woman’s dissociation.

The videos/DVDs will be a good resource particularly for those relatively new to counselling victim/survivors of sexual assault. The focus is firmly on supporting the individual victim/survivor and responding to her immediate therapeutic needs, and on aiding the counsellor to develop the skills to do this effectively. More experienced sexual assault counsellors and other workers may need to go beyond this resource if looking for material contrasting different therapeutic responses, or critiques of how therapeutic responses are situated within the wider social and political context in which sexual assault takes place. However, the videos/DVDs do come with training notes outlining various questions and focus points to stimulate such discussion. These provide the opportunity for training participants to discuss what they believe constitutes effective counselling and what they might do differently.
ACSSA: By way of introduction to the clinic and its work, could you please explain the role of VOCAT and what it offers to victims of sexual assault in terms of compensation or “assistance”?

Meghan: The purpose of VOCAT is to provide assistance to Victims of Crime. It is, in effect, a last resort for victims and its objective is to assist victims to recover from the crime by paying them financial assistance for expenses they have incurred, or are reasonably likely to incur as a direct result of the crime. A further objective is to pay certain victims financial assistance as a symbolic expression by the State of the community’s sympathy and condolence for, and recognition of, the significant adverse effects experienced or suffered by them as victims of crime. Basically, the Tribunal helps to provide victims of crime with financial assistance where compensation for the injury cannot be obtained from the offender or other sources.

There are six types of payments that might be made. First, the Tribunal pays for past counselling expenses and, in some instances, likely future counselling expenses. Second, the Tribunal can make payments for medical expenses such as medication, medical reports and ‘like’ costs such as chiropractic treatment.

The third type of payment is for ‘other expenses’, which the victim might incur as part of her or his recovery. There are no guidelines around this and clients have been awarded costs for a range of things including yoga retreats and having their travel expenses paid so they can visit family members overseas. One client, who was assaulted in her home, had her relocation costs paid in addition to a new bedroom setting and security system. Other victims have been paid the cost of keeping dogs as protection. For such payments to occur, the victim must demonstrate how these costs will benefit her or his recovery.

The fourth type of payment the Tribunal can make is for loss of income (for up to two years from the date on which the crime was committed). For these payments to be awarded, the crime must have had to directly cause the victim to miss work and this generally requires a medical or psychological/psychiatric report. The Tribunal is also able to reimburse a victim for loss or damage to clothing which has occurred as a result of the crime.

Finally, if the assault occurred after the 1st of July 2000, the Tribunal is able to award a lump sum payment for ‘special financial assistance’ of up to $7,500. The maximum lump sum allowable is dependent on the crime committed.

ACSSA: For people who are unfamiliar with the tribunal process, applying for compensation and attending court is likely to be a daunting process. Could you briefly explain in lay terms what the process involves?

Meghan: In my experience VOCAT is the most straightforward and least daunting of all the courts and tribunals in Victoria. In order to apply for compensation, a victim needs to fill out an application form which is available on
the web or from their nearest Magistrates Court in which the VOCAT is located. VOCAT hearings are heard in the Magistrates Court by Magistrates wearing their VOCAT ‘hat’ so to speak. A lawyer is not required to fill out or lodge the form, nor is it necessary to have a lawyer at the hearing. Many applicants do, however, have a legal representative. Details of the locations of the Tribunal and the eligibility and entitlement criteria can be found on the web at www.vocat.vic.gov.au/.

Once an application has been lodged the applicant has four months to collect the necessary documentation in support of their claim. This basically involves medical and psychological reports and police reports. If the claimant needs more time, they can write to the Tribunal to ask for this time. The claimant has to prove that they have suffered some adverse effects as a result of the crime. This type of information is usually presented via a medical or psychological report.

The claimant has to show on the “balance of probabilities” that an act of violence has occurred, which is a lesser standard of proof than in a criminal trial where the prosecution has to prove beyond reasonable doubt that the crime occurred. If there is a conviction then there is no question about the occurrence of the crime. In cases where there is no conviction (which is often the case in historical cases that occurred years prior, one can still make a claim). Generally, the victim needs to have reported the offences to the police in order for their claim to be successful. However, if exceptional circumstances exist, it is possible to succeed in a claim even when the offence has not been reported.

ACSSA: Does it cost money to make an application?

Meghan: No, it does not and the legislation states that any legal representative can only be paid by the Tribunal. Therefore, if the victim wins the claim the tribunal will pay her/his lawyer and if they lose, then the legal representative will not be able to seek costs from the victim. However, if the victim does not win the claim and has incurred medical expenses for a report then they will generally have to pay that cost, usually around $150. Many psychologists and doctors will waive this fee as a sign of goodwill.

ACSSA: Once the application has been lodged, what is the process then?

Meghan: Once all relevant documents have been forwarded to the Tribunal a hearing date is set. In some cases, no formal hearing is required, however in most instances there will be a hearing. In cases involving young children, generally the parent/guardian of the child will be required to attend the hearing on behalf of the child.

The hearings are informal and often a very good experience for victims. They are generally in a closed court, so there is no-one in the public gallery watching. Often there are just four people in the room: the Magistrate, the clerk of the court, the victim and their representative. If we have supported a client through the process we will generally also attend as a support to them, which many clients have said was a great comfort. Our volunteers do not attend as legal representatives, as we brief barristers for that role. Often the barrister will not meet the client until the day of the hearing so it is of great comfort to have a familiar person there – and also a great learning process for our volunteers and students. Often, the victim’s sexual assault counsellor will also attend the hearing.

ACSSA: What has been your experience of the court process?

Meghan: The vast majority of magistrates are sympathetic to the victims and see them as ‘deserving’ victims. Prior to the hearing, the police records will be read by the Magistrate and generally, therefore, victims will not have to give evidence personally. They will, however, be asked to tell the Magistrate about how the crime has affected them - their work, social and family life. For many people, this is the only opportunity they have to tell their side of the story to a sympathetic state representative and is, for many people, a therapeutic process.

As most victims are legally represented, their barrister will ask the questions of their clients about the effects of the crime. For those who are unrepresented, they also are required to tell the court of their experience, which is more daunting, but generally the Magistrates try to make this as easy as possible. As a general rule, the court is on the side of the claimant and therefore the process differs vastly to a criminal trial where the victim may endure days of aggressive cross-examination. Occasionally, the witness will be cross-examined but this is very rare. The hearing is not adversarial in nature and so the victim is not cross-examined by the other side as happens in a criminal trial.
ACSSA: Will the victim have to face the offender in court?

Meghan: Usually no, but occasionally an offender will be asked by the Tribunal to give evidence if the Tribunal deems it necessary and in these instances the offender must give notice that they will attend. It is, however, very rare that an offender does appear in court.

ACSSA: Readers who used the crimes compensation system prior to 1999 will notice that there have been some significant changes, particularly in terms of the amounts of the payments that can be awarded. Could you tell us a bit about the historical developments that have occurred in recent years?

Meghan: In 1972 the Victorian Hamer Liberal Government funded criminal injuries legislation for the first time, which provided for a maximum of $3000 compensation. This was increased incrementally between 1972 and 1996 to $20,000. In 1996, the Kennett Government unexpectedly moved to change the legislation without consulting victims groups or the general public. The result was the Victims of Crimes Assistance Act 1996, which in effect meant that unless you lost income as a result of an assault, or incurred medical, counselling or ‘other expenses’ you were not eligible for compensation. This disadvantaged children, the unemployed, the sick, the disabled and the old. The changes abolished payments for pain and suffering and left victims very little access to what is now known as “assistance”.

The impact of these changes was enormous. While previously Victoria led the way nationally in terms of compensation, after these 1996 changes victims were effectively in the same position that they had been 30 years prior. Within our legal clinic we felt the change acutely. SECASA moved from writing approximately 150 reports annually for the Crimes Compensation Tribunal to writing four reports during the 1998/1999 financial year. Not only did our clients drop off but morale within the service and among victims also declined.

In October 1999 the Bracks Labor Government came to power having made a number of promises about changing the 1996 Act. The Government then appointed a Committee with wide representation to look at the Victims of Crime Assistance Act 1996 and to come up with a more equitable system. The basic requirement, however, was that any changes would not cost the Government more than around $26 million. The Committee therefore had to choose between either adequate compensation or a wide definition of victim. They eventually chose a wide definition of victim under the assumption that it would be easier to increase amounts of compensation, as had happened in the past, rather than try to get new categories of victims included in legislation. Unfortunately this assumption has not proved valid to date, as there has been no increase in compensation. The maximum amount has remained at $7,500 for a “Category A Act of Violence” (which includes sexual penetration).

ACSSA: Do you have any data about how this compares with other states and territories?

Meghan: Prior to 1996, Victoria was at the forefront in terms of victim compensation but is now lagging behind. NSW has probably the best system, with payments of up to $50,000. In Queensland it is difficult to get compensation, as a conviction is required, and in Tasmania it is also difficult, as victims need to apply to the Supreme Court, which is expensive. Similarly, in South Australia payments are made ex-gratia by the Attorney General and are dependent on the crime. In Western Australia payments of up to $75,000 are made, but are difficult to come by unless a conviction has been achieved.

ACSSA: You are a supervisor at the specialist legal clinic in Springvale, which brings together counsellors from a sexual assault service (SECASA) and student volunteers from a community legal service. Could you tell us a bit about how it came to be established and what the original vision for the service was?

Meghan: The specialist legal clinic commenced in Melbourne in 1995 with the intention of providing a responsive legal service for victims of sexual assault, their family members and significant other related people such as flat mates or partners. It is still the only joint service of its kind in Australia, and one of its core functions is to assist clients to apply for crimes compensation to VOCAT.

The Clinic’s focus was to give advice and/or representation in relation to all matters arising out of sexual assault including what is now VOCAT. It has now been in operation for 10 years and its aims and objectives remain much the same as they were in the beginning. Its aims are to:
1. provide quality free legal services to survivors of sexual assault in familiar and comfortable surroundings;
2. train law students in dealing with sexual assault matters;
3. provide opportunities for regular interaction between student lawyers and SECASA staff for their mutual benefit;
4. provide co-operative, client targeted delivery of legal services in sexual assault and clinical legal education; and,
5. train lawyers in dealing with traumatised people.

Its objectives are to:
1. enable victim/survivors who feel unable to approach a private legal firm to make an application for assistance or seek advice and/or representation in any of the matters with which the clinic deals;
2. increase the pool of lawyers in the general practice field whom have an understanding of the issues surrounding sexual assault; and,
3. increase the pool of lawyers in the general practice field whom have an understanding of trauma in general.

It has been my experience that the volunteers and students who move through the clinic do develop the skills and empathy necessary to work with survivors of sexual assault and other forms of assault and negative life experiences.

ACSSA: Could you talk a little about the success of the service in terms of outcomes for clients?

Meghan: In the last five years, the Specialist Legal Clinic has not lost one case out of the large number that have been worked on. We have, however, withdrawn about three over that time, as we firmly believed they would be unlikely to proceed. This, interestingly, is a much better success rate than I experienced working in private practice and I believe the success is due to the extra time and effort that the clinic’s staff put into the claims, even though the clinic will run cases that would be considered too difficult by private legal practitioners. Also, given that all of our clients are victims of sexual assault in some way, they are most deserving clients and I think that is reflected in the outcomes we achieve.

ACSSA: The Joint Legal Clinic brings together a sexual assault service and a community legal service, both of which work within a particular philosophical model/framework. Could you talk about the philosophy of the clinic and how this influences the service your clients receive?

Meghan: Although we are physically housed at the Springvale Legal Service, we are there after hours and are really quite independent of the Legal Service. Basically our philosophy is to give clients the best service we can, which going by our success rate, we do. We also have many clients thank us for our work and compliment us, not only for achieving a positive outcome at VOCAT, but also for the emotional support and care we have shown them.

One client recently came to our 10th anniversary and said that he never thought that he would turn up to such an event, however, he felt so strongly about how much we had supported him that he came to give us thanks. This feedback is greatly valued. Many of our students remain working with us as volunteers once they have completed their training, and often while working full time as solicitors. Their continued commitment is indicative of the positive work we do.

ACSSA: In the original aims of the clinic, applications to VOCAT formed merely a part of the focus of the service. In what other ways does the clinic assist clients with legal issues?

Meghan: In addition to VOCAT applications, we also do applications for compensation under section 85B of the Sentencing Act (1991), which enables victims to claim compensation from a convicted offender as part of his/her sentence. Unfortunately, few offenders have much money so there is often little point in making these applications. We also assist clients with family law matters and changes to wills that may have arisen out of incidences of sexual assault. Other areas that we cover are equal opportunity law and claims under specific compensation schemes such as the Catholic Church’s compensation scheme.

ACSSA: Can you tell us about how you go about recruiting law students and whether you face any challenges in your recruitment?

Meghan: The Clinic recruits selected final year law students from Monash University who have undertaken Professional Practice and have enrolled in the Advanced Professional Practice unit, which places students in the joint clinic. Each student deals with a small number of files - 6 to 10 over approximately six months. Supervision is provided either by a Springvale Monash Legal Service solicitor with experience in Crimes Compensation and other related jurisdictions, or a volunteer lawyer.

Currently we have eleven staff including supervisors, volunteers (who are former APP students) and students working with us. Even though we are restricted to accepting clients only through SECASA, we are working at
capacity, with about 70 files on our books at the moment. Due to the success of our service, a number of other CASAs are interested in starting a similar service with another university law school program, which would be great.

ACSSA: There was considerable debate regarding the use of students within the clinic. Could you speak a little about this and how this has been resolved?

Meghan: I was largely unaware of the debates at the time regarding students working with clients. My experience over the last ten years in working both as a student/volunteer and as a supervisor is that it is great to have students working in the clinic. The students have proved to be respectful and eager to learn about this area of law, and have developed compassionate and empathic ways of working with clients in a supervised environment. This knowledge and work experience is invaluable, not merely for the students’ work life, but also for them as individuals. As I mentioned before, they then begin their practice as a lawyer with a greater understanding of what many people endure in their childhood and as adults and see their work as more than just about the money. While working at the Clinic, students develop a greater empathy generally for people with mental illness as they have a better understanding of where that person might be coming from. This has flow on benefits to the whole community.

I think working at the clinic is a big eye-opener for many of our students and it is beneficial for them to have exposure to this type of work in a supervised and understanding environment. This is invaluable in terms of developing a stronger sense of humanity.
Sexual assault: Its impact and how to deal with it - an information booklet for the Bosnian community, produced by CASA House, Melbourne.

The booklet aims to increase the knowledge and understanding for both the Bosnian community and for service providers on issues surrounding sexual assault relevant to those migrating from Bosnia. The focus is particularly on people affected by the Bosnia-Herzegovina war between 1992-1995, during which “sexual violence and mass rape were used systematically as a policy of ‘ethnic cleansing’, perpetrated by Serb’s military and paramilitary forces” (p.11). The resource also provides practical information on access to support services for survivors of sexual assault.

The booklet was written in response to the findings of research and consultation conducted by the author, Serifa Godinak, in 1998, with members of the Bosnian Muslim community in Victoria. It is informed by their experiences of sexual violence and trauma during the war, but is directed at establishing their views about what could best assist their community to deal adequately with sexual assault in the contemporary Australian context.

NOTICE
Relocating Melbourne’s CASA House

After 18 years, CASA House have left their beloved and sometimes bemoaned (as they describe it) terrace on Cardigan Street in Carlton, and have relocated to the 3rd floor, Queen Victoria Women’s Centre, 210 Lonsdale Street, Melbourne CBD. Their phone numbers will remain the same.
Bilingual and bicultural women and men representing a cross-section of ages participated in the project. Serifa’s study revealed that sexual assault was rarely discussed publicly either before the war began in 1992, or afterwards. Four years on, it remained an extremely difficult issue to bring up within Bosnian communities, whether newly arrived or already settled. Similarly her research identified that members of this community did not feel that their experiences had been dealt with or acknowledged by the mainstream Australian community in a meaningful way. Serifa subsequently wrote and published the 21-page, A5 sized booklet through CASA House in Melbourne.

The publication is marked by its strong demonstration of sensitivity towards the cultural, historical and moral values of the community it speaks to and for, achieved in part through a direct application of research to service provision outcomes. It is outstanding for its focus on addressing sexual violence experienced by victim/survivors under conditions of armed conflict, and/or racially-motivated violence, and draws attention to the global humanitarian issue of the use of sexual assault as a strategy of war. As the author notes, “rape in war seeks to humiliate, terrorise and destroy a woman based on her identity as a woman, on her ethnicity and her religion” (p.11). Importantly in the Australian context, it examines sexual assault as a common experience endured by many refugee women, and one which must be addressed along with the many other issues associated with settling into a new culture and society.

The booklet is intelligently and sensitively designed and produced. A Bosnian fine artist designed the cover image and page decoration using carefully chosen, culturally meaningful iconography. The booklet has been published with both English and Bosnian translations scripted on adjacent pages. It contains sections addressing a broad range of information on sexual violence, including child sexual assault, the psychological and emotional impact of sexual assault, demographics on offenders and victims, myths, statistics, definitions, and comprehensive information on where to access information and support.

This booklet and its unique evolution has been profiled by ACSSA in this issue as an example of good practice because it is an important prototype of a community-adapted resource. Service providers working with current and future Refugee or Humanitarian Entrant immigrants to Australia may find it useful to draw on its research framework when planning services, or to create a new resource for specific communities.

Though the booklet is no longer in print, it is available online through the ACSSA website at www.aifs.gov.au/acssa/gpdb/bosnian.html, and in the near future will also be downloadable from the CASA website. The hard copy is available for loan from the AIFS library.

This profile was prepared by Tatiana Doroshenko, Electronic Information Officer at ACSSA. For more information on our database of Good Practice Programs and Responses for Sexual Assault, please contact us at acssa@aifs.gov.au, or on (03) 9214-7864.

We invite submissions

We invite submissions of examples of good practice from service providers, policy and program developers, educators and trainers, researchers and others working to address sexual violence. These can be current programs, approaches or initiatives or might be projects that have since been completed. See ACSSA’s web site for information on guidelines for submitting Good Practice programs online www.aifs.gov.au/acssa/gpdb/goodpractice.html
### CONFERENCES

The following conference listings are taken from the website of the Australian Centre for the Study of Sexual Assault.

<table>
<thead>
<tr>
<th>Conference</th>
<th>Date</th>
<th>Location</th>
<th>Further information</th>
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<tbody>
<tr>
<td><strong>10th Australasian Conference on Child Abuse and Neglect (ACCAN).</strong></td>
<td>14-16 February 2006</td>
<td>Auckland, New Zealand</td>
<td>The New Zealand Government website of Child, Youth and Family: <a href="http://www.cyf.govt.nz/2526.htm">www.cyf.govt.nz/2526.htm</a> Phone: New Zealand 04 473 8044 Email: <a href="mailto:accan@venues.co.nz">accan@venues.co.nz</a></td>
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<tr>
<td><strong>The First World Congress on Gender-Specific Medicine</strong></td>
<td>23-26 February 2006</td>
<td>Berlin, Germany</td>
<td>Speakers and participants will be able to share their knowledge, their practice experiences, and the impact of research on sex/gender factors, contributing to an important exchange of information that will enhance this new and exciting field. Further information: visit the Gender-Specific Medicine web page: <a href="http://www.gendermedicine.com">www.gendermedicine.com</a> Email: <a href="mailto:gender@gendermedicine.com">gender@gendermedicine.com</a></td>
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<tr>
<td><strong>AIJA Family Violence Conference</strong></td>
<td>23-24 February 2006</td>
<td>Adelaide, SA</td>
<td>Presented by the Australian Institute of Judicial Administration in association with the Australian Institute of Criminology. The Conference follows upon a Workshop on Domestic Violence conducted in April 2005 designed to identify current issues and court practice in relation to dealing with family violence matters.</td>
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<tr>
<td><strong>Narrative therapy conference: Working with the stories, songs, drama and poetry of peoples lives</strong></td>
<td>1-3 March 2005</td>
<td>Adelaide, South Australia</td>
<td>An international festival-conference linking the realms of narrative therapy and community work with drama, song, film, fiction and poetry. Pre-conference workshops will be held between 20 and 28 February</td>
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**Join ACSSA-Alert**

**News Alert Email Service: ACSSA-Alert**

ACSSA-Alert is an email list for news and updates from the Australian Centre for the Study of Sexual Assault. You will receive messages with announcements about updates on the ACSSA website, release of publications, and new information or services.

You can join ACSSA-Alert through our web page on: www.aifs.gov.au/acssa/emaillist.html
Teaching it like it is: practice and policy of relationships and sexual health education in schools

Organised by SHine SA, with support from the SA Department of Health and Flinders University School of Education, this conference is for educators in schools, universities and curriculum and policy areas, school administrative staff, researchers, those who provide training and development to teachers, interested students, parents and community agency staff who work with schools. It will cover a broad range of topics that fit under the “relationships and sexual health” umbrella, such as healthy relationships, communication skills, HIV/STI education, sexual diversity and anti-homophobia education, growth and development, sexual violence and coercion, puberty, and contraception.

Further information: visit the SHine SA website: www.shinesa.org.au Expressions of interest for presenting close on 28 February 2006. Phone: (08) 8431 5177 (Alaisha De Meo) Email: alaisha.demeo@health.sa.gov.au

The 4th National Homelessness Conference

1-3 March 2006
Sydney NSW

The 4th National Homelessness Conference will focus on continued development of a strategic response to homelessness in Australia.

Further information: Conference home page: www.afho.org.au/conference/ Phone: (02) 6247 7744 Email: info@afho.org.au

International Family Violence and Child Victimisation Research Conference

9-12 July 2006
Portsmouth NH USA

This conference is sponsored by the Family Research Laboratory and Crimes Against Children Research Center at the University of New Hampshire. It is part of an ongoing series of conferences on all aspects of family violence and child victimisation dating back to 1981.

Further information: Family Research Laboratory (FRL), www.unh.edu/frl/conferences/2006/

Evidence-Based Policies and Indicator Systems

11-13 July 2006
London

This conference will look at what social science evidence can do for policy making and public services? It will cover the following topics: examples of evidence in policy; examples of evidence in public service delivery; alternative perceptions of evidence; dialogue and communication of evidence; indicator systems in policy making; and indicator systems in public services.

Further information: Curriculum, Evaluation and Management Centre, Durham University, www.cemcentre.org/eb2006/

8th Annual Australasian Society for HIV Medicine (ASHM) Conference

11-14 October 2006
Melbourne, Victoria

The ASHM Conference brings together the range of disciplines involved in HIV and Hepatitis Management. The 2006 ASHM Conference will be held in conjunction with the 3rd ACH2 Workshop (Australian Centre in HIV and Hepatitis Virology Research), with special discounts to attend both.

Further information: visit the ASHM website at: www.ashm.org.au/2006_conf/ Abstract submission deadline is Thursday 29 June 2006. Phone (02) 8204 0770 Email conferenceinfo@ashm.org.au

For more conferences and events visit the Conferences page on the ACSSA website: http://www.aifs.gov.au/acssa/conferences.html
The Australian Centre for the Study of Sexual Assault website lists organisations that provide training in areas relating to sexual assault. Some of the courses on offer include:

**South Australia – Yarrow Place**

**Short Course in the Provision of Medical Care and Forensic Services to Adults who have been Raped or Sexually Assaulted**

This course equips participants with the necessary competencies to provide forensic services in order for legal action to be taken. It outlines the skills, knowledge and attitudes required to collect and maintain evidence while upholding the rights and interests of adults who have been raped or sexually assaulted. It also allows participants the opportunity to give evidence in court.

This accredited short course is open to individuals who want to or already provide forensic services to survivors of rape or sexual assault. This course is also offered via distance learning.

General Practitioners who live and work in the country may be eligible to claim reimbursement of expenses incurred in attending this program.

**Further information:** contact the Rural Doctors Workforce Agency on (08) 8357 7444. General information phone (08) 8226 8777 or Toll Free in SA 1800 817 421 Email: info@yarrowplace.sa.gov.au

Dates and locations:
- Thur 9 & Fri 10 Mar 2006 - Adelaide closing date 23 February
- Fri 28 & Sat 29 Apr 2006 - Alice Springs closing date 14 April
- Thur 18 & Fri 19 May 2006 - Whyalla closing date 4 May

**Further information:** visit the yarrow place training page: www.wch.sa.gov.au/services/az/other/yarrowplace/files/healthprof_training.htm

**Respond to Survivors of Rape and Sexual Assault with a Disability**

This course is specifically designed for workers who provide services to people with a disability. It covers similar topics to those outlined in another Yarrow Place training course, ‘Recognise and Respond to Disclosure of Rape and Sexual Assault’, however it has been contextualised for the disability sector.

**Further information:** contact Yarrow Place: (08) 8226 8777 or Toll Free in SA 1800 817 421 and Email: info@yarrowplace.sa.gov.au

**Australian Capital Territory - Sexual Health and Family Planning (SHFPACT)**

Sexual Health and Family Planning anticipates that the following courses will be offered in 2006.

To be advised on course dates for 2006, use the Contact Us form on the SHFPACT web site: www.shfpact.org.au/organisation_contactus.html and a training calendar will be sent once finalised.

**Sexuality and Disability**

This course full fills the competency of “Facilitating the provision of information to clients in Sexual and Reproductive Health”. It aims to increase knowledge, skills and practice when addressing sexuality and sexual and reproductive health issues for people with a disability.

**Managing Challenging Behaviours in Sexuality – Part 1**

This workshop is for carers / parents of people with disabilities and people working with clients with
disabilities who have challenging behaviours. Options will be explored to prevent / reduce the occurrence of challenging behaviours.

**Managing Challenging Behaviours in Sexuality – Part 2**

This workshop will look at the implementation of strategies and provide the forum to share practices. The competencies acquired in this workshop will enable participants to devise and implement strategies in their workplace and build on the knowledge acquired in Part 1.

**Queensland – Centre Against Sexual Violence (CASV)**

CASV provides professional training programs to community, non-government and government service providers within the Logan, Beenleigh and Beaudesert region. Training workshops can be tailored to meet the individual needs of service providers.

Topics include; ‘responding to disclosures of sexual assault’ and ‘counselling women and young women who have been sexually assaulted’.

Phone: (07) 3808 3299

**Western Australia - FPWA (Family Planning WA): Nuts and Bolts of Sexual Health**

FPWA provides programs that cover skills required to work with sexual health issues. The program is for a range of community workers in relevant fields including drug and alcohol, health, education, peer educators, Indigenous communities and youth.

Further information: Email: cherie@fpwa-health.org.au Courses planned for 2006 can be found on the following web page: www.fpwa-health.org.au/training&courses.htm For more training courses visit www.aifs.gov.au/acssa/training.html

**For more training courses visit**

**New South Wales – Education Centre Against Violence**

**Child sexual assault for Aboriginal workers**

This course will cover the dynamics of child sexual abuse and discuss Aboriginal cultural issues in child protection. It provides an overview of child sexual abuse including; the nature and extent; dynamics; indicators and effects; case management; roles and responsibilities of agencies; the influence the offender has on the child and non-offending parent(s); and prevention strategies.

This course is offered at various locations within NSW during 2006. Contact ECAV for further information.

**Adult & child sexual assault for mental health workers**

It is increasingly recognised that many clients of mental health services have been sexually assaulted either as children or adults. This course will provide mental health workers with information about the incidence, dynamics, indicators and effects of both adult and child sexual assault. Recent research showing significant links between mental health issues and sexual assault will be discussed together with ways of responding to disclosures of past and recent sexual assault. Participants will be invited to explore the application of this information to their current work context.

This course is offered at various locations within NSW during 2006. Contact ECAV for further information.

ECAV runs a large number of courses on a range of topics related to sexual assault. For information on all of these courses, visit their website on: http://www1.health.nsw.gov.au/ecav/

Further information: Locked Bag 7118 Parramatta BCNSW 2150 AustraliaPh: (02) 9840 3737 Fax: (02) 9840 3754 E-mail: ecav@wsahs.nsw.gov.au

If your organisation provides training or professional development in the area of sexual violence that you would like listed on the ACSSA website, please contact acssa@aifs.gov.au with the details.
The resources listed here comprise selections from new additions to the ACSSA library collection. They may be borrowed from the Australian Institute of Family Studies library via the interlibrary loan system.

**Adolescent victim/survivors**


The results of this study show that a high percentage (62%) of sexually abused teenage girls engage in at least one form of self-mutilating behaviour. These same girls also presented significantly more clinical scores on various measures of psychological and behavioural problems. The results of the study also indicate that these behaviours can continue for some time. The authors argue that clinicians must be aware of these behaviours and that treatment strategies need to vary according to specific symptoms.

**Adult survivors**


The effects of childhood sexual abuse (CSA) on treatment outcomes for substance abuse are examined in this article. A history of CSA was associated with a range of negative life experiences of the participants. When these correlates were controlled for a history of CSA was associated with negative treatment outcomes.


A simplistic theory of intergenerational transmission of child abuse does not address the issue of why two thirds of abused children do not become abusive parents. This paper examines the significant mediating influence of dissociation between child abuse history and the potential for abusive parenting.

**Feminist theory**


This paper discusses the experience of coordinating a community development project to develop collaborative links between a mental health and a sexual assault service. It presents a critically reflective description and analysis of this work to outline how postmodern ideas were used to maximise the possibilities of using feminist frameworks in practice. (Journal abstract, edited)


This paper is a presentation delivered in August 2003 at the Domestic Violence and Sexual Assault International Conference on the Gold Coast, Queensland. The author argues that funding for human rights, such as the protection of women and children against domestic violence, is becoming an ever lower priority for local and federal governments. The author first describes what it characterises as the arrogance of government and business in ignoring women's rights, and then examines the ways in which psychology and psychotherapy are being used in the service of the perpetrators of domestic violence. Finally, she discusses how feminists can counter the current climate and work towards an age of non violence and justice.


Many of the programs operating in Australia for men who are violent to their women partners claim to have a pro feminist framework. These programs cite the importance of challenging the control that male perpetrators have over women partners. Given the development of policy frameworks, standards manuals and best practice models that espouse a commitment to feminist analyses, women’s safety and accountability, most commentators have concluded that feminist concerns about men’s programs have been adequately responded to in the current climate. This article will review the key axioms underpinning programs that espouse a pro feminist analysis to assess the extent to which feminist analyses of men’s violence are incorporated into the principles, theories and strategies for working with violent men. (Journal abstract)
Intimate partner violence


This book covers a range of family issues including intimate partner violence. A life span developmental systems perspective on aggression toward a partner is presented. The effects of partner violence on children is investigated and psychosocial interventions for offenders are evaluated.


College students were examined on their attitudes towards blaming the victim in marital rape cases. Males and participants with traditional attitudes towards marriage where more likely to blame the victim. The way the victim was dressed, “seductively” or soberly, also influenced attitudes on responsibility for the rape.


Fathers’ rights groups, among others, often assert that women routinely make false allegations of domestic violence in order to gain an advantage in family law proceedings, and use protection orders to remove men from their homes or deny them contact with their children. This fact sheet sets out information to rebut this myth. It states that: the risk of domestic violence increases at the time of family separation; women living with domestic violence often do not take out protection orders; protection orders do provide an effective means of reducing women’s vulnerability to violence.

Legal and policing issues


A specialist jurisdiction for child sexual assault matters was established as a pilot in the Sydney West District Court Registry in March 2003. The aim of the specialist jurisdiction was to address the difficulties in prosecuting child sexual assaults matters and to improve the experience of child sexual assault complainants. (reviewed in this edition, page 20)

The common sense of jurors vs. the wisdom of the law: Judicial directions and warnings in sexual assault trials, by D. Boniface, University of New South Wales Law Journal Forum, vol.11, no.1, Aug, 2005, pp.11-16.

Less attention has been given in recent years to how the growth of judicial directions and warnings to juries impacts on sexual assault trials. This article explores whether formulaic warnings to juries in the form of judicial directions and warnings in sexual assault trials are effective.


In the face of the ‘epidemic of sexual abuse in the community’ this article provides an overview of current issues in the prosecution of sexual assault in New South Wales, looking at factors such as time of allegation, treatment of victims, warnings and rules of evidence. A list of issues flagged by Justice Wood in his paper in 2003 ‘Sexual Assault and the Admission of Evidence’ is provided.


Using interviews, studies, and archives, ‘Rape Work’ takes a critical look at the officials who process rape victims to show how the structure of their respective organisations often prevents them from giving victims responsive care.


This paper explains how DNA identification works in Australian criminal justice and the impact of its regulation on rape victims. The gathering of tissue samples, ways DNA profiles can be used by investigators and non-victim samples found on victims’ bodies are outlined. The paper concludes that Australian rape victims face potential or actual disadvantage from the law and practice of DNA identification and like most other aspects of the investigation and prosecution of rape, is a suitable candidate for law reform.

Legislation


New legislation passed in Victoria (the Serious Sex Offenders Monitoring Act 2005) extends the role
of doctors in managing and treating sex offenders. This legislation is not based on a solid understanding of the research evidence on treatment of sex offenders or on their risk of reoffending. The legislation creates ethical and professional dilemmas for health professionals through the conflation of legal control of offenders with the medical management of disorders of sexual preference. There is a critical need for research and funding in this area rather than ever more oppressive laws, if governments are to be serious about treating sex offenders rather than simply incarcerating them. (Journal abstract)


Examines sexual offending and the management of sexual offenders. The complex issues inherent in dealing with sex offenders are dealt with, including the investigation of sexual offences, trial procedures, sentencing, control, risk assessment, protection of the public, treatment, housing and protection of children and adolescent offenders. The responsibilities of local authorities, the rights of the individual and the community, the sexual offences register, employment restrictions and human rights questions are all considered.


Risk factors for sexual assault perpetration are evaluated in this study. Different predictors of sexually aggressive behaviour were identified using retrospective and prospective analyses. The potential impact of these findings on the development of sexual assault prevention programmes for men are discussed.

**Prevention**


This manual is the centrepiece of an all-male peer education program designed to challenge misogynistic and masculine stereotypes about sexual assault that can indirectly contribute to abuse, violence, and rape. The Men’s Program focuses on empowering young men with the knowledge, skills, and support systems needed to become active participants in the prevention of rape, and trustworthy and receptive friends for victims of rape. The text contains a detailed script which outlines how to set up and implement a program, and provides instructions on running a training course and recruiting new peer educators. Handouts and worksheets for both facilitators and participants are included, to promote further discussion and extend learning beyond the structured group setting. Originally conceived for use in colleges and universities, the program has since been proven effective in a range of settings including high schools, the military, community organisations, and correctional facilities.


The high rates of sexual assault experienced by young people suggest a need for prevention initiatives to be developed and focused on adolescents. This paper discusses current best practice approaches to prevention with a focus on schools based programs. The author reflects on past sexual assault prevention initiatives with young women and men, and considers what direction future initiatives might take, including proposed policy changes. As well as a review of what is considered best practice sexual assault prevention in schools, an outline of two programs is provided: one run by the Centre Against Sexual Assault (CASA) in Victoria and one run by Shine in South Australia.

**Recidivism**


It is difficult to ascertain the prevalence of sex offending in the community and even less is known about recidivism rates. It cannot be assumed that most sex offenders released who are not reconvicted are undetected repeat offenders. Evidence suggests that most sex offenders are not at risk of sexual recidivism, though identification of those that are is necessary and risk assessment of sex offenders should be a core practice within correctional systems. This paper is based on a research report by the author that provides a comprehensive overview of the literature on rates, risk factors and treatment efficacy for recidivism of sexual offenders (Recidivism of sexual assault offenders: rates, risk factors and treatment efficacy. Australian Institute of Criminology, 2004). The paper discusses risk factors for recidivism, sex offender treatment programs, and implications for criminal justice of visible and hidden sex offenders.


“The purpose of this film is to educate professionals and lay people alike as to the persuasiveness
and complexity of sex offender denial. In this film, incarcerated sex offenders explain and demonstrate the kinds of deception they used to deflect accusations of sexual abuse, often for decades, prior to being finally caught. In addition, the offenders discuss how they set up and lived the “double life”, posing in public as kind and responsible members of the community while raping and molesting in private.” (Leader’s guide)

**Sport & rape**


In the last year, there have been numerous sexual assault allegations against Australian footballers, yet not one case has been brought to trial. This article asks: why is it so difficult for women to signify as credible witnesses in sexual assault crimes, particularly when the accused is a footballer? It suggests that the symbolic organisation of sport and sexual difference in the national Australian imaginary automatically extinguishes the possibility of women testifying to rape against sportsmen. The article discusses sexual citizenship, relations between men, rape complainants in the national imaginary, and relations between women.


The National Rugby League commissioned research on player attitudes and behaviours to women and the role and status of women across the game which the author coordinated. The research project brought together a multidisciplinary team who combined practical experience in sexual assault, sex discrimination and harassment,

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**Women Against Violence Journal**

The *Women Against Violence* journal is a national journal examining issues relevant to the work to stop violence against women. The journal is founded on the belief that those working against violence against women welcome the opportunity to document initiatives, policy and practice development and encourage debate. The journal reflects a feminist philosophy and a social justice framework.

**Issue 17 Remembering Wendy Weeks (now available)**

The *Women Against Violence* Journal is founded on the belief that those working to eliminate violence against women welcome the opportunity to document initiatives, policy and practice development and encourage debate. The Journal reflects a feminist philosophy and a social justice framework and few women have exemplified the Journal’s feminist underpinnings more than the late Wendy Weeks. She was an active and vital member of the Editorial Committee, just as she was an active and vital member of the Victorian, Australian and international feminist community.

The Editorial Committee decided to mark Wendy’s founding contribution with a special issue dedicated to her life and work. This special issue includes tributes to Wendy written by a cross-section of women who worked with her. It also includes 3 articles on feminist services, feminism in Australian social policy and the challenges faced by rural women experiencing mental illness that have a special resonance with Wendy’s work. And finally, a select bibliography of Wendy’s work is also included.

**Issue 18 (available early 2006)**

Issue 18 will be a general issue which will include articles exploring women’s capacity to overcome oppressions in mental health care, the gendered needs of women clients when working with families where alcohol/drugs are involved, churches and institutionalised abuse, feminists researching domestic violence and perpetrator programs and best practice in violence prevention education with men. This journal will also feature a review of Dr Caroline Taylor’s latest book, *Court Licensed Abuse* and a briefing which critiques the Australian Government’s *Violence Against Women – Australia says no!* campaign.

**Issue 19 - Women’s Right to Choose - Again**

This special issue, to be published in 2006, is in response to current debates in Australia about abortion, fertility, pregnancy and women’s right to choose and contributions will address issues of politics, policy and service provision in these areas.

For more information on subscribing to the *Women Against Violence* Journal, contact Gail Draper at CASA House Melbourne on (03) 9347.3066, email casa@rwh.org.au or visit the website at www.rwh.org.au/casa/
as well as a theoretical knowledge of the fields. Among the research findings were: many of the player attitudes and behaviours towards women are not markedly different from those of other young men; players were unanimous in denouncing sexual assault; and, many were asking for more support in managing social and sexual encounters with women. However, a key issue identified in the research is the ongoing double standard according to which women are regarded as ‘sluts’ if they are sexually active and assertive - an attitude which not only leads to women being ‘punished’ for having sex and treated with contempt but one which can lead women to rely on non verbal cues instead of clearly communicating their wishes. Masculine cultural beliefs about the inevitability of some men offending are discussed, along side a refusal by some sectors in the sport to have faith in education and mentoring as a preventative measure.


The sexual assault scandals of Australian football in 2004 and 2005 are discussed in this article in relation to male sporting celebrity culture and the sexual mistreatment of women. The article asks what is so difficult for these men about complying with minimal standards of acceptable off field behaviour. It discusses the role of power, dominance and ritual humiliation in many male sports.

**Statistics**


Using Australian Bureau of Statistics recorded crime and victims data, this fact sheet looks at sexual assault rates from 1993 to 2003. The figures show an increase during this period, though this may be attributed to an increase in reporting rather than actual incidents. Eighty two percent of sexual assault victims were female in 2003.

**Trafficking**


This study explores the right of trafficked victims of forced prostitution to remain in destination countries through the application of legal standards and victim protection mechanisms found in national, regional and international law. It highlights the importance of State recognition that trafficked persons are victims of serious human rights abuses, and contends that states need to safeguard the legal rights and protective needs of trafficking victims. The study further considers the feasibility of the position that trafficked persons should have the right to temporary

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**ACSSA Wrap 1**

ACSSA’s first Wrap summarises the issues, statistics and resources that appear to be topical in terms of current research, policy and practice on/or adult survivors of childhood sexual assault (CSA). It looks at what CSA is, prevalence and incidence, effects on adult victim/survivors, barriers to reporting, criminal justice and service responses, and possible future directions. The emphasis is on outlining the most up-to-date, evidence-based research and theory on the topic, and on directing the reader to relevant resources, including books, articles, and online documents.

**Issues Paper Number 5**

**Exploring the links between sex offender treatment and sexual assault prevention**

Authors: Donna Chung, Patrick O’Leary and Tammy Hand (University of South Australia)

This Issues Paper on sex offender treatment programs aims to examine a number of aspects, including the research on prevalence and the nature of sexual offending, a history of intervention responses, and a critical review of contemporary sex offender treatment programs. The links between treatment and prevention programs are also considered. Finally the paper documents the various programs offered in Australia and any evaluations of them that have been conducted. The paper recommends future directions for research and practice developments in the area.
residence and work permits, thereby enabling trafficked persons to recover and rebuild their lives, and facilitating the effective prosecution of traffickers by encouraging victims to report to the authorities and to act as witnesses. Also under examination is the thesis that trafficked persons should be given the opportunity to apply for permanent residence permits under national and international laws.


This book describes the global industry of sex trafficking; its victims, its buyers, the economic conditions that effect supply and demand, and the international networks. Sub-topics include organised crime, buyer profits and victim “debts”, and the relationship between prostitution and the military - with wartime rape and the growth of the sex industry near foreign military bases.

Workplace violence

Safe at work? Women’s experience of violence in the workplace: summary report of research, URCOT (RMIT), for the Office of Women’s Policy, Department for Victorian Communities, 2005, Melbourne.

The Safe at Work? research project aimed to identify the incidence, prevalence and impact of workplace violence against women in Victoria. It was overseen by the Statewide Steering Committee to Reduce Violence Against Women in the Workplace (SSCRVAWW), which includes representatives from government and non-government organisations, and is now working towards developing recommendations to government about how to prevent and reduce workplace violence against women and how to improve responses to women experiencing such violence.

Contribute to ACSSA Aware

Service providers, researchers and those interested in working against sexual assault are encouraged to contribute to the ACSSA Aware newsletter. We are interested in short reviews (no more than 1500 words of books, conferences, workshops and projects. We will also consider more substantial articles (no more than 5000 words) on significant issues in understanding, responding to, or preventing sexual assault.

ACSSA Aware aims to provide a lively forum for ideas, argument and comment: thus we welcome readers’ letters, comments and feedback on issues discussed in ACSSA publications.

Please email contributions in a Microsoft Word document to acssa@aifs.gov.au, or post to the Australian Centre for the Study of Sexual Assault, 300 Queen Street, Melbourne, Victoria 3000.

We welcome your feedback

Australian Centre for the Study of Sexual Assault

Help to shape the work of the Australian Centre for the Study of Sexual Assault. We are interested in hearing your views on the best way to meet the needs of our stakeholders. If you have any comments on services that could be offered, possible topics for publications or areas of research, please fill in the section below and return it to the Institute. Comments can also be provided on-line via the ACSSA website, or email us at: acssa@aifs.gov.au/

What other services would you find useful for your work?

What topics would you liked covered in ACSSA’s publications, or considered for research projects?

Membership form overleaf ➤
Resources

ACSSA is building a collection of publications and best practice literature, reports, and training resources to inform initiatives and programs directed at improving the understanding of, and response to, sexual assault. These materials are available for browsing at the Australian Institute of Family Studies Information Centre, or may be borrowed through the interlibrary loan system. Bibliographic information on these resources may be searched online via the Institute's catalogue.

Advisory service

ACSSA's research staff can provide specialist advice and information on current issues that impact on the response to sexual assault. Email research queries to acssa@aifs.gov.au

Policy advice

ACSSA offers policy advice to the Australian Government and other government agencies on matters relating to sexual assault, intervention and pathways to prevention.

Publications

ACSSA produces Issues Papers, Briefing Papers/Focus Papers and Newsletters which are mailed free of charge to members of the mailing list. Publications can also be received electronically.

Good Practice database

ACSSA is developing a Good Practice database, to document and publicise best practice projects and activities being undertaken in relation to sexual assault.

Research

ACSSA staff undertake primary and secondary research projects, commissioned by Government and non-government agencies.

Email alert and discussion lists

ACSSA-Alert and ACSSA-Discuss keep members posted on what’s new at the Australian Centre for the Study of Sexual Assault and in the sexual assault field generally, and allow networking and communication among those working on issues related to sexual violence against women.

Membership form

Australian Centre for the Study of Sexual Assault

If you would like to join the Australian Centre for the Study of Sexual Assault mailing list, please fill in this form and return it to the Institute. Membership of the Centre is free.

☐ Please add my name to your mailing list to receive ACSSA publications
☐ I would like to receive publications in hard copy
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Organisation

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Send this completed form to: Australian Centre for the Study of Sexual Assault
Australian Institute of Family Studies
300 Queen Street Melbourne Victoria 3000 Australia