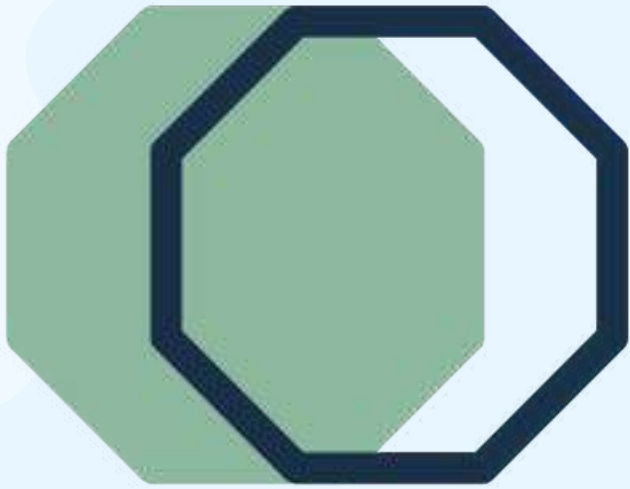


THE  
**STOP.**  
CAMPAIGN



# SAFE RESPONSE TOOLKIT

**A Toolkit for Sexual Violence  
Victim-Survivors and Their  
Supporters**

Third Edition



## **Are you safe?**

Your first priority is to make sure you are safe. You have the right to always feel safe and to call the police if you are in danger. If you feel unsafe or would like immediate support, you can contact the police or someone you trust.

**Emergency assistance  
(police, ambulance, fire)**

**Dial: 000**

**No immediate danger but  
wanting police assistance**

**Dial: 131 444**



## Acknowledgement of Country

The Safe Response Toolkit has been produced on the lands of the Ngunnawal and Ngambri peoples, who are the Traditional Custodians of the ACT region. We respectfully acknowledge the wisdom, guidance and openness of all First Nations peoples who have contributed to this resource and we pay our respects to Elders past and present. We acknowledge that sovereignty has never been ceded and that Australia always was, and always will be, First Nations land.

## Warning

Aboriginal and Torres Strait Islander peoples should be aware that the Safe Response Toolkit contains the names and experiences of people who have passed away.

## Disclaimer

**This resource was printed in October 2023.** Some information in this resource may become out-of-date due to factors such as legislative change pertaining to sexual violence, child sexual abuse and consent. This resource is for information purposes only and does not constitute legal advice. The STOP Campaign recommends seeking your own advice from relevant experts on the topics discussed.



# Dedication to victim-survivors

Dear victim-survivors,

We publish the Safe Response Toolkit as a reminder that you are believed and supported. There are different avenues available to you and we hope that this resource will help you feel more comfortable reporting sexual violence or sharing your story and experience, if that is what you want to do. We acknowledge that the content of the Safe Response Toolkit may be triggering. We encourage you to practise self-care, talk to someone you trust, seek support if you wish and take regular breaks when reading this resource.

The purpose of the Safe Response Toolkit is to provide a one-stop resource for victim-survivors and their supporters following an experience of sexual violence. This resource was made possible by the insights and support of the services listed throughout the chapters of the Safe Response Toolkit.

We recognise that every person is different and that some readers may not feel comfortable pursuing some of the avenues listed in the Safe Response Toolkit. That is okay. No matter what, we will never stop advocating for change. We will always stand with you, listen to you and support you.

Everyone has the right to feel safe and have their boundaries respected. Sexual violence is never your fault. We are proud of the steps you are taking on your journey towards healing and acknowledge how difficult it can be to take these steps. There will always be someone you can reach out to and support is always available.

We dedicate this resource to all victim-survivors of sexual violence, including those who are no longer with us. Please know that you are never alone.

In Solidarity,  
The STOP Campaign



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# 01

## Introduction

This chapter outlines The STOP Campaign and the Safe Response Toolkit (SRT).

# What's in this chapter?

## **Content warning:**

This chapter mentions sexual violence and institutional betrayal.

## **Key terms:**

- Safe Response Toolkit (SRT)

## **Key organisations mentioned:**

- The STOP Campaign
- YWCA Canberra
- John James Foundation
- Community Services Directorate

# The STOP Campaign

## About Us

**The STOP Campaign** is a grassroots organisation dedicated to empowering young people to create and sustain positive sociocultural change regarding sex and sexual violence. We are an intersectional feminist organisation run by passionate volunteers and rely on public donations to fund our initiatives and impact.

The STOP Campaign has successfully implemented a number of projects in the ACT since our formation in 2018. These projects include:

- The creation of educational materials and resources on topics including safe sex, consent, sexual and family violence, sex positivity, and access to support
- Facilitating peer-led education and advocacy workshops with tertiary students in residential halls to prevent sexual violence and promote sexual wellbeing
- Facilitating programs for young people (particularly victim-survivors) focused on empowerment, confidence and building connections
- Building a platform for victim-survivors in Australia to publicly share their experiences and journeys towards healing
- Participating in consultation and resource development on sexual violence policy and response driven by government and non-government bodies in the ACT and nationally.

We first launched the Safe Response Toolkit in 2022. We are proud to release this third edition in 2023.

## Mission

Empower young people to create and sustain positive sociocultural change in Australian tertiary learning communities through activism, awareness, empowerment and education.

## Vision

Australian tertiary learning communities that are free from sexual violence and stigmatisation.

## Values

- Intersectionality
- Passion
- Respect
- Integrity

# The Safe Response Toolkit

## What It Is

The **Safe Response Toolkit: A Toolkit for Sexual Violence Victim-Survivors and Their Supporters (SRT)** is a physical and online resource that provides information to victim-survivors and their supporters about how to safely respond to sexual violence disclosures and access support services in the ACT. The SRT is available online and has been distributed in hardcopy across the community, targeting legal, medical and education settings.

## What It Does

The SRT's primary goals are to:

1. Raise community awareness about sexual violence
2. Advocate for victim-survivors and their rights
3. Inform victim-survivors, their supporters and the general community about the avenues available to victim-survivors after an experience of sexual violence
4. Empower victim-survivors to seek help and support
5. Ultimately help victim-survivors heal and thrive.

## What It Includes

The SRT covers topics including:

- Key concepts to understand sexual violence, gendered violence, sexual health and wellbeing and destigmatisation
- Sexual violence and the law, including the criminal, civil and restorative justice processes
- Reporting sexual violence to law enforcement and reporting sexual violence that occurs in institutional settings (including workplaces, schools and universities)
- Support services in the ACT and nationally, including those available in the immediate aftermath of sexual violence
- The process of sharing an experience of sexual violence publicly
- Sexual violence activism and advocacy.

# Purpose and Impact

## Purpose

Currently, there is a lack of clear, trauma-informed and accessible information for victim-survivors and their supporters regarding the personal, legal and medical considerations when disclosing and reporting sexual violence in the ACT. Information on these topics is often vague, outdated and spread across multiple websites and platforms. The purpose of the SRT is to collate information about sexual violence and support services in the ACT in one place.

## Impact

The SRT provides clear, accurate and easily accessible information about the process of seeking support following an experience of sexual violence. We hope that the SRT can:

- Alleviate some of the complexities involved in police, legal and health processes
- Make the process of seeking support less intimidating
- Ensure that victim-survivors ultimately feel empowered to access the support they need.

Addressing sexual violence in the ACT through this comprehensive resource will also work to destigmatise disclosures of sexual violence and encourage broader behavioural and cultural change.



You can find the online version of the Safe Response Toolkit at [www.saferesponsetoolkit.com.au](http://www.saferesponsetoolkit.com.au)



# Our Sponsors



## Thank You ACT Government

The third edition of the SRT was made possible by a one-off \$9,000 grant from the ACT Government through the Community Services Directorate. The purpose of the grant is to update, print and distribute hard copies of this third edition.

### About the Community Services Directorate

The Community Services Directorate aims to develop a community that is safe and fair by supporting the people of Canberra to reach their full potential. It delivers integrated policy advice and a range of human services functions to the ACT community.



## Thank You John James Foundation

In July 2022, The STOP Campaign received funding to produce further editions of the Safe Response Toolkit through the Canberra Foundations Collaborative Grant Round. The second edition of the SRT was made possible by a \$10,000 one-off grant from the John James Foundation.

### About John James Foundation

The John James Foundation is an independent healthcare charity providing a range of programs and assistance to the people of Canberra and beyond.

### Canberra Foundations Collaborative Grant Round

The John James Foundation, Hands Across Canberra and the Snow Foundation joined forces to announce new grants for local charities designed to boost health outcomes for socially disadvantaged and marginalised communities across the ACT.



## **Thank You YWCA Canberra**

The Safe Response Toolkit was made possible by **YWCA Canberra** through their 2021 Great Ydeas Small Grants Program. Founder and Director of The STOP Campaign, Camille Schloeffel, was awarded \$2,500 to commence this project.

### **About YWCA Canberra**

YWCA Canberra is a feminist not-for-profit organisation that has represented women's issues in Canberra since 1929. Their mission statement is 'We strengthen communities by supporting girls and women through our services and advocacy' and their vision is 'Girls and women thriving'.

### **The Great Ydeas Small Grants Program**

YWCA Canberra's Great Ydeas Small Grants Program provides grants of up to \$2,500 to support women, girls and non-binary people in the ACT to pursue their passions and improve our community.

Since its launch in 2010, Great Ydeas grants have helped over 60 members of the ACT community to progress their projects. Priority is given to projects that empower women in the local community and have the potential to grow beyond the initial funding provided.



## **Thank You CanPrint Communications**

This resource was printed by CanPrint Communications.



# Want the SRT in your community?

The SRT is a necessary resource for victim-survivors of sexual violence and their supporters in the ACT. Distributing this resource across the ACT will raise awareness of sexual violence prevention and equip members of the community with the skills to respond appropriately to sexual violence.

If you would like the SRT in your community, workplace, organisation or another community hub, **contact The STOP Campaign**. We will do our best to ensure the SRT is available where it needs to be and that copies are easily accessible.

Visit **The STOP Campaign website** to contact us.



Find us on social media @thestopcampaignaus





# SELF-CARE

## Bingo

Take a moment to reflect on the self-care you have done this week

Spent time  
outside

Got enough  
sleep

Stayed  
hydrated all  
day

Read a good  
book

Checked in on  
someone I  
care about

Spent time  
with a pet

Cooked  
something  
tasty for  
myself

Asked for help  
when I needed  
it

Went for a  
walk



# SELF-CARE

## Bingo

Take a moment to reflect on the self-care you have done this week

Cleaned and  
organised

Listened to  
music

Stretched

Learned  
something  
new

Said thank  
you to  
someone

Enjoyed a  
bath or long  
shower

Took time off  
social media

Treated  
myself

Spent time  
with chosen  
family or  
friends

# 02

## **Understanding Sexual Violence and the SRT**

This chapter outlines important definitions and concepts used throughout the SRT and includes data on the prevalence of sexual violence in Australia.

# What's in this chapter?

## **Content warning:**

This chapter discusses family, domestic and sexual violence, trauma and institutional betrayal.

## **Key terms:**

- Sexual violence
- Sexual assault
- Sexual harassment
- Consent
- Sexual rights
- Sexual wellbeing
- Gendered violence
- Victim-survivor
- Intersectionality
- Bodily autonomy
- Trauma

## **Key organisations mentioned:**

- Relationships and Sexuality Education Alliance



# Prevalence of Sexual Violence in Australia

**51%** of women in their twenties, **34%** of women in their forties and **26%** of women aged 68 to 73 have experienced sexual violence in their lifetime.<sup>1</sup>

**1 in 5 women** and **1 in 16 men** have experienced sexual violence since the age of 15.<sup>2</sup>

Almost **1 in 2 LGBTIQ+** people reported being **coerced** or **forced** into sexual acts that they did not want to engage in.<sup>3</sup>

Women with disability are **twice as likely** to experience sexual violence in a given year compared to women without disability. Men with disability are also **2.6 times** as likely to report sexual violence than men without disability.<sup>4</sup>

Approximately **97%** of sexual offenders are **men**.<sup>5</sup>

Victim-survivors of sexual violence are up to **45% more likely** to experience high levels of financial stress and report worse physical and mental health.<sup>6</sup>



# Prevalence of Sexual Violence in Australia

**275** students are sexually assaulted in an Australian university context every week.<sup>7</sup>

**11%** of women and **4.6%** of men have experienced childhood sexual abuse.<sup>8</sup>

Women who experience sexual abuse in childhood are **twice as likely** to experience sexual violence, domestic violence and/or physical violence as adults.<sup>9</sup>

**92%** of women who have experienced sexual assault by a male **did not report** the most recent incident to police.<sup>10</sup>

On average, it takes **23.9 years** for child sexual abuse victim-survivors to tell someone about the abuse. **Some victim-survivors never disclose.**<sup>11</sup>

**3 in 5 Aboriginal and Torres Strait Islander women** have experienced physical or sexual violence perpetrated by a male intimate partner.<sup>12</sup>

Alongside the personal cost, the cost to the community addressing violence against women and children in Australia is estimated to be **\$22 billion each year.**<sup>13</sup>





# Sexual Violence



## Sexual Violence

**Sexual violence** includes any sexual act, attempt to obtain a sexual act, or unwanted sexual comments or advances directed against a person using coercion, by any person regardless of their relationship to the victim-survivor, and in any setting.<sup>14</sup>

Sexual violence includes:

- All sexual interactions imposed by coercion and threat.
- Rape (known as 'sexual intercourse without consent' in ACT law) or attempted rape.
- Sexual assault.
- Non-consensual sexual interactions within marriage or dating relationships.
- Sexual abuse of children and young people.
- Sexual violence as a form of 'punishment' for transgressing social or moral codes.
- Sexual violence driven by homophobia, biphobia or transphobia.
- Sexual assault perpetrated by multiple people.
- Sexual harassment, including unwanted sexual advances.
- Sexual interactions by a person in a position of authority or trust, or who holds care responsibilities, towards someone in their care.
- Technology-facilitated sexual violence, which includes online sexual harassment and non-consensual sharing of intimate images.
- Reproductive coercion, including denial of the right to use contraception or other measures to protect against sexually transmitted infections (STIs), or the removal of these measures without consent, known as 'stealthing' in ACT law.
- Female genital mutilation/cutting.
- Sexual violence as a weapon of war.
- Forced prostitution and trafficking of people for the purpose of sexual exploitation.

# Sexual Assault and Harassment

## Sexual Assault

**Sexual assault** is any act of a sexual nature carried out against a person without that person's consent through the use of physical force, intimidation or coercion (such as threats and blackmail). This includes rape, attempted rape, aggravated sexual assault, assault with a weapon, indecent assault, penetration by objects, forced sexual activity that did not end in penetration and attempts to force a person into sexual activity. Anyone can experience sexual assault regardless of their gender, sexuality, age, cultural background, disability, socio-economic or housing status.<sup>15</sup>

## Sexual Harassment

**Sexual harassment** is when someone makes an unwelcome sexual advance, requests a sexual favour or engages in unwelcome conduct of a sexual nature (including making sexual statements or jokes) in circumstances which make the person who is being harassed feel offended, humiliated or intimidated. This includes engaging in unwelcome behaviour that is demeaning because of a person's sex.<sup>16</sup> Sexual harassment can be a single event or a pattern of behaviour which may be clear or subtle.



# Gendered Violence and Violence Against Women\*

Gender and sexual violence are inextricably linked. In particular, violence against women and the social construct of masculinity has an undeniable connection to gendered drivers of violence.

**Masculinity** encompasses a set of attitudes, behaviours and expectations associated with men. These social expectations can influence the way men act and behave and are often underpinned by aggressive and dominant patterns of behaviour. Research has shown that men who form strong attachments to these norms and expectations of masculinity show a greater degree of sexist attitudes and behaviours towards women, leading to violence.<sup>17</sup>

**Gendered drivers of violence** relate to the structures, norms and practices which arise from gender inequality in public and private life, which create the necessary conditions for violence against women to occur. For example, traditional gender norms (i.e. expecting men to be strong, aggressive or bold) encourage gender stereotypes and further the societal belief that women and gender-diverse people are inferior to men. Gendered drivers of violence must also be considered in the context of other forms of social discrimination and disadvantage, such as within LGBTQIA+ communities and relationships.

**Violence against women** is any act of gender-based violence that causes, or could cause, physical, sexual or psychological harm or suffering to women (including threats of harm or coercion) in public or private life. This encompasses all forms of violence, including physical, sexual, emotional, cultural, spiritual and financial violence. Gender-based violence can have devastating physical and psychological impacts on those who experience it, and also limits their ability to participate fully in society and inhibits their access to sexual and reproductive health rights.<sup>18</sup>

## International Context

The **Declaration on the Elimination of Violence against Women**, adopted by the United Nations General Assembly in 1993, defines violence against women as '*any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life*'.<sup>19</sup>

All countries have an obligation under international law to end violence against women. Importantly, gendered violence is not a 'private' matter - it is a human rights violation which compels governments in all nations to address, prevent and respond to it. This also includes obligations to ensure that all women who experience gendered violence have access to legal, health and social services.

# Consent

When engaging in sexual activity, positive and safe **consent** is:

- **Mutual.** Everyone involved needs to agree every single time.
- **Freely given.** Consent must be given willingly, without pressure or threats.
- **Informed.** People need to understand what is about to happen.
- **Certain and clear.** It is a 'yes', not a 'maybe' or 'I think so'.
- **Enthusiastic.** Everyone involved should be excited and want to engage in sexual activity.
- **Reversible.** You can stop or change your mind at any time.
- **Specific.** Saying yes to one activity doesn't mean consenting to everything. For example, consenting to oral sex does not mean consenting to penetrative sex. Check in regularly with your partner/s during sexual activity to make sure you still have their consent.
- **Ongoing.** Consent is necessary before and during any and all sexual activities.

The law in the ACT describes situations in which consent to sexual activity cannot legally be given. However, while the legal definitions of consent may vary by location and circumstance, the general concept is always the same: consent is an ongoing process of discussing boundaries and what you're comfortable with. For more information about ACT consent law, see page 70.



Using drugs, alcohol or any other substance does not automatically mean that you cannot consent to sexual activity. However, if a person is intoxicated to a level that they are incapable of communicating their free and voluntary agreement to sexual activity, they cannot consent. A person who is unconscious or asleep cannot consent.

For a resource on consent, see page 31.

# Sexual Rights within a Human Rights Framework

The right to freedom from all forms of violence, including sexual violence, is found within international law and is a human right. Unfortunately, education surrounding sex, sexuality and consent is often limited to the idea of 'harm prevention' rather than encouraging positive sexual health and wellbeing, something that cannot be achieved by only being free from violence. The foundation of relationships and sexuality education should be that sexual wellbeing involves more than the absence of violence, harassment or illness - it is a positive and fulfilling experience. Everyone has the right to feel safe and to feel capable of expressing their boundaries.

This is particularly important in the context of consent education. Teaching consent is often framed as a tool to prevent sexual violence, rather than as a way to present sex and sexuality as an important and positive aspect of a person's identity and wellbeing. In order for individuals to develop a proper understanding of consent as affirmative and positive, it cannot be taught in isolation from education about bodies, sex and sexuality, communication and relationships. **Ultimately, a holistic human rights approach to the issue of sexual violence, sex and sexual wellbeing includes the right to age-appropriate and inclusive relationships and sexuality education, alongside the fundamental right to be free from violence.**<sup>20</sup>

## Relationships and Sexuality Education Alliance

**The Relationships and Sexuality Education Alliance** is a group of passionate advocates and partner organisations harnessing their collective experience and expertise to influence and advocate for universal access to comprehensive relationships and sexuality education for all children and young people in the ACT. They believe that relationships and sexuality education is the most powerful strategy to teach sexual rights.

You can apply for membership of the Relationships and Sexuality Education Alliance on their website.



# Sexual Health and Wellbeing

**Sexual wellbeing** encompasses a range of positive sexual health outcomes for individuals. Sexual wellbeing is intrinsically linked to one's physical, mental, emotional and social health. There are two ways to think about sexual wellbeing:

**1. Personal sexual wellbeing** refers to a person's internal development in terms of the self and the body. This includes notions of identity, agency, self-esteem, perceived body image and understandings of feelings and desires.

**2. Relational sexual wellbeing** refers to the development and maintenance of mutually respectful relationships. These relationships support gender equality and are free from violence and coercion.<sup>21</sup>

At the **individual** level, sexual wellbeing is influenced by a person's ability to choose whether to have sex and to access sexual health services and contraceptives. It is also shaped by a person's physical, sexual, mental and emotional health and maturity. Sexual wellbeing is also linked to the acceptance of one's own sexual preferences, gender identity and the preferences and identities of others.

At the **interpersonal** level, communication and relationship-building with a person's intimate partner/s can lead to feelings of connection, safety, comfort and sexual pleasure. Relationships with friends and family can also influence sexual wellbeing and behaviour for young people due to the influence of sociocultural norms that circulate within peer circles.

**Societal** norms and values also contribute to the development of sexual wellbeing, especially those relating to abstinence and sexual activity, gender and sexuality. For example, traditional gender roles can impose limits on the sexual freedom and choice of certain people, such as young women and gender and sexuality diverse individuals.



# Language and Terminology

**Language** is powerful. It can have a significant impact on the people we speak to, particularly those who have experienced trauma at some point in their lives. Using trauma-informed or trauma-sensitive language is an important part of avoiding re-traumatising or triggering others when talking about or responding to violence.

## Victim or Survivor?

A person who has experienced sexual violence is often referred to as a victim or survivor. Both terms are valid. Some people identify as a victim, while others prefer the term survivor. The best way to be respectful is to ask for their preference.

The term '**victim**' is often used when referring to someone who has recently been affected by sexual violence, when discussing a particular crime, or when referring to aspects of the criminal justice system. The term '**survivor**' is often used to refer to someone who has gone through the recovery process or when discussing the short or long-term effects of sexual violence. The Safe Response Toolkit uses **victim-survivor** to include both of these terms.

## Perpetrator

A person who uses sexual violence is often referred to as a '**perpetrator**'. The term **sexual offender** may also be used to describe someone who has been convicted of a criminal offence of a sexual nature. The Safe Response Toolkit uses **perpetrator** for clarity and accessibility purposes, but note that this is inclusive of situations involving multiple perpetrators.

## Supporters

**Supporters** are an important element of a victim-survivor's journey after an experience of sexual violence. Supporters can be friends, family members, mentors, teachers, trained professionals or anyone who receives a disclosure of sexual violence.

Disclosing sexual violence can be very daunting. If someone you know tells you that they have experienced sexual violence, it is important to provide support in the best way you can.

For more information and resources about responding to disclosures and supporting and checking in, see pages 35 and 36.

# Trauma

**Trauma** is a negative emotional response to an event or experience, such as sexual violence. Every person reacts differently to trauma and there is no 'right' or 'best' way to respond. The healing process from a traumatic experience differs from person to person and has no set timeframe.

# Intersectionality

**Intersectionality** is the understanding that different forms of inequality and discrimination (such as discrimination based on ethnicity, race, gender, sex, sexuality, age, religion, socio-economic status and/or physical and mental ability) combine, overlap and intersect to shape and influence an individual's experiences.

Intersectional feminism recognises how different aspects of a person's gender and identity interact to influence the way they experience the world (especially patriarchy, misogyny and sexism) and the barriers they might face as a result. It recognises that some victim-survivors of sexual violence find it much harder to achieve justice and support because of these intersecting forms of discrimination. For example, disclosing sexual violence, reporting to police, going to hospital, asking for help or receiving other forms of assistance may be especially difficult or complicated for some victim-survivors as a result of these intersecting forms of discrimination and the additional systemic or structural barriers that they face.<sup>22</sup>

An intersectional feminist approach to sexual violence activism and advocacy is underpinned by the understanding that each victim-survivor's experience is unique, and that addressing sexual violence requires us to address other forms of discrimination and oppression as well.

# Bodily Autonomy

**Bodily autonomy** refers to the right of all human beings to control their own bodies. It includes the right to control one's health and body, including one's physical and sexual freedom and safety, the right to reproductive freedoms and the right to be free from physical violence and coercion.<sup>23</sup>


**You are in charge of your own body.** An experience of sexual violence may make you feel as if your bodily autonomy has been diminished or taken away. You have the right to reclaim control of your body and health. You have the right to decide what happens to you after an experience of sexual violence, including whether to seek assistance or the type of assistance you would like. No matter what, no one can take these rights away from you.

# Institutional Betrayal

**Institutional betrayal** is the harm that an institution inflicts on people who depend upon it. Individuals who expect and trust an institution to keep them safe may feel betrayed if the institution instead fails to prevent violence, creates difficult or unsafe processes for reporting, supports cover-ups, endorses misinformation or punishes victim-survivors who disclose their experiences.

Institutional betrayal includes instances where institutions, such as police and legal systems, do not believe victim-survivors and fail to respond appropriately to their reports. These systems are designed to protect the community, provide justice for victim-survivors and hold perpetrators accountable. However, these expectations are not met when a victim-survivor is disbelieved, blamed or stigmatised while reporting their experiences.

Institutional betrayal can cause further harm in addition to the trauma that victim-survivors experience. This immense psychological pressure can prevent victim-survivors from speaking freely or from providing a full and accurate account of their experience. The STOP Campaign aims to hold these institutions accountable by providing victim-survivors and their supporters with information and knowledge about their available options following sexual violence. We have engaged directly with these institutions to provide accurate information about the reality of the services they provide.

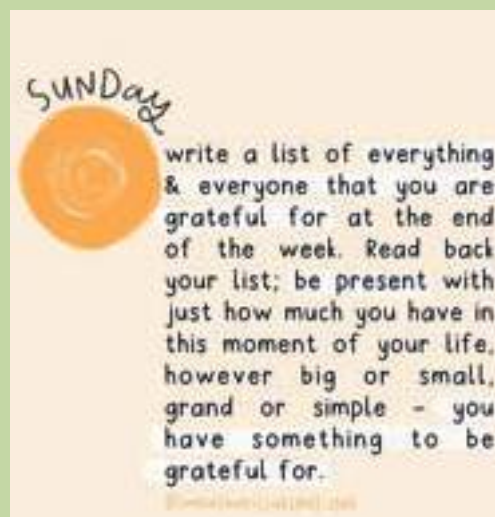


The STOP Campaign acknowledges the existence of structural and discriminatory barriers for many victim-survivors when seeking help and support from systems within the ACT. It is important to note that victim-survivors may have different experiences when engaging with the processes outlined in this resource.

# Endnotes

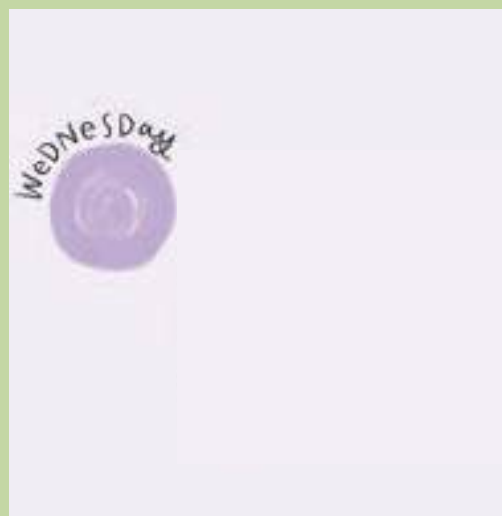
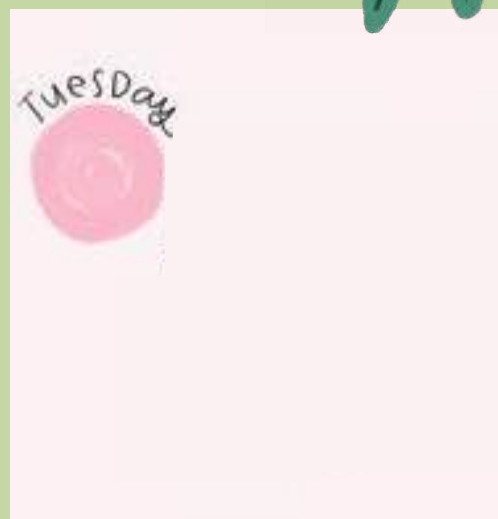
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# 7 ways to be more kind to your mind



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Your turn: 7 ways to be more kind to your mind



Made by you

# 03

## Important Resources for the Community

This chapter includes important resources relating to sexual wellbeing and sexual violence, including resources specifically aimed at helping supporters of victim-survivors.

**Note:** These resources are freely available to download from the Safe Response Toolkit website.

# What's in this chapter?

## **Content warning:**

This chapter discusses sex, consent, disclosures of sexual violence, family violence, trauma, stigmatisation and self-pleasure.

## **Key terms:**

- Sexual health and wellbeing
- Consent
- Disclosures
- Trauma-informed language
- Intersectional language
- Triggers
- Re-traumatisation
- Vicarious trauma
- Burnout
- Self-care
- Family violence

## **Key organisations mentioned:**

- Please see chapters 8 and 9 for a comprehensive list of support services.

# ACT CRISIS SERVICES

## ACT Police

**Emergency: 000**

**Non-emergency: 131 444**

Responsible for providing policing services to the ACT. They can also redirect you to the Sexual Assault and Child Abuse Team (a specialist team dedicated to investigating sexual assault committed against adults and children in the ACT).

**Operating Hours: 24/7**

## Canberra Rape Crisis Centre

**(02) 6247 2525**

Provides crisis and ongoing counselling to victim-survivors and their supporters. Provides advocacy during police, hospital and court processes. CRCC has specialist services for men and Aboriginal and Torres Strait Islander peoples.

**Operating Hours: 7am-11pm daily**

## Domestic Violence Crisis Service

**(02) 6280 0900**

**Online Chat also available**

Provides crisis intervention services to anyone who is experiencing, or has experienced, domestic and family violence, including telephone support, attendance to incidents with police, emergency accommodation, safety planning and referrals to support services.

**Operating Hours: 24/7**

## Forensic and Medical Sexual Assault Care

**Direct: (02) 5124 2185**

**Canberra Hospital:**

**(02) 5124 0000**

Provides forensic and medical sexual assault care to people who have experienced sexual assault. Located at Canberra Hospital.

**Operating Hours: 24/7**

## ACT Access Mental Health

**1800 629 354**

**(02) 6205 1065**

Central point of entry to access mental health services in the ACT. They provide immediate help if you or someone you care about is experiencing a mental health crisis and have a range of services in both hospital and community settings.

**Operating Hours: 24/7**



**Translating and Interpreting Service (TIS National)**

Assists in immediate phone interpreting to deliver equity and access to the community.

**131 450 | Operating Hours: 24/7**

# NATIONAL CRISIS SERVICES

## 1800 RESPECT

1800 737 732

Online Chat also available

National sexual assault, family and domestic violence counselling service for any Australian who has experienced, or is at risk of, family and domestic violence and/or sexual assault.

**Operating Hours: 24/7**

## Full Stop Australia

1800 385 578

Sexual, Domestic and Family  
Violence Helpline:

1800 943 539

Rainbow Helpline:

1800 497 212

Online Chat also available

Supporting people impacted by sexual, domestic and family violence through counselling services. They also run some additional helplines:

**Sexual, Domestic and Family Violence Helpline**

For anyone in Australia whose life has been impacted by sexual, domestic and/or family violence.

**Rainbow Sexual, Domestic and Family Violence Helpline**

For anyone from the LGBTIQ+ community whose life has been impacted by sexual, domestic and/or family violence.

**Operating Hours: 24/7**

## Lifeline

Call: 13 11 14

Text: 0477 13 11 14

Online Chat also available

Crisis support and suicide prevention service for all Australians experiencing emotional distress.

**Operating Hours: 24/7**

## Kids Helpline

1800 551 800

Online Chat also available

Free, private and confidential telephone and online counselling service for young people aged between 5 and 25 in Australia.

**Operating Hours: 24/7**

## Suicide Call Back Service

1300 659 467

Online Chat also available

Provides free and immediate counselling support to people at risk of suicide, concerned about someone at risk, bereaved by suicide and people experiencing emotional or mental health issues.

**Operating Hours: 24/7**

## QLife

1800 184 527

Online Chat also available

Provides anonymous and free LGBTI peer support and referral for people wanting to talk about sexuality, identity, gender, bodies, feelings or relationships.

**Operating Hours: 3pm-midnight daily**

## 13YARN

13 92 76

Crisis support line for Aboriginal and Torres Strait Islander people.

**Operating Hours: 24/7**



**Translating and  
Interpreting Service  
(TIS National)**

Assists in immediate phone interpreting to deliver equity and access to the community.

**131 450 | Operating Hours: 24/7**

# CONSENT

**Remember:** The inability to speak does not mean you can't express consent. It is important to explore how consent will be expressed and received, particularly with non-verbal replacements.

*An important part of sexual wellbeing is having agency over sexual decisions and in sexual situations, which includes the ability to consent to sex, or to refuse it, or to withdraw consent at any point.*

**Consent is an agreement between two or more individuals to engage in any form of activity. Sexual consent, then, means actively agreeing to be sexual with someone. Without positive consent, any sexual activity is against the law and can be harmful.**

## Have you got consent?

Only 'YES' means YES! Silence or lack of resistance does not equal consent. Children and some individuals with intellectual disability cannot consent. Consent is needed for any kind of sexual activity, from sharing sexually explicit images or texts, to touching, to kissing, to intercourse. Consent needs to be clearly communicated and is reversible at any time.

## Affirmative consent

- Consent is a conversation. It's everyone's responsibility to ensure that they have affirmative and informed consent.
- Consent should be communicated before any sexual activity begins, but it is important to keep this conversation going the entire time.

**TIP:** One way to ensure that you're constantly communicating consent is through dirty talk. Describe what you're going to do. If your partner doesn't seem into it, **stop**.

**Note:** The conversation about consent doesn't have to end when sex ends! It's always beneficial to discuss what you enjoyed and what can be improved.

## Safe words

- Come up with a safe word with your partner/s. This is particularly helpful if you're not a vocal person during sexual activity.
- Ensure affirmative consent has been given and is still able to be communicated throughout.

**TIP:** Choose a safe word that is recognisable and easy to remember. That way it's easy to know when to stop. It's as easy as saying ... **pineapples!**

## Withdrawing consent

You can withdraw consent at any time. It is everyone's right to be able to stop sexual activity whenever they want. If you disengage non-verbally from sex (such as pulling away or not seeming that into it), this is also a sign that consent has been withdrawn.



# SAFE SEX

*Practising safe sex is essential for physical, mental and sexual wellbeing.*

## SEXUAL WELLBEING

Sexual wellbeing is more than just an absence of harm, but rather a positive and respectful view of sexuality, sexual relationships and your body. Sexual wellbeing also includes having pleasurable and safe sexual experiences! Having open and respectful conversations with yourself and with others about all things sex is an important way to promote sexual wellbeing.



## COMMUNICATION AND CONSENT

Effective communication and listening is key to safe sex. This includes enthusiastic and ongoing consent from all partners. Asking questions such as, "Do you like this?" and "How does this make you feel?" are helpful starters.

## PARTNERS

Safe sex is between consenting partners of legal age (16 years of age in the ACT). Safe sex may be between any number of people, of any sexuality or gender identity, providing it is consensual.



## CONTRACEPTIVES

To protect against sexually transmitted infections, the use of condoms and dental dams are most effective. For pregnancy, there are many options of birth control, such as the Pill, Contraceptive Implant or Hormonal IUD.

## MIND-ALTERING SUBSTANCES

A person may not have the capacity to consent when under the influence of mind-altering substances, such as alcohol or drugs.

## HEALTH

If you are sexually active, it is recommended that you get sexual health checkups at least every six months, or after every new partner. There are many services that do this for free, such as the Canberra Sexual Health Centre.

# PLEASURE

Sexual wellbeing is more than just an absence of harm, but rather a positive and respectful view of sexuality, sexual relationships and your body. Sexual wellbeing also includes having pleasurable and safe sexual experiences! Having open and respectful conversations with yourself and with others about all things sex is an important way to promote sexual wellbeing.



## Orgasms:

While enjoyable, orgasms are not the ultimate goal of sex. Having an enjoyable and pleasurable experience is!

## Talking about pleasure doesn't have to be taboo!

Knowing, exploring and pleasuring yourself and others you sexually and consensually engage with is your choice (and can be very fun!)

## Pleasurable and safe sex practices are proven to:

1. Decrease anxiety and improve sleep
2. Enhance memory and brain power
3. Provide the same health benefits as exercise.



## Pleasure With A Partner:

Check in consistently and continuously – ask them if they like what you are doing or if there is something they want you to do. Always check for consent and ensure it's a pleasurable time for all!



## Handy Hints:

- Explore your body to see what makes you feel good
- Only do what you are comfortable with
- Something that feels good for one person may not be pleasurable for another
- If it interests you, enhance your sex using sex toys
- Ensure you are relaxed
- Practise safe sex and never forget the lube!

## Communicate:

Communication and enthusiastic consent is key!



# Self-Care

Do an activity that helps you survive, grow and thrive. Here are a few suggestions:

## Rest

Sleep in, have a nap or go to bed early.

## Move

Move your body in a way that makes you feel your best. This could be going on a run, stretching, dancing or gardening.

## Express Yourself

Do something creative to express yourself. It could be through music, painting, writing, designing or creating something new.

## Focus On Your Mental Health

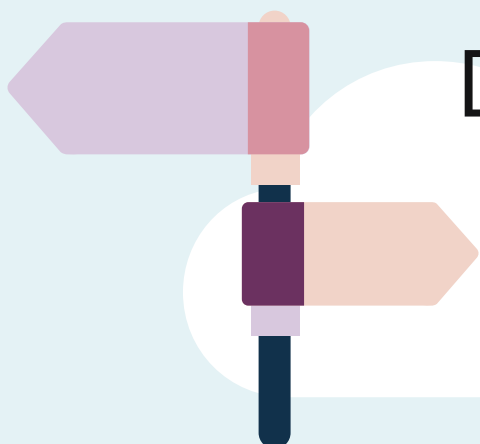
Try affirmations, journaling, breathing exercises, a social media detox or meditation.

## Eat What You Love

Eat whatever makes you feel good.

## Do Something You Love

Spend time doing something you love to do or something that makes you happy.



# RESPONDING TO DISCLOSURES OF SEXUAL VIOLENCE

## LISTEN

It takes enormous courage to disclose an experience of sexual violence, so it's important to be attentive and listen. Allow the victim-survivor to take their time.

*"Are you okay? I'm here for you. Take your time."*



## ACKNOWLEDGE

Having someone acknowledge what happened can help validate a victim-survivor's experience and their feelings. Acknowledge their courage and strength for disclosing.



*"I recognise this may be difficult to talk about, but thank you for speaking out. What has happened to you is not your fault."*

## BELIEVE

Sexual violence is never the fault of the victim-survivor. Make it clear that you believe them and that their feelings are valid. It's important that the victim-survivor doesn't feel judged while speaking with you.

*"Thank you for telling me. I believe you."*



## ESTABLISH SAFETY

Ask the victim-survivor if they feel safe. They may still be at risk of immediate and/or future harm and it is important to ask if they have any concerns.

*"Do you feel safe right now? Are you safe where you live/work/travel?"*



## OFFER SUPPORT

Ask the victim-survivor whether they would like further support. If they decline, that's not your fault. Respect their choice but feel free to remind them that support is always available if they change their mind.

*"What would you like to do? What kind of support do you need?"*



## REFER

Although someone has disclosed to you, you are not expected to be their main source of support. To maintain a safe personal boundary, mitigate vicarious trauma and empower the victim-survivor to make an informed choice as best you can, it's important to refer them to the appropriate services with their consent.

*"Have you considered speaking to a professional about this? Here are some support services that can help victim-survivors."*



## DEBRIEF

Receiving disclosures of traumatic experiences, including sexual violence, can be distressing. It's important to ensure you are also okay. Support services are available to talk about how you are feeling. This can help mitigate the effects of vicarious trauma.

*Always keep the identity of the victim-survivor confidential.*



## NOTE:

All adults have a responsibility to report if they suspect a child or young person may be at risk of abuse or neglect. Mandatory reporting is a legal requirement in some professions. Anyone over the age of 18 is legally required to report suspected child sexual abuse.

# Supporting & Checking In

## 1 Listen

Always listen to and believe the victim-survivor. Remain calm and quiet, allowing them to steer the conversation. Listen to how they are feeling and how they want to be supported. Always keep their information and story confidential.

## 2 Establish safety

Safety is an immediate and ongoing concern. Check whether the victim-survivor feels free from the threat of harm and whether they may need medical attention. Ensure that you always respect their physical boundaries, such as no longer wanting hugs or other physical contact.

## 3 Be encouraging

Encourage and support the victim-survivor in the choices they make. This may be in their personal life, or in response to a specific experience. However, always respect their boundaries and do not push them or lead them to make any decisions.

## 4 Be inclusive

Try not to treat the victim-survivor differently in the context of events and plans. Continue to invite them to different activities, as this encourages the feeling of normality, but don't be discouraged if they decline.

## 5 Be understanding

In order to support the victim-survivor, you have to understand that it is a difficult journey. Try not to get frustrated at them if you notice changes in behaviour - these may be due to the long-lasting effects of trauma.

## 6 Be patient

The effects of sexual violence are never truly over. The healing process takes time, and everyone responds differently to these experiences.

## 7 Empower and provide ongoing support

Empower the victim-survivor to make the choices best suited to them. When and if you are able to, check in and offer support. Being consistent and genuine is recommended.

## 8 Take care of yourself

It is not selfish to make sure your mental and physical capacities are not drained. Vicarious trauma is real and you cannot effectively help others if you are not safe and supported.

**A PERSON WITH A HISTORY OF TRAUMA, SUCH AS SEXUAL VIOLENCE, MAY BE DISTRESSED OR RE-TRAUMATISED BY TOUCH, CERTAIN WORDS, IMAGES OR SCENTS.\***

## **TRIGGERS**

The stimuli mentioned above are commonly known as 'triggers', which can bring up memories or feelings associated with a traumatic event. Triggers vary from person to person, meaning different people may be triggered by different things.

## **RE-TRAUMATISATION**

When someone is triggered, they may be re-traumatised and feel like they are re-experiencing that traumatic event. Re-traumatisation can happen to anyone who has experienced a traumatic event, and can impact an individual in many ways.

## **CONTENT WARNINGS**

When discussing content related to sexual violence or other potentially triggering topics, content warnings are recommended. They notify the audience of material that may be distressing or cause re-traumatisation, so that the reader has choice and autonomy over what content they consume.

# Vicarious Trauma & Burnout

Helping victim-survivors is rewarding and immensely important. However, it is important to acknowledge the effects it has on you as an individual.

## **Vicarious trauma**

Experiencing symptoms of trauma as a result of exposure to other people's trauma.

## **Burnout**

Exhaustion as a result of long periods of physically and/or psychologically taxing work without breaks.

### **Recognising the signs of vicarious trauma**

- Intrusive thoughts of a victim-survivor's experience or story
- Intensified fear and anxiety
- Disruption of sleep and recurring nightmares
- Racing thoughts
- Loss of connection with identity, self and others
- Lack of ability to appropriately manage personal boundaries
- Loss of pleasure in daily activities and personal interests
- Withdrawal from others
- Physical and emotional distress.

### **Recognising the signs of burnout**

- Struggling to manage personal boundaries
- Constant dissatisfaction
- Difficulty leaving work at the end of the day or never leaving on time
- Feeling constantly under pressure, powerless and overwhelmed
- Feeling frustrated or constantly judged by others
- Being unable to properly refuel and rest
- Loss of connection with yourself and your own identity
- Irritability and anger.

These lists are not exhaustive and vicarious trauma and burnout can impact everyone differently.

There are a few ways to prevent or mitigate the effects of vicarious trauma and burnout. Taking care of yourself mentally and physically is extremely important, which can be done through self-care, rest and reaching out to your support networks. If you are affected by symptoms of vicarious trauma or burnout within your workplace, let your team or managers know how you are feeling. There may be employee assistance programs available to you that can help create a safer and more supportive workplace environment.



## LANGUAGE WHEN SPEAKING ABOUT SEXUAL VIOLENCE

Language surrounding sexual violence must be respectful and supportive. The STOP Campaign values the promotion of language that is trauma-informed and intersectional to foster a safe and inclusive environment for all.

**Trauma-informed language** does not attempt to 'fix', place blame or question someone's experience.

**Intersectional language** is responsive to different dimensions of someone's identity, and acknowledges that one label is not sufficient to account for an individual experience.

Everyone experiences and responds to sexual violence differently. What constitutes safe and inclusive language can differ from person to person and within cultures.

### 1 How to use trauma-informed and intersectional language:

- Respect the anonymity, confidentiality and boundaries of others and their experiences.
- Use appropriate gender pronouns and don't make assumptions. It's always better to ask than assume.
- Have meaningful, safe conversations about sexual violence, trauma and mental health.
- Understand that particular body language cues are not universal and respect each individual's bodily autonomy.
- Discourage rape jokes and slut-shaming when safe to do so.

### 2 Consequences of unsafe language:

- Contributing to negative stereotypes that normalise rape culture.
- Reinforcing damaging stigmas.
- Re-traumatising victim-survivors.
- Triggering vicarious trauma in others.
- Causing direct harm by discouraging victim-survivors from sharing their stories and asking for help.
- Placing blame on victim-survivors for their experiences.

# Family Violence

Family violence refers to violence between family members, including between current or former intimate or domestic partners, extended family and kinship relationships. This includes elder abuse, violence between children, parents, guardians or siblings, and violence perpetrated by a carer or in-law.



Family violence includes violent or threatening behaviour, or any other form of behaviour that coerces or controls a family member and causes that family member to be fearful for their safety or wellbeing.

The **Family Violence Act 2016 (ACT) s8** defines family violence as:

- Physical violence or abuse
- Sexual violence or abuse
- Emotional or psychological abuse
- Economic abuse
- Threatening behaviour, or
- Coercion or any other behaviour that is controlling or dominating

**Physical violence:** can include slaps, hits, punches, being pushed, choking, burns and the use of weapons.

**Sexual violence:** can include rape, sexual abuse, unwanted sexual advances or harassment and intimidation, being forced to watch or engage in pornography, sexual coercion, having sex out of fear of what a partner might do, forced prostitution and human trafficking.

**Emotional or psychological abuse:** can include intimidation, belittling, humiliation, and the effects of financial, social and other non-physical forms of abuse.

**Coercive control:** can include isolating victim-survivors from family and friends, controlling access to finances, monitoring their movements and restricting access to information and assistance.

Family violence also includes behaviour where children hear, witness or are otherwise exposed to such behaviour and its effects, such as:

- Overhearing threats being made in another room of the house
- Witnessing an assault or seeing injuries on a family member that has been assaulted
- Witnessing people comfort a family member who has been abused.



## Intimate partner violence

Intimate partner violence, also referred to as 'domestic violence', refers to a pattern of behaviour by a current or former intimate partner that causes physical, sexual or psychological harm, including physical aggression, sexual coercion, psychological and emotional abuse and controlling behaviours.

If you are experiencing family violence and fear for your safety or that of another family member, you can contact the police, a local Legal Aid centre, domestic violence helpline or a person you trust. In an emergency, call 000.



COLOUR ME IN

# SCRIBBLE PAPER

# 04

## **Immediate Aftermath and Medical Options**

This chapter outlines the health and safety services that can assist victim-survivors immediately following an incident of sexual violence, including the medical examination and forensic evidence collection processes.

### **Content warning:**

This chapter mentions sexual violence, sexual health, unplanned pregnancy and termination.

# What's in this chapter?

## Key terms:

- Medical examination
- Forensic evidence
- Sexually transmitted infection (STI)
- Emergency contraception

## Key organisations mentioned:

- Canberra Rape Crisis Centre (CRCC)
- Canberra Hospital
- Forensic and Medical Sexual Assault Care (FAMSAC)
- Child at Risk Health Unit (CARHU)
- Canberra Sexual Health Centre
- Sexual Health and Family Planning ACT (SHFPACT)
- Meridian
- MSI Australia
- Gynaecology Centres Australia (GCA)

# Immediate Assistance

Are you safe?

Your first priority is to make sure that you are safe. If you feel unsafe, you can contact the police or someone you trust in your family or community. You can also contact the **Canberra Rape Crisis Centre (CRCC) Crisis Line** for emergency referrals to support services.

- **Emergency** (police, ambulance, fire): Triple Zero (000)
- **ACT Police:** 131 444
- **CRCC Crisis Line:** (02) 6247 2525 (7am-11pm, 7 days a week)

Are you hurt?

Sexual assaults can sometimes result in injuries. If you are in shock you may not be able to feel the injuries right away. Injuries may also be internal, meaning you may not be able to visually see them. If any of the following have occurred, call an ambulance on Triple Zero (000):

- Loss of consciousness
- Strangulation or choking
- Bleeding
- Pain in head or neck
- Difficulty breathing
- Chest pain.

If you have any other injuries that are concerning to you, seek immediate medical assistance.

You can also visit the emergency departments at Canberra Hospital or North Canberra Hospital (formerly Calvary Hospital) for medical assistance. **You do not have to report the assault to police to access medical assistance.**

- **Canberra Hospital Emergency:** Building 12, Yamba Drive, Garran ACT 2605. Open 24/7. It is recommended that victim-survivors attend Canberra Hospital for specialised assistance after an experience of sexual violence. **Forensic and Medical Sexual Assault Care (FAMSAC)** and the **Child At Risk Health Unit (CARHU)** are located at the Canberra Hospital.
- **North Canberra Hospital Emergency:** 40 Mary Potter Circuit, Bruce ACT 2617. Open 24/7.

**Note:** If you are a temporary visa holder, access to hospital services may require payment.

If you are under 15 years old or if you have significant intellectual disabilities, these hospitals can refer you to CARHU for a medical examination.

If you are over 15 years old, these hospitals can refer you to FAMSAC with your consent. FAMSAC is staffed by doctors and nurses who are trained to help victim-survivors of sexual violence. They can provide you with medicine to protect against sexually transmitted infections (STIs) and unwanted pregnancies. They can also collect forensic evidence which may help in any future investigation and/or prosecution of the perpetrator.

- **CARHU:** (02) 5124 2712 (9am-5pm) or via the Canberra Hospital switchboard on (02) 5124 0000. Open 9am - 5pm, Monday to Friday.
- **FAMSAC:** (02) 5124 2185 (24/7) or via the Canberra Hospital switchboard on (02) 5124 0000. You can also contact CRCC, ACT Police, or visit the Canberra Hospital Emergency Department to access this service. Open 24/7.

For medical examination purposes, it is useful not to shower, drink liquids, smoke, change your clothes or use the bathroom after a sexual assault. If you do choose to change out of your clothes, it is helpful to put all clothing into a paper (not plastic) bag to preserve potential evidence. These actions can help medical staff to collect evidence from your body and/or clothes that might belong to the perpetrator.

## Are you unsure?

If you're not sure what to do, don't want to go to hospital by yourself or want support from someone other than a family member or friend, you can call the CRCC. A trained CRCC counsellor can accompany you to the hospital or police station and/or can discuss how you are feeling, the impacts of what has happened to you and your choices on what to do next.

CRCC also offers specialist services for male and Aboriginal and Torres Strait Islander sexual violence victim-survivors.

Contact CRCC on (02) 6247 2525 (7am-11pm, 7 days a week) to learn more about:

- **Service Assisting Male Survivors of Sexual Assault (SAMSSA)**
- **Nguru Program** (culturally appropriate counselling for Aboriginal and Torres Strait Islander peoples).

If you need help to communicate:

- **CRCC text service:** 0488 586 518
- **National Relay Service:** 1300 555 727
- **Translation and Interpreting Service:** 131 450

# Medical Examination and Forensic Evidence Collection

## Forensic and Medical Sexual Assault Care (FAMSAC)

**FAMSAC** is a specialised service for victim-survivors of sexual violence at Canberra Hospital. It is staffed by trained doctors and nurses who can provide medical assistance to victim-survivors within 5 days of an assault. FAMSAC can also collect forensic evidence from a victim-survivor which can be used as evidence if police investigate the matter.

FAMSAC is available to victim-survivors aged over 15 years and operates 24/7. It is recommended that victim-survivors be examined as soon as possible after an assault. This is to ensure their immediate health and safety and to allow the best chance for forensic evidence to be collected.

You do not have to make a police report to access FAMSAC. **If you are over 18, staff will not contact anyone without your consent, including police.** FAMSAC can collect forensic evidence with your permission on a 'just-in-case' basis (called a JIC Examination), meaning that any evidence collected will be saved for 3 months in case a victim-survivor decides to make a report later. FAMSAC records are kept separate to other Canberra Hospital records, meaning that non-FAMSAC staff will not be able to access your information.

FAMSAC can provide the following services where appropriate:

- Emergency contraception to prevent unwanted pregnancy
- Screening and provision of antibiotics for STIs such as chlamydia and gonorrhoea and blood borne viruses like hepatitis B, hepatitis C and HIV
- Collecting urine samples in case of drug-facilitated incidents (for example, if your drink was spiked before the assault)
- Documentation and photography of any injuries you may have
- Collection of forensic evidence from your body and clothes via swab
- Referral to sexual assault counselling services.

A support person may accompany you to the hospital but cannot enter the room where the samples are collected (to prevent contamination of evidence). When you arrive at the hospital, attend the emergency department so that staff can determine whether you need urgent medical assistance. You will be asked for your name and other contact details. The medical staff will explain the process of looking after your medical needs, such as testing and treatment for STIs, providing you with emergency contraception and managing any injuries. The medical staff will explain the types of evidence that may be collected. The examination may take up to two hours. The examining nurse can also organise follow up with FAMSAC, your GP or another service. You can stop the examination, take a break or ask questions at any time throughout this process.

### How to contact FAMSAC:

- **Directly:** (02) 5124 2185 (24/7)
- **Canberra Hospital switchboard:** (02) 5124 0000 (24/7)
- **CRCC:** (02) 6247 2525 (7am-11pm, 7 days a week)
- **ACT Police:** 131 444 (for police assistance) or Triple 000 (in an emergency)
- Visit **Canberra Hospital Emergency**, which can then refer you to FAMSAC. Open 24/7.

FAMSAC services are free of charge and the facilities are wheelchair accessible. If possible, it is recommended that you, the police or CRCC contact FAMSAC before attending. This will ensure that there are staff present, the examination room is cleaned and ready for use and that you will spend less time waiting in the emergency department.



*FAMSAC examination room*



*CARHU counselling room*

## Child At Risk Health Unit (CARHU)

**CARHU** provides medical examinations for children aged 0 to 14 in the ACT and NSW who may have experienced child abuse and neglect, including sexual violence. CARHU is based at Canberra Hospital. Referrals for a medical assessment can only come from statutory authorities, like the police and child protection services, or medical staff from Canberra Hospital and North Canberra Hospital.

CARHU also has a team of allied health professionals (social workers and psychologists) available to assist those with concerns about child abuse to navigate the health system and address concerns about a child's safety and wellbeing. These allied health staff also offer counselling for children and young people who are victim-survivors of child abuse, as well as their parents, carers and families.

### How to contact CARHU:

- **CARHU Duty Worker:** (02) 5124 2712 (9am-5pm, Mon to Fri)

Medical examinations at CARHU are child focused, family centred and are conducted by specialist children's doctors. The purpose of the medical examination is to tend to any injury a child or young person may have and to record or document any evidence of harm. Written and verbal consent may be required from a person with parental authority in order to conduct an examination and to ensure that the medical examination will not be conducted in the presence of an alleged perpetrator. Often a chaperone (such as a CARHU nurse or counsellor) will be present with the victim-survivor during a medical examination, as well as protective family members or other trusted people.

CARHU staff must report all instances of child abuse and neglect, including sexual violence, to Child Protection Services. CARHU services are free for Medicare and Asylum Seeker cardholders and are bulk-billed where eligible. You do not need a Medicare card to access this service. **Note:** If you are a temporary visa holder, access to hospital services may require payment.

## Sexual Health Care

While not all victim-survivors will experience physical injuries or medical problems, the physical impacts of sexual assault can include:

- Damage to the sexual and/or reproductive organs
- Increased risk of contracting STIs
- Unwanted pregnancies
- Ongoing gynaecological problems
- Psychological trauma, depression and anxiety (which can manifest as physical symptoms).

### Sexually Transmitted Infections (STIs)

**STIs** can spread from person to person during sex (vaginal, oral or anal) or close intimate contact. Common STIs include chlamydia, genital herpes, genital warts, gonorrhoea, hepatitis B, HIV and AIDS, pelvic inflammatory disease, pubic lice, syphilis and trichomoniasis. Not all STIs cause noticeable symptoms so it is important to be tested and treated as soon as you can.

An STI test usually involves giving a urine sample or having a genital examination. If a victim-survivor has experienced sexual assault involving the mouth or anus and no form of contraception was used, a throat swab or anal swab may be required. Some STIs, such as hepatitis, syphilis and HIV require a sample of blood taken from the arm.

Treatment of common STIs is recommended and offered to all victim-survivors at the time of exam regardless of symptoms. It is not mandatory to undertake testing in order to receive preventative treatment. If there is any risk that the perpetrator is HIV-positive, specific medication called 'post-exposure prophylaxis' (PEP) can be provided to the victim-survivor.

## Emergency contraception

**Emergency contraception** is most effective in preventing unplanned pregnancies if taken within 72 hours of a sexual assault, but can be given up to 5 days after an assault. The most common form of emergency contraception is the oral 'morning after pill', which is a safe and effective way (when taken as directed) of preventing pregnancy. It is available over the counter at most pharmacies or at sexual health clinics. Some forms of emergency contraception, including the copper intrauterine device (IUD), can be used within 5 days of an assault and are inserted by a doctor or nurse. **Emergency contraception methods do not prevent STIs.** It is important to seek medical advice and assistance if you are worried about being pregnant following a sexual assault.

## Support services

### Canberra Sexual Health Centre

The **Canberra Sexual Health Centre** is a specialist clinic that provides free testing and treatment for STIs. This service is by appointment only. Victim-survivors do not need a Medicare card or referral to access this service. Canberra Sexual Health Centre is open 8:30am-5pm, Monday to Friday. For more information about the Canberra Sexual Health Centre, see page 125.

### Sexual Health and Family Planning ACT (SHFPACT)

**Sexual Health and Family Planning ACT (SHFPACT)** offers free STI testing and treatment services, free unplanned pregnancy counselling and can provide information about options including medical terminations. For more information about SHFPACT, see page 128.

### Meridian

**Meridian** provides primary health care and social support services to people with diverse sexualities and genders, HIV positive communities and sex workers. Meridian promotes sex positivity, harm minimisation and safe sex. Meridian provides HIV and STI testing and treatment at their premises in Turner, outreach at brothels and studios, and HIV self-testing kits. This service is supported by partner organisations including Canberra Sexual Health Centre and SHFPACT. For more information about Meridian, see page 127.

### Medical termination

ACT residents can access free medical and surgical abortions at up to 16 weeks gestation. Free long-acting reversible contraceptives will also be made available, if wanted, at the time of abortion. In the ACT, medical abortions up to nine weeks gestation are available through a trained GP, telehealth services or **MSI Australia** (formerly known as Marie Stopes Australia). MSI Australia also offers surgical abortions up to 16 weeks gestation. Surgical abortions for up to 12 weeks gestation are available at Gynaecology Centres Australia, Queanbeyan (depending on surgical risk) at a cost.

Where are the places I feel safest?



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Who do I feel safest with?



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Mood



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What is the strongest part of me?



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What helps me through difficult times?



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What have I learnt about myself?



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Start day?



YES

NO



What can I teach others?



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# 05

## Police and Investigation

This chapter outlines the process of reporting sexual violence.

### **Content warning:**

This chapter mentions institutional betrayal, sexual violence and online child sexual abuse.

# What's in this chapter?

## Key terms:

- Report
- Intermediary
- Forensic evidence
- Investigation
- Corroborative evidence
- Caution
- Summons
- Arrest

## Key organisations mentioned:

- Forensic and Medical Sexual Assault Care (FAMSAC)
- Canberra Rape Crisis Centre (CRCC)
- ACT Policing
- Sexual Assault and Child Abuse Team (SACAT)
- Children At Risk Health Unit (CARHU)
- Victim Support ACT
- Domestic Violence Crisis Service (DVCS)
- Office of the eSafety Commissioner (eSafety)
- Australian Centre to Counter Child Exploitation (ACCCE)

# Introduction

Police are a gateway into the legal system for victim-survivors who want to pursue formal charges against a perpetrator. However, many victim-survivors do not disclose to law enforcement due to unhelpful and re-traumatising experiences, such as lengthy delays, failures in communication and the fear of being disbelieved, disrespected or blamed. In order to reduce re-traumatisation and harmful experiences while reporting, The STOP Campaign believes that police and those within the justice system require comprehensive training to deliver specialist sexual violence services that are trauma-informed and safe.

Adult victim-survivors have the right to choose whether or not to disclose sexual violence to police and can withdraw their engagement during the reporting process. However, there are some instances where police may have a 'pro-arrest' policy designed to help protect victim-survivors who are in an abusive cycle of domestic violence, so withdrawing engagement is not possible in all circumstances.

This chapter provides an overview of making a police report, including the expected level of engagement and cooperation from a victim-survivor. While not all police reports will result in a perpetrator being charged, making a police report can be beneficial for victim-survivors and their healing process.

## Making a Police Report



If you have experienced sexual violence you can choose to have a forensic examination to assist in the preservation of evidence. This evidence can be used to aid in an investigation if you ever decide to report your experience of sexual violence to the police. Collecting this evidence may involve attending a health service, such as the **Forensic and Medical Sexual Assault Care (FAMSAC)** clinic at the Canberra Hospital. Collecting evidence does not mean you have to make a report. For more information about forensic evidence collection and medical support, see page 47.

If you have any concerns about contacting or providing information to police you can contact the **Canberra Rape Crisis Centre (CRCC)**, **Victim Support ACT**, **Domestic Violence Crisis Service (DVCS)** or seek legal advice.

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Deciding whether to report an incident of sexual violence to the police can be difficult. Victim-survivors who are unsure about whether to proceed with a formal statement can meet with police to discuss the formal reporting process. A support person can be present during this initial meeting, such as a trusted friend or family member, or a counsellor from the CRCC.

There is no statute of limitations in the ACT regarding sexual offences, meaning that a person can report an assault to the police regardless of how long ago it occurred.

**Note:** Cases of sexual violence are typically investigated in the jurisdiction where they occurred. However, victim-survivors can still report an offence that occurred outside of the jurisdiction (such as reporting a sexual assault that occurred in NSW to ACT Police or vice versa).

## Where to make a report

Victim-survivors can report sexual violence **in-person** at any of the five police station in the ACT or by calling **131 444** or **Triple Zero (000)**. The ACT also has an online reporting option for historical sexual assault (occurring more than six months ago). The online reporting form can be found on the ACT Policing Website or via this QR code.



<b>Belconnen Police Station</b>	Corner of Benjamin Way and Market Street, Belconnen ACT 2617
<b>City Police Station</b>	16/18 London Circuit, Canberra City ACT 2601
<b>Gungahlin Joint Emergency Service Centre</b>	Corner of Gozzard Street and Anthony Rolfe Street, Gungahlin ACT 2912
<b>Woden Police Station</b>	Corner of Callam and Wilbow St, Phillip ACT 2606
<b>Tuggeranong Police Station</b>	Corner of Soward Way and Anketell Street, Greenway ACT 2900

In some cases the investigation may be referred to the **Sexual Assault and Child Abuse Team (SACAT)**, who are located at the ACT Policing Headquarters – Winchester Police Centre. SACAT officers investigate all sexual offences against children in the ACT that are reported to police. They also investigate sexual assaults and a range of other sexual offences against adults, particularly those which carry the heaviest penalties upon conviction. However, there are a number of sexual offences – such as acts of indecency – which are often investigated by General Duties Police.

## Options for victim-survivors following making a statement to police may include:

### Proceed with a police investigation

Victim-survivors can choose to proceed with a **police investigation**. The police who receive your statement will talk you through the process so that you can make an informed decision about how you wish to proceed. The police can also discuss alternate options.

### Make an information report for intelligence purposes only

Victim-survivors who wish to report an incident of sexual violence, but do not want police to investigate the matter or engage in potential court proceedings, can choose to make an **information report**. The police will not investigate but may use the information for intelligence purposes. However, can decide if you would like to proceed with a police investigation at a later date.

## Police Interviews

The police officer who first speaks to a victim-survivor will usually take an initial report of the incident and in some circumstances may refer the investigation to SACAT. Victim-survivors will be asked to describe what happened in as much detail as possible, including:

- When and where the incident took place
- Details of what occurred during the incident
- Information about the perpetrator
- The events leading up to the incident and what happened afterwards
- Anything that the perpetrator said or did before, during and after the incident.

These questions are designed to obtain as much information from the victim-survivor as possible to ensure no important details are left out and to minimise the need for additional statements. Victim-survivors are permitted to bring notes in with them. Police questions will be detailed and intimate, which may be distressing for victim-survivors. If police ask for more details or to clarify parts of the victim-survivor's statement, it is not because they do not believe them. The information provided during an interview will be used by the police to investigate the nature of the incident and possible charges.

For most victim-survivors of sexual offences, including children, the police will record the interview. This is so the recording can be used as evidence if the matter proceeds to court, saving the victim-survivor from having to recount the incident again in examination-in-chief. However, victim-survivors may still be cross-examined on their video statement. For more information about the court process, see page 78.

### *Support during a police interview*

Recounting an experience of sexual violence to police can be incredibly distressing and re-traumatising. For this reason, victim-survivors have the right to guide the interview process and be supported during the interview if they choose. Victim-survivors may:

- Be accompanied by a support person during an interview. This may be a trusted person or professional support person from the CRCC, Victim Support ACT or DVCS. If a victim-survivor has sought legal representation, they can also have their lawyer present. Victim-survivors also have the option to phone someone for support during the interview.
- Pause the interview at any time for a break.
- Leave the premises at any time and resume the interview at a later time or date.
- Withdraw their report or terminate the interview process.

**Note:** The support person during the police interview cannot be a person that the victim-survivor has previously disclosed to. It also cannot be someone who witnessed the incident or was involved in any way after it occurred. This is because that person may be required to give evidence to assist in a potential investigation.

Sometimes a detail may not have been relevant at the time the first statement was taken, but becomes relevant to the investigation later on. If victim-survivors realise that they forgot to tell the police something in their first statement, they need to contact the police to organise a time to give another statement. This is so that the police officer in charge of the matter has as much evidence and detail as possible to investigate the incident further.

## ***Intermediaries (ACT Intermediary Program)***

Victim-survivors who are vulnerable or who require assistance to communicate can be accompanied during an interview by an **intermediary**. Communication difficulties that an intermediary can assist with may be due to:

- Language delay
- Cognitive issues
- Autism
- Mental health issues
- Trauma
- Age
- Learning disabilities
- Attention Deficit Hyperactivity Disorder (ADHD).

Intermediaries are often health professionals and are impartial. Their responsibility is not to act as a support person or advocate, but to ensure that the victim-survivor is able to communicate effectively and safely with police. Intermediaries will assess the communication needs of the victim-survivor and offer tailored suggestions to assist police with the questioning process. They can also intervene if there is a breakdown in communication during this engagement.

Victim-survivors can ask police for an intermediary to be present during an interview. The police may also separately request an intermediary to assist a victim-survivor during an interview if deemed necessary. Intermediaries can also be present at court to assist a victim-survivor giving evidence. More information about the ACT Intermediary program is available on the ACT Human Rights Commission Website.

# **The Investigation Process**

After receiving a report of sexual violence, police will generally commence an investigation. The purpose of an investigation is:

- For police to gather information and evidence to help them identify the perpetrator
- To determine whether a criminal offence has been committed
- To help police decide what course of action to take.

The investigation process generally includes:

- Collecting physical evidence (such as medical forensic evidence from the victim-survivor and/or the location of the assault)
- Interviewing any witnesses who may have information about the incident
- Interviewing the perpetrator.

The length of time that an investigation takes will depend on a number of things, including whether the perpetrator can be identified and located, or the kind of evidence that the police need.

There is no fixed timeframe for an investigation. Investigations may take several weeks, months or longer depending on a range of factors. Police have a legal obligation to update victim-survivors on the status of the investigation under the *Charter of Rights for Victims of Crime*.<sup>1</sup> Victim-survivors can seek advice and advocacy support from Victim Support ACT if they believe their rights are not being met.

A victim-survivor cannot withdraw their statement, but they can choose to 'withdraw' from the investigation process. If this happens, it is unlikely that police will continue investigating the incident.

## Evidence Collection

### ***Medical examinations***

Victim-survivors will have the option to undergo a medical examination, especially if the incident of sexual violence was recent. These examinations offer a dual purpose:

1. To check a victim-survivor's physical health, and
2. To collect any possible forensic evidence (such as by photographing injuries and/or collecting bodily fluids or hair).

**Medical examinations can only take place with the victim-survivor's consent and any evidence gathered during the examination can only be given to police with the victim-survivor's consent.**

For victim-survivors who are over 15 years of age, examinations are conducted by medical professionals from FAMSAC. A forensic medical exam can be conducted up to 5 days after a sexual assault, but ideally within 3 days (72 hours) of the incident. Outside of this time, it may still be possible to carry out the examination - this will be decided between the victim-survivor and FAMSAC staff. For more information about FAMSAC, see page 47.

For victim-survivors who are under 15 years of age, examinations are conducted by medical professionals from the **Children At Risk Health Unit (CARHU)**. For more information about CARHU, see page 48.

### ***Interviewing witnesses***

If there are witnesses to the incident, police will speak to them as part of the investigation. It is important to tell police about anyone who may be able to provide information about the incident and/or the perpetrator. Police will consult you first prior to speaking to any witnesses in case you do not want them to be involved. Note that if you do not want a witness to be involved, this may halt the criminal investigation. If you have any concerns about providing information to police, contact the CRCC or seek legal advice.

## ***Interviewing perpetrators***

Prior to commencing a prosecution, police must advise the perpetrator of the allegation of sexual violence that has been made against them. This provides the perpetrator with an opportunity to provide police with their version of events or respond to the allegation. Perpetrators do not have to participate in a police interview and have the option to retain the right to silence at all times.

## ***Obtaining corroborative evidence***

Police are required to conduct thorough investigations by obtaining evidence.

**Corroborative evidence** is evidence that strengthens or confirms already existing evidence. For example, this could include retrieving Closed Circuit Television (CCTV) footage of what occurred before, during and after the incident. Police may also request evidence from the victim-survivor and/or perpetrator, such as mobile phone records (messages and/or call logs). You do not have to provide police with this information. However, if you choose not to provide such information to the police they may cease the criminal investigation or there could be adverse impacts on subsequent criminal proceedings. It is important to try your best to tell the police everything that happened before, during and after the incident in order to pursue a criminal prosecution.

## **Support Available**

There are a number of support services available to ensure victim-survivors feel supported and informed during the police reporting and investigation process.

### ***Victim Liaison Officers (VLOs)***

After making a report, victim-survivors will be assigned a lead investigator who will serve as the main point of contact throughout the investigation process. They will also be provided with the contact details of a **Victim Liaison Officer (VLO)**, who can help victim-survivors throughout the investigation and court process. VLOs work with investigating officers to keep victim-survivors informed on the investigation, provide information about the criminal justice system if charges are brought against the perpetrator and assist with referrals to other support agencies in the ACT.

### ***Canberra Rape Crisis Centre (CRCC)***

Trained crisis counsellors from CRCC are able to accompany victim-survivors when making a report to police. Victim-survivors can contact CRCC directly before making a report. See page 114 for contact details.

## ***Victim Support ACT***

**Victim Support ACT** provides access to counselling, court support, financial assistance and justice advocacy. Their service is available to support victim-survivors throughout their entire journey with the criminal justice system. They can also provide information, support and assistance to victim-survivors who feel their victims' rights have not been upheld by relevant justice agencies. See page 130 for contact details.

## ***Domestic Violence Crisis Service (DVCS)***

**DVCS** is a community organisation that supports people affected by domestic and family violence in the ACT. DVCS can support victim-survivors in person when making a report to police. The **DVCS Criminal Justice Advocate** can track criminal matters as they proceed through court, providing court outcomes and safety planning to victim-survivors. The **DVCS Court Support** team can support victim-survivors at court when they are required to attend in person. See page 115 for contact details.

# **Possible Investigation Outcomes**

Once police have completed the investigation, they will consider whether there is sufficient evidence to charge the perpetrator with a criminal offence. The police may also consult with the **ACT Office of the Director of Public Prosecutions (DPP)** when deciding which charges to bring. When police lay a charge, the matter is referred to the **Sexual Offences Unit** at the DPP which determines if the matter should proceed to court. Once a matter is referred to the DPP, it may be difficult for victim-survivors to pause or withdraw the matter. For more information about the DPP, see page 79.

## ***Legal action taken***

If legal action is taken, the police will proceed to take action against the perpetrator. This may involve an arrest, summons or caution. An **arrest** means that the perpetrator is taken into police custody immediately in order to face court the next day. They will be given bail options which will vary depending on the seriousness of the charges. Police may decide to refuse bail if the perpetrator is especially dangerous, although this can be overturned by the courts. Police may issue the perpetrator with a protection order on your behalf if bail is granted. For more information about protection orders, see page 74.

A **summons** is an order that the perpetrator must attend court at a date in the future to plead guilty or not guilty to the charges. A **caution** is a formal warning to the perpetrator not to commit the offence again. However, cautions and summons are uncommon for sexual offences.

Police may also refer the matter to the **ACT Restorative Justice Unit (RJU)** to be resolved through the restorative justice process with the consent of the victim-survivor and the perpetrator. Restorative justice is only available for sexual offences that are defined as 'less serious'. See page 86 for further information.

## ***No legal action taken***

Police may decide not to take legal action against the perpetrator after an investigation.

Reasons may include:

- There is insufficient evidence
- The perpetrator has passed away, or
- The perpetrator is a child.

However, cases may be reopened later if new information or evidence is found.

When sexual violence is reported to the police, a very small number of offences result in charges being laid and even fewer reach a conviction. In instances where it is deemed that there is insufficient evidence to proceed to court, it is important to note that this does not mean that people do not believe the victim-survivor. There is considerable room for improvement within the police, legal and government systems to effectively prevent and respond to sexual violence.

Victim-survivors can still apply for a protection order and may be able to seek civil compensation regardless of the outcome of a police investigation. For more information about protection orders and civil options, see Chapter 6.

## ***Unsolved***

**Unsolved** means that police have not yet made a decision as to whether the incident occurred. An investigation into an incident of sexual violence may remain unsolved for a long time.

## ***Withdrawn***

Victim-survivors may **withdraw** their police report and instruct police not to take any further action. Unfortunately, this may result in the report being registered as a 'false allegation' when data is collected and categorised for research.

# **Reporting Online Sexual Abuse**

Some forms of sexual violence, including sexual harassment, child sexual abuse and technology-facilitated abuse can occur online. Victim-survivors may choose to report online abuse in order to have the harmful material removed or allow police to investigate the person who distributed the material.

## **Collecting evidence of online abuse**

It is important to collect evidence of online sexual abuse, because it can be difficult to prove what happened once the person who targeted you is blocked or the content is deleted. This evidence can help show exactly what happened and where the content is (or was) located. Some ways to collect evidence include:

- Take screenshots of sexually abusive posts, texts or emails. **Make sure you do not save nudes or sexual images or videos of anyone under 18**, as this may constitute child sexual abuse material and is illegal.

- Save or copy voicemail messages.
- Keep a record of URLs, usernames and accounts that share or display harmful content.
- Keep a record of any sexual abuse and/or suspicious incidents. These may help establish patterns of sexually abusive behaviour by the perpetrator.
- Take notes about each piece of evidence you collect, such as a description of the evidence, the date and time it was collected and where it was collected from (including the social media platform or service).
- Store all evidence securely and keep records of who has access to any physical documents, online files and your devices. This is to ensure evidence is not tampered with or manipulated in any way.

## Making a report

If you think you may want to take legal action, it is important to speak with a lawyer, legal service and/or the police about what's happening and what evidence you will need to help progress your case.

### ***ACT Policing***

Incidents of non-consensual sharing of intimate images or technology-facilitated abuse can be reported to ACT Police, as they may constitute criminal offences. Call **131 444** or visit an **ACT police station** to make a report.

### ***Office of the eSafety Commissioner (eSafety)***

The **Office of the eSafety Commissioner (eSafety)** is Australia's independent government agency responsible for online safety. Victim-survivors can make a complaint about serious online sexual abuse or illegal and restricted online content to eSafety. eSafety can assist in removing the content or by taking legal action against the platform where the content appeared. To make a report through eSafety or find more information, visit the Office of the eSafety Commissioner website.

### ***Australian Centre to Counter Child Exploitation (ACCCE)***

The AFP-led **Australian Centre to Counter Child Exploitation (ACCCE)** brings together capabilities from across government and non-government sectors to drive a collaborative national response to counter the exploitation of children in Australia.

The following conduct can be reported to ACCCE:

- Suspected online grooming or unwanted contact
- An individual having a conversation with a child online and saying and doing inappropriate things or trying to meet in person
- Live streaming and consuming child sexual abuse material
- Coercing and blackmailing children for sexual purposes.

To make a report through the ACCCE or find more information, visit the ACCCE website.

# Endnotes

1. ACT Government (2021). *Charter of Rights for Victims of Crime*, p. 5.

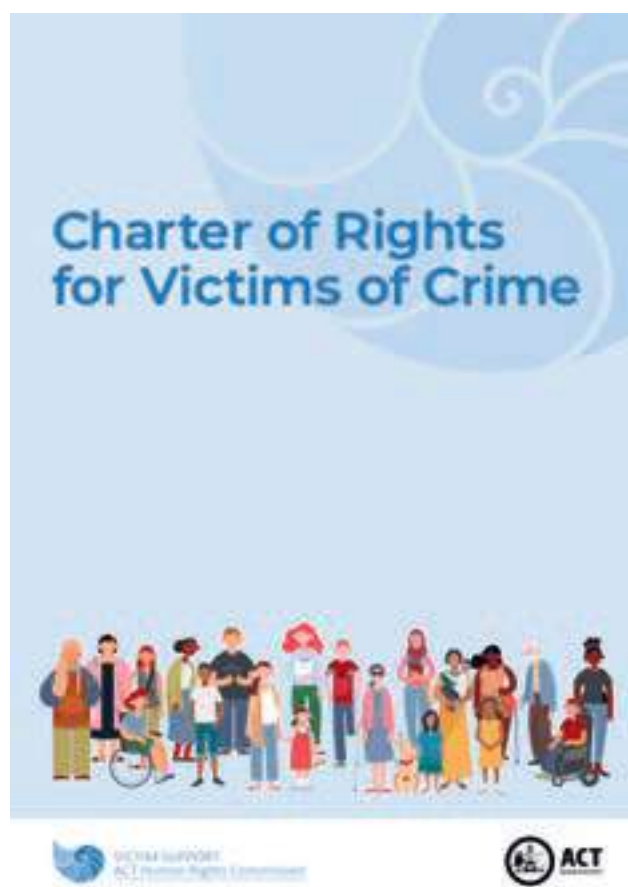
## What is the Charter of Rights for Victims of Crime?

In the ACT, the **Charter of Rights for Victims of Crime** aims to protect and promote the rights of victims of crime when they engage with justice agencies in the criminal justice system. The Charter recognises the central role that victims of crime play in the criminal justice system and upholds their rights to safety, privacy, dignity and participation.

The Charter commenced in January 2021 and is contained in the *Victims of Crime Act 1994* (ACT). It includes specific rights for victims of crime in the following areas:

- Respectful engagement and protections related to safety and privacy
- Access to support services and other forms of assistance
- Provision of information about general administration of justice processes
- Provision of information in regards to investigations, proceedings and decisions
- Participation in proceedings.

The justice agencies that must uphold the Charter of Rights for Victims of Crime include ACT Policing, the DPP, ACT Corrective Services, ACT Courts and Tribunals when acting in an administrative capacity, the Sentence Administration Board, the RJU and Victim Support ACT.

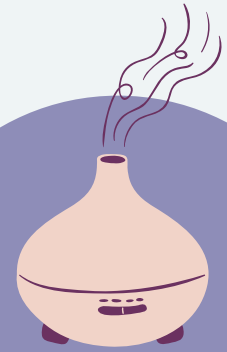


# SLEEP HYGIENE

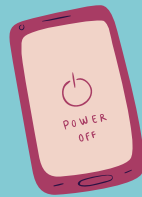
## TIPS



MAINTAIN A  
REGULAR PATTERN,  
TRY TO GO TO BED  
AT THE SAME TIME  
EACH NIGHT



CREATE A  
COMFORTABLE  
ENVIRONMENT



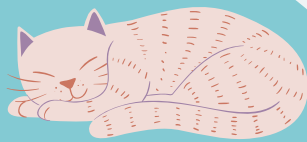
AVOID  
ELECTRONICS  
IN BED



AVOID  
CAFFEINE  
LATE IN THE  
DAY



SPEND TIME  
WINDING DOWN  
BEFORE BED, FIND  
AN ACTIVITY TO  
DO BEFORE BED  
THAT HELPS YOU  
RELAX



AVOID  
NAPPING  
DURING THE  
DAY





# 06

## **Navigating the Justice System**

This chapter outlines the relevant laws regarding sexual violence in the ACT and the legal avenues that are available to victim-survivors.

### **Content warning:**

This chapter mentions institutional betrayal and includes legal descriptions of child sexual abuse, family, domestic and sexual violence.

# What's in this chapter?

## Key terms:

- Sexual offences
- Consent
- Sexual harassment
- Protection orders
- Criminal justice
- Prosecution
- Victim impact statements
- Civil claims
- Restorative justice

## Key organisations mentioned:

- ACT Magistrates Court
- ACT Policing
- Legal Aid ACT
- Domestic Violence Crisis Service (DVCS)
- ACT Supreme Court
- ACT Office of the Director of Public Prosecutions (DPP)
- Victim Support ACT
- Canberra Rape Crisis Centre (CRCC)
- ACT Law Society
- ACT Restorative Justice Unit (RJU)

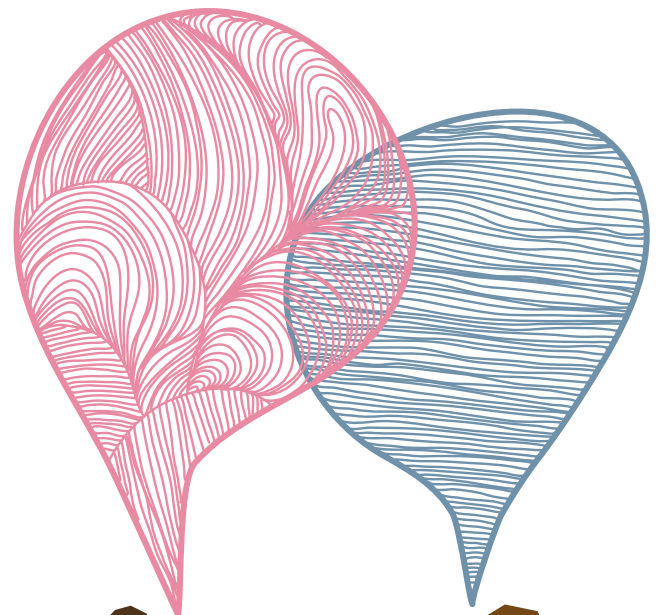
# Introduction

## Disclaimer

The purpose of this chapter is to define legal terms used within the ACT, outline relevant law regarding sexual violence in the ACT and give an overview of the legal avenues that are available for victim-survivors. This chapter is not intended to be legal advice. If you have questions or wish to pursue any of the avenues outlined in this chapter, please seek legal advice.

Victim-survivors may engage with the ACT justice system in several ways following an experience of sexual violence. They may be asked to participate in the criminal justice process if charges are brought against the perpetrator. They can also apply for a protection order to minimise the risk of immediate or future harm, pursue compensation through the civil law courts and/or seek mediation through the ACT's restorative justice process. Victim-survivors are able to pursue more than one legal avenue in relation to an experience of sexual violence. The unique experiences of each victim-survivor in the ACT (and their personal preferences) will determine which legal avenues, if any, are appropriate.

It must be acknowledged that, as it currently exists, the legal system in the ACT carries a risk of causing further harm to victim-survivors. Legal processes have a reputation for creating an environment where victim-survivors feel they are subjected to victim-blaming, re-traumatisation and unfair treatment. These processes require significant investment of time and energy. This chapter provides a foundational overview of the legal avenues available to victim-survivors in the ACT and reflects how these systems are *meant* to operate. We acknowledge the lived experiences of the victim-survivors who have been unable to achieve justice and healing through the legal system due to stigma, systemic barriers and discrimination.



# Important Definitions

## Consent

**Consent** means the informed agreement to a sexual act that is freely and voluntarily given, and communicated through words or actions.<sup>1</sup> Under ACT law, a person **does not consent** to sexual activity in circumstances including, but not limited to, where:

- In general, they are younger than 16 years of age (this is the **age of consent** in the ACT)
- They said or did something to communicate withdrawing their agreement to sexual activity before or during the act
- They are unconscious, asleep, or incapable of agreeing because of intoxication (due to alcohol, a drug or any other substance)
- They are physically helpless or have a mental incapacity that makes it hard to understand the nature of the sexual activity
- They are being unlawfully detained by the perpetrator
- The perpetrator has used violence to force them into sexual activity
- The perpetrator has threatened to blackmail, publicly humiliate, harass or hurt them or someone else if they don't agree to sexual activity
- The perpetrator has intentionally lied to the person to make them engage in sexual activity (e.g. lying about their identity or about using a condom)
- The perpetrator is in a position of authority, dependence or trust (e.g. a teacher, parent, employer or doctor) and has used this to make the person engage in sexual activity.

Silence or lack of resistance does not necessarily mean a person consents to sexual activity.

Consenting to one sexual act does not mean there is consent to another act. Consenting to sexual activity with one person does not mean there is consent to sexual activity with another person.<sup>2</sup>

## Family, domestic and intimate partner violence

**Family violence** is an umbrella term used to describe a broad range of offences and conduct that causes fear for one's safety and/or wellbeing or is otherwise abusive.<sup>3</sup> Family violence occurs when a family member (which includes a current or former intimate/domestic partner, parent, step-parent or in-law):

- Is physically violent or abusive
- Is sexually violent or abusive
- Is emotionally or psychologically abusive
- Engages in economic abuse, and/or
- Is threatening or coercive.<sup>4</sup>

Family violence can also include damaging property, harming an animal, stalking, removing a person's free choice or causing a child to be exposed to family violence.<sup>5</sup> For more information about family violence, see page 40.

**Intimate partner violence**, also commonly referred to as '**domestic violence**', refers to a pattern of behaviour by a current or former intimate partner that causes physical, sexual or psychological harm, including physical aggression, sexual coercion, psychological abuse and controlling behaviours.

# Sexual Violence and the Law

**Sexual assault** is illegal in all Australian states and territories, regardless of the relationship between the people involved. This includes intimate partners and married couples.<sup>6</sup> Sexual assault is criminalised under Part III of the *Crimes Act 1900* (ACT), which makes it a crime for a person (or group of people) to use violence, threats or coercion to force someone to have sex.<sup>7</sup>

The term 'sexual assault' is more commonly used to describe a wide range of sexual violence and harmful behaviours. In this section, some of the main sexual offences in the ACT are outlined. For more information about sexual violence outside of the law, see page 15.

## Sexual Offences

### Sexual assault

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Under sections 51, 52 and 53 of the *Crimes Act 1900* (ACT), a person commits **sexual assault** if they inflict harm on another person, or threaten to inflict harm, with the intent to engage in sexual intercourse with that person or another person nearby.<sup>8</sup>

### Sexual intercourse without consent (rape)

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**Sexual intercourse without consent** is commonly referred to as 'rape'. This crime is committed when a person (either alone or with others) engages in sexual intercourse with another person without their consent.<sup>9</sup>

Under section 50 of the *Crimes Act 1900* (ACT), **sexual intercourse** is defined as penetration of the genitalia or anus by either a body part of another person or an object, the insertion of any part of the penis into another person's mouth and/or the stimulation of a person's genitalia with another person's mouth.<sup>10</sup>

# Technology-facilitated abuse

Under section 474.17 of the *Criminal Code Act 1995* (Cth), it is a crime to use a carriage service (any form of electronic communication, including emails, text messages, phone calls and social media messaging services) in a way that is menacing, harassing or offensive.<sup>11</sup> This is commonly referred to as **technology-facilitated abuse**.

Examples of technology-facilitated abuse include (but are not limited to):

- Sending any abusive messages through a carriage service, such as through social media, texts, emails or bank transfer descriptions
- Making repeated controlling or threatening phone calls
- Checking someone's text messages, social media activity, internet activity or location history
- Forbidding someone from having a phone or limiting who they can contact via phone or internet
- Tricking someone into unknowingly downloading spyware that will allow a perpetrator to stalk, monitor and/or spy on them
- Sharing intimate photos of someone without their consent (sometimes referred to as 'intimate image abuse' or 'revenge porn').

## Intimate image abuse

Under section 72C of the *Crimes Act 1900* (ACT), it is illegal for someone to distribute or threaten to distribute an intimate image of someone without their consent.<sup>12</sup>

An **intimate image** is defined in section 72A as a photo or video that:

- Shows a person's genitalia, including if covered by underwear
- Shows a woman-identifying person's breasts, including if covered by underwear
- Shows a person who is undressed, showering, bathing, using the toilet or engaged in sexual activity
- Depicts a person in a sexual manner or context
- Has been edited or altered to show any of these things.<sup>13</sup>

**Distribution** includes sending or showing the image to someone else or making it available for another person to view or access, even if no one ends up actually viewing or accessing the image.<sup>14</sup>

**Note:** Possession or distribution of intimate images where the person shown is under the age of 18 may be an offence under child abuse material laws.

## Acts of indecency

**Acts of indecency** are criminalised under sections 57, 58, 59, 60 and 61 of the *Crimes Act 1900* (ACT). They include behaviours that are 'unbecoming or offensive', or otherwise fall below the common standard of decency that an average person would expect. An act of indecency might include the below behaviours without consent or in an inappropriate context:

- Exposing oneself in front of a child or in public
- Sending an unsolicited sexually explicit photo of oneself to another person
- Pretending to perform a sexual act on another person
- Touching someone's genitals without penetration or touching someone's breasts.

# Child sexual abuse

**Child sexual abuse** includes any act that exposes a child to, or involves a child in, sexual processes that are beyond their understanding, are contrary to accepted community standards, or are outside what is permitted by law.<sup>15</sup>

Such acts include:

- Fondling the genitals or breasts
- Masturbation
- Oral sex
- Sexual intercourse
- Voyeurism (watching a person who is engaged in a private act without their consent, for the purpose of becoming sexually aroused or gratified)
- Exhibitionism (exposing the genitals or being observed engaging in sexual activity, also known as 'flashing')<sup>16</sup>
- Exposing a child to, or involving a child in, pornography
- Child grooming (deliberately befriending or establishing an emotional connection with a child to lower that child's inhibitions in preparation for sexual activity)
- Producing, consuming, disseminating or exchanging child sexual abuse material (including intimate images of children).

Offences related to child sexual abuse include those listed in sections 55, 55A, 56, 61, 61A, 64, 64A, 65, 66, 66AA, 66AB, 66A, 66B and 72D of the *Crimes Act 1900* (ACT). In the ACT, the age of consent is 16. However, there are some sexual offences that apply to conduct involving a person who is under 18.

# Sexual Harassment

**Sexual harassment** occurs when someone engages in unwelcome conduct of a sexual nature (including making sexual statements, requests, jokes or advances) which makes another person feel offended, humiliated or intimidated.<sup>17</sup> This includes engaging in an act of indecency and/or unwelcome behaviour that can be considered 'seriously demeaning' because of a person's gender identity. Sexual harassment can be a single event or a pattern of conduct and behaviour.

Sexual harassment can be unlawful under the *Sex Discrimination Act 1984* (Cth) and the *Anti-Discrimination Act 1991* (ACT). While it is not necessarily a criminal offence to sexually harass someone, a person who has experienced sexual harassment in certain contexts (including workplaces, educational institutions, clubs and employment services) can make a complaint or apply for compensation or disciplinary action against the perpetrator. It is illegal for someone to threaten, intimidate or attempt to persuade someone not to make a sexual harassment complaint or to withdraw one already made.

For more information about options available following sexual harassment in an institutional setting, see Chapter 7.

# Legal Avenues following Sexual Violence

Victim-survivors who have immediate concerns for their safety following an experience of sexual violence should contact ACT Police on Triple Zero (000) or a trusted person.

## Protection Orders

If you are concerned for your safety following an incident of sexual violence, you may apply to the ACT Magistrates Court for a **protection order** against the perpetrator. This is an order of the court which sets conditions that the perpetrator must abide by.<sup>18</sup>

These conditions may include prohibiting the perpetrator from:

- Contacting or approaching you
- Causing or threatening personal injury to you
- Harassing, intimidating or behaving in an offensive manner towards you
- Attending your home or workplace.

There are three types of protection orders: **Family Violence Orders (FVO)**, which will generally apply for two years, **Personal Protection Orders (PPO)**, which will generally apply for one year and **Workplace Protection Orders (WPO)**, which can apply for a maximum period of one year. There is no cost to apply for these protection orders. For more information about applying for a WPO, see page 104.

An FVO can be issued if a person has been affected by or fears family violence. **Family violence** is defined in section 8 of the *Family Violence Act 2016* (ACT) and includes sexual violence or abuse by a family member, current or former intimate partner, or relative. A person can apply for an FVO on behalf of children who live with them. A police officer may also apply on behalf of an individual. Police may also automatically issue a protection order against the perpetrator following an arrest. For more information about family violence, see page 70.

A PPO can be issued if a person fears personal violence from someone who is not a family member or domestic/intimate partner. 'Personal violence' includes physical and sexual violence or abuse, threats, harassment, offensive or intimidating behaviour, stalking and property damage. A person can also apply for a PPO on behalf of children under the age of 18 who ordinarily live with them.

Under the National Domestic Violence Order Scheme, all PPOs and FVOs made in the ACT after 25 November 2017 are nationally recognised. This means that they can be enforced in all Australian states and territories and in New Zealand.

## How to apply

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To apply for a PPO or FVO, you must lodge an application at the **ACT Magistrates Court**. You can also contact the **ACT Police** to file an application on your behalf. The Court is located at **4 Knowles Place, Canberra ACT 2601**. There are services available there to assist you with lodging an application, including:

- ACT Policing Family Violence Liaison Officers, located in the Family Violence Unit at the ACT Magistrates Court
- Legal Aid ACT lawyers
- Domestic Violence Crisis Service (DVCS) staff.

You can also contact the **Domestic Violence and Personal Protection Order Unit** at Legal Aid ACT for legal assistance in drafting your application. This service is not means tested, meaning that anyone can seek initial advice for free. See page 117 for contact details.

### 1 Complete the relevant application forms

To apply for a PPO or FVO you will be required to file the following documents:

- An **application form** outlining the conditions that you seek from the court to keep you safe from the other party and your explanation of the incident/s involving the other party
- **Private and Confidential form** (the yellow form) which is provided to the police by the court to assist in locating the perpetrator, and
- A **Notice of Address for Service**, which includes your contact details (or those of your lawyer) to receive communication from the court regarding your PPO or FVO.

The above forms are available at the Registry Counter inside the main foyer of the ACT Magistrates Court or on the ACT Courts website.

### 2 File the application

The above forms must be lodged in hard copy at the Registry Counter inside the ACT Magistrates Court. The Registry Counter opens at 9am. Waiting in the court for the opening time may be a confronting experience. If needed, bring a support person or access the support services available in the court. The court will hear your application within 48 hours of it being filed. You will be given a notice that lists the file number of your application, the time of your hearing and the details of the presiding officer (Deputy Registrar or Magistrate) who will hear your application.

### 3 Appear before the Deputy Registrar/Magistrate

At the hearing, you will be required to give oral evidence, explain the details of your application and why you are seeking a protection order. A support person can accompany you to this hearing.

## 4 Interim Decision

At the conclusion of the hearing, the court may make an **Interim Family Violence Order (IFVO)** or **Interim Personal Protection Order (IPPO)** if they are satisfied that the order is necessary to ensure your safety and the safety of your property until a final decision is made. Upon making the interim order, the court then makes arrangements for ACT Policing to serve the perpetrator with the interim order. The interim order does not become enforceable until all documents have been served. If the court does not make an interim order after hearing your application, a date will be set for a return conference.

## 5 Return Conference

After an application has been made, even if the court has not made an interim order, the court will set a date for a return conference. You and the perpetrator will be required to attend court for this return conference to see if the matter can be resolved through mediation. At the conference, the mediator will try to facilitate an agreement between you and the perpetrator about the terms of the order. You will not be required to sit in the same room as the perpetrator or communicate with them directly during this meeting. If there is an agreement on the terms of the order, the order will then be made final. If no agreement is reached, it will proceed to a **Pre-Hearing Mention**. A Pre-Hearing Mention is when the Registrar gives instructions on how to prepare for the hearing and to provide an additional opportunity for the order to be finalised with the consent of both parties. If no finalisation occurs at this point, then the matter will proceed to a final hearing.

## 6 Final Hearing

If no agreement is reached, the matter proceeds to a final hearing. In preparation for your hearing, you may file further court documents and evidence to support your application. On the date of hearing, you and the perpetrator will be given another opportunity to resolve your matter through mediation. If you do not reach an agreement, then your matter will be heard before the Deputy Registrar or Magistrate. After hearing each of your arguments and evidence, the Deputy Registrar or Magistrate may make a **Final Family Violence Order** or a **Personal Protection Order** against the perpetrator.

### If there has been a breach of your protection order

If a person refuses or fails to comply with the terms outlined in the protection order, they are in breach of the order. This is a criminal offence. If this occurs, report it to the police as soon as you can. **Call Triple Zero (000) if it is an emergency or life-threatening situation.** If you can, keep a record of information such as the date, time, location and details of the breach, including any communication or attempted communication. Keep the order with you, as this will assist police when they respond to an incident.

**More information about the process of obtaining a protection order is available on the ACT Police website, the ACT Magistrates Court website or can be obtained by calling the Legal Aid ACT helpline on 1300 654 314.**

## Sexual violence and your visa

If you are in Australia on a Temporary or Partner visa, your visa will not be automatically cancelled due to domestic, family or sexual violence. A perpetrator of domestic, family or sexual violence cannot cancel your visa. Only the Minister for Immigration or a delegated officer has this power. However, this is a complex policy area and outcomes can vary for different visa holders based on the type of visa.

If you have concerns or questions about your visa status because of domestic, family or sexual violence, it's important to seek immigration assistance from a lawyer or registered migration agent. You can also contact the **Department of Home Affairs** via its website for assistance to resolve your visa status. The Department of Home Affairs will not refer the matter to the police without your consent unless there is immediate threat to your life, risk of harm or due to mandatory child reporting obligations.

The **Australian Red Cross** can also provide financial assistance to temporary visa holders who are experiencing domestic, family or sexual violence. For more information about your options or to seek support, you can contact Legal Aid ACT (see page 117 for contact details), DVCS (see page 115 for contact details) or visit the Family Violence Law Help website.



*ACT Magistrates Court - Standard Court Room*

# The Criminal Justice Process

If a sexual offence has occurred, you can report it to the police. This is the first step in bringing criminal charges against the perpetrator. Most sexual offences in the ACT are tried in the ACT Supreme Court. To learn more about making a report to police, see Chapter 5.

## When will a matter proceed to court?

Once police have investigated a sexual violence matter and have decided that there is a basis to lay charges, the matter is given to the **ACT Office of the Director of Public Prosecutions (DPP)**, who will evaluate whether it should proceed to court.

Not all sexual violence matters proceed to court, even after a police investigation. Prosecutors must consider a range of factors in their evaluation, including:

- Whether there is sufficient evidence
- Whether there are reasonable prospects of the case being argued successfully and a conviction being obtained, and
- Whether bringing the matter to court is in the public interest.

### When is a matter in the 'public interest'?

If a prosecutor is satisfied that there is sufficient evidence and a likelihood of conviction, they will then determine whether pursuing a conviction is in the **public interest**. Many factors are relevant in determining public interest and are assessed on a case-by-case basis. Examples of factors taken into account are:

- The seriousness of the alleged offence
- The youth, age, background, physical health, mental health or special vulnerability of the perpetrator, a witness or victim-survivor
- The availability and effectiveness of alternatives to prosecution
- The likely length and expense of a trial
- The views of the victim-survivor.

This is a non-exhaustive list and many factors can be taken into account. While victim-survivors cannot decide whether a matter ultimately proceeds to court, their views are often given significant weight by the DPP (especially in sexual offence cases).<sup>19</sup>

Victim-survivors whose matters proceed to court are often called to give evidence during the trial, which can be very distressing. This means that the DPP must also consider whether the victim-survivor will be able to cope with giving evidence and experiencing a potentially lengthy criminal trial. Prosecutors will also need to assess the **reliability and credibility** of the evidence - this is a question of whether the jury or judge would be satisfied that the offence occurred, based on the evidence, **beyond reasonable doubt**. This is a very high standard of proof. However, if the perpetrator of the sexual offence pleads guilty, they may be sentenced without the matter proceeding to a trial.

It may take years for a trial to begin in court after the incident was first reported to police. There is no standard length of time from initial police report to the beginning of court proceedings. There will likely be frequent delays which also lengthen the criminal justice process. However, if the victim-survivor is deemed to be a 'vulnerable adult', they may be able to give evidence at a pre-trial hearing so their involvement in the trial process can be finalised earlier. Due to this lengthy process, there is potential for re-traumatisation and further harm to occur. The criminal justice process may not be the right avenue for many individuals. It is important for victim-survivors to seek legal advice and professional support for more information about the criminal justice process.



*ACT Supreme Court – Jury Court Room*

## Important organisations and services to know

### ***ACT Office of the Director of Public Prosecutions (DPP)***

The **DPP** are the lawyers responsible for prosecuting criminal offences in court on behalf of the ACT community. This means that, in sexual violence matters, the DPP are responsible for deciding whether a matter will proceed to court and then proving that the sexual offence occurred beyond reasonable doubt.

Victim-survivors whose matters proceed to court will often be called as witnesses by the DPP to give evidence against the perpetrator. The DPP takes the victim-survivor's interests and wishes into account throughout the prosecution. However, while the DPP may seek to prove that a sexual offence was committed, **they do not represent victim-survivors in court.**

## **Witness Assistance Service (WAS)**

The **Witness Assistance Service (WAS)** is part of the DPP and is staffed by witness liaison officers. WAS gives priority to vulnerable witnesses, such as victim-survivors of sexual offences, people under the age of 18 or witnesses with a disability or mental health concerns.

### **WAS can assist victim-survivors whose matters proceed to court by:**

- Organising and attending meetings between victim-survivors and DPP lawyers in preparation for trial
- Providing updates on the matter as it proceeds in court
- Providing information to victim-survivors about their rights, any special provisions for giving evidence and available support services
- Arranging court visits so that witnesses can familiarise themselves with the court environment
- Assisting witnesses to prepare Victim Impact Statements
- Providing information about verdicts and sentencing at the end of the trial.

Although WAS works with victims of crime, it does not work for them. WAS does not provide counselling, representation or seek to influence prosecutorial decisions or legal outcomes in any way.

## **Victim Support ACT**

**Victim Support ACT** provides support, advocacy and financial assistance to people who have experienced a crime in the ACT. Victim Support ACT also provides a Court Support Program run by volunteers who can provide practical information and assistance to victim-survivors attending the ACT Magistrates Court and the ACT Supreme Court. For more information about Victim Support ACT and their contact details, see page 130.

## **Intermediaries**

**Intermediaries** are trained officers of the court who can be appointed in matters involving vulnerable witnesses for sexual violence cases. Vulnerable witnesses include children and can also include adults with a communication difficulty related to disability, trauma or cultural and linguistic background.

Intermediaries are often health professionals and are impartial, meaning that they do not represent the witness and cannot discuss the matter or content of the case. They do not act as a support person for the victim-survivor, but rather ensure that they are able to communicate effectively and safely with police, legal practitioners and other court staff during proceedings. Intermediaries can also be present during police interviews. For more information about intermediaries, see page 58.

If deemed necessary, the DPP may apply for an intermediary for a victim-survivor to facilitate communication during questioning at court. Victim-survivors who would like assistance from an intermediary can ask police when making a report or contact Victim Support ACT. The Court may also appoint a witness intermediary if necessary.

**Note:** The DVCS Court Advocacy Program can also support victim-survivors during criminal proceedings for sexual violence matters within a domestic and/or family violence context.

## Before court

Prior to the trial, victim-survivors will meet with the DPP prosecutor/s who will be conducting the matter in court. A WAS liaison officer may also be present to support victim-survivors and assist with these preparations. Victim-survivors may be accompanied by a support person during the meeting.

## During the court process

Most sexual offence proceedings in the ACT occur in the **ACT Supreme Court**, located at **6 Knowles Place, Canberra ACT 2601**.

The proceedings in the ACT Supreme Court are heard in front of a 12-person jury who are responsible for deciding whether the accused perpetrator (often referred to as the defendant or the accused) is guilty or not guilty beyond reasonable doubt. A Judge is also present to guide the proceedings and sentence the perpetrator if found guilty. Other important people involved in sexual offence proceedings are the DPP prosecution team, the defence team (if the perpetrator has sought legal representation) and witnesses who may be called to give evidence, which usually includes the victim-survivor and investigating officers.

Before calling witnesses to give evidence, both the prosecution and defence teams will be given an opportunity to outline their case to the jury. This includes explaining the incident and the nature of the charges brought against the perpetrator.

Please note that the identity of victim-survivors involved in court proceedings must be kept confidential from the public and cannot be reported on by the media without the victim-survivor's consent. While this same confidentiality is not given to the perpetrator, their name will be withheld if it reveals the victim-survivor's identity. However, a victim-survivor may choose to have their identity reported on.

### The courtroom and remote witness facilities

In sexual violence or domestic violence matters, victim-survivors sit in a separate room near the courtroom (a '**remote witness facility**') to give evidence. This is to protect them from seeing the perpetrator directly in the courtroom. Both the remote witness facility and courtroom are linked via videolink, so that everyone in the courtroom can see and hear the victim-survivor give their evidence. A support person, such as a friend or family member, or a support animal, can sit with the victim-survivor in the remote witness facility as long as they are not giving evidence too. Staff from the CRCC or the DVCS can also support victim-survivors while giving evidence. Victim-survivors may also ask to give their evidence in the courtroom if they wish. This decision is a personal choice of the victim-survivor about where they feel best to give their evidence.



*Remote Witness Facility*

## Giving evidence: Examination-in-chief and cross-examination

Victim-survivors will be required to give evidence during the trial by answering questions about their witness statement.

First, the DPP prosecutor will ask questions about the sexual violence incident and the information contained in the witness statement. If there was a recorded statement made to police, this will be played to the court and the prosecutor may ask follow up questions (to learn more about recorded statements, see page 57). This is called **examination-in-chief**. The purpose of these questions is to allow the jury, judge or magistrate to understand the victim-survivor's full account of the facts.

Next, the defence team will ask the witness questions about their answers. This is called **cross-examination**. The purpose of these questions is to test evidence. For this reason, cross-examination can be incredibly distressing or re-traumatising for victim-survivors. If the perpetrator is unrepresented, the court will appoint a registrar to cross-examine the witness on their behalf. There are certain topics that a victim-survivor cannot be cross-examined about, including their sexual history and confidential medical information (including counselling records), without the court's approval.

Victim-survivors can ask for breaks during examination-in-chief and cross-examination if necessary.

## Child witnesses

For **child witnesses** in sexual offences, their evidence can also be presented to the court in the form of a recorded interview between the child and the police. A child will still have to attend court (using the audio-visual link) for any further examination-in-chief and cross-examination.

## The verdict

The **verdict** is the jury's decision about whether the perpetrator is found to be **guilty** or **not guilty** beyond reasonable doubt. If the perpetrator is found **guilty** in either the ACT Supreme Court or the ACT Magistrates Court the matter will proceed to sentencing. Sometimes the perpetrator is sentenced immediately, but usually a date is set for a future court hearing so that the judge or magistrate can consider the appropriate sentence. If the perpetrator has pleaded guilty, the matter will generally proceed to sentencing.

If the perpetrator is found **not guilty**, it does not necessarily mean that the jury, judge or magistrate did not believe the victim-survivor and/or the witness. It means that the charge against them could not be proved beyond reasonable doubt or an additional factor influenced the verdict (for example, if the perpetrator is found to suffer from a mental impairment). **Note:** The DPP might choose to appeal this decision.

## After court

### Sentencing

If a **sentencing** hearing has been set after a verdict has been reached, the offender will be required to return to court. Victim-survivors can attend the sentencing hearing but are not required to do so. Each sexual offence in the ACT carries a maximum penalty, but the judge or magistrate will decide the appropriate sentence in each matter. This may be a term of imprisonment, community service, mandatory counselling or some other form of obligation. The WAS and Victim Support ACT are available to explain verdicts and sentencing to victim-survivors during and after trial.

### Victim Impact Statements (VIS)

Victim-survivors have the right to make a **Victim Impact Statement (VIS)** to the court at the time of sentencing. This is a written or spoken statement which describes to the court the impact of the crime and harm it has caused. This can include physical, psychological and emotional harm, economic loss and/or other damages.

VIS are voluntary. They can be read aloud in court during the sentencing hearing by the victim-survivor themselves, a support person, the prosecutor or be tendered to be read by the judge or magistrate at sentencing. The court may grant more time for a VIS to be prepared in a sentencing proceeding for serious offences (offences punishable by imprisonment for longer than five years). VIS help the court understand the personal impact of the crime on the victim-survivor and their supporters. A victim-survivor may be cross-examined by defence lawyers about their VIS. As such, a VIS can only refer to crimes for which the perpetrator was found guilty.

More information about VIS, including the Victim Impact Statement form for witnesses to fill out, can be found on the Victim Support ACT website. Victim Support ACT, DVCS, the WAS and VLOs can also assist witnesses in preparing their statements.

## ACT Victims Register

If the perpetrator has been convicted and sentenced, victim-survivors can elect to have their name and contact details recorded on the **ACT Victims Register** to receive information about the perpetrator and the administration of their sentence. There are three registers in the ACT:

- The **Victims of Adult Offenders Register** (generally referred to as the ACT Victims Register)
- The **Victims of Young Offenders Register** (for perpetrators who were under the age of 18 when the offence was committed), and
- The **Affected Persons Register** (used when the defendant or offender has been found not guilty by way of mental impairment).

For adult perpetrators, the information that a victim can receive once registered includes:

- The length of their sentence, the date they will be eligible for parole and their earliest release date
- The correctional centre where they are detained and any subsequent transfers between facilities
- Any changes in their security classification which may result in the perpetrator being eligible for unescorted leave
- Any unescorted leave given to the perpetrator, and
- The death, escape or any other exceptional event relating to the perpetrator.

Information that is kept on the ACT Victims Registers is confidential and is only used to contact and inform a registered victim about a sentenced offender. Victim-survivors can contact Victim Support ACT for more information. See page 130 for contact details.

# The Civil Process

Victim-survivors may also be able to bring a **civil claim** against the perpetrator following sexual violence. Unlike the criminal justice process, in which the perpetrator is either found guilty or not guilty of a criminal offence, the civil law process allows victim-survivors the possibility of compensation (usually monetary compensation, called 'damages') for the harm they suffered (or are still suffering) as a result.

In a civil case, it must be proved on the **balance of probabilities** that the incident occurred and that the perpetrator is responsible for the harm caused. This is a lower standard of proof than is required in a criminal trial. It means that the judge or tribunal must agree that **it is more likely than not** that the incident occurred and the victim-survivor suffered harm as a result. The judge or tribunal can then award damages to the victim-survivor based on the harm suffered (including emotional, financial and ongoing harm). All civil cases with claims up to \$25,000 are heard in the ACT Magistrates Court.

# Considerations when bringing a civil claim

## Advantages

- The legal standard of proof in civil law (the balance of probabilities) is lower than in criminal law, meaning that it may be easier for a victim-survivor to bring a successful claim.
- Unlike in criminal proceedings for sexual offences where victim-survivors are most often called as witnesses only, civil proceedings allow victim-survivors (or their legal representative/s) to argue their case directly before the court.
- Victim-survivors can receive financial compensation for the harm suffered as a result of the incident.
- A civil claim can be brought against companies and businesses, not just individuals. This may be beneficial for victim-survivors seeking compensation for harm suffered in institutional contexts.
- Evidence is given through a written statement prior to the case, so the witness is not required to give evidence on the spot or without the aid of this written statement.

## Disadvantages

- Bringing a civil claim can be very expensive. If a victim-survivor wishes to be represented by a lawyer, they must be prepared to pay legal and court fees for the duration of the case, and potentially more in the event that they lose (for example, in the form of costs to the defendant, if ordered).
- Just like criminal matters, civil trials can be lengthy.
- There is a similar risk of re-traumatisation for the victim-survivor in being asked to prove that the incident occurred and due to the length of the trial.
- Risk of retaliation in the form of a counter-claim by the defendant. For example, a defamation claim being made against the victim-survivor for 'false allegations'.

## How to bring a civil claim

It is important to obtain legal advice before lodging a civil claim against a perpetrator. The ACT Law Society may be able to recommend private law firms to victim-survivors based on considerations such as income and location. See page 119 for contact details.

Legal Aid ACT may also be able to support some victim-survivors in bringing civil claims through a grant of legal aid, if there are reasonable prospects of success and the victim-survivor is unable to afford legal representation. See page 117 for contact details.

# Restorative Justice

Restorative justice is another option open to victim-survivors of sexual violence. The **ACT Restorative Justice Unit (RJU)** is an ACT Government agency which facilitates restorative justice in the ACT community by involving victim-survivors, their supporters and the perpetrator in the process. The restorative justice process aims to provide:

- Victim-survivors with an opportunity to talk about how the offence has affected them and others close to them
- Perpetrators with an opportunity to accept responsibility for their actions
- Victim-survivors, offenders and supporters an opportunity to discuss the harm that has occurred and what needs to be done to repair that harm, and
- Perpetrators with an opportunity to repair the harm done by the offence.

Restorative justice focuses on healing from the impacts of crime rather than criminal prosecution or civil damages. The RJU is located at the **Second Floor, Customs House, 5 Constitution Ave, Canberra ACT 2601**. The RJU can be contacted on (02) 6207 3992 or by emailing [restorativejustice@act.gov.au](mailto:restorativejustice@act.gov.au).

## When can matters be referred to the RJU?

The RJU receives referrals from within the criminal justice system, meaning that the matter must have been reported to police, be before the court, or the offender must be serving a sentence or subject to an order. Victim-survivors can seek a referral at different points in the justice process and are encouraged to contact the RJU to find out more and to seek assistance to access a referral. Only sexual offences defined as 'less serious' under the *Crimes (Restorative Justice) Act 2004* (ACT) are eligible for referral to the RJU before the matter goes to Court. Other sexual violence offences can be referred to the RJU alongside court proceedings or after sentencing has occurred. Restorative justice is voluntary, meaning that all people involved, including the perpetrator, must agree to take part.

## The restorative justice process

The restorative justice process is focused on the needs and interests of each individual victim-survivor. This means that the process can look quite different from one case to another.

After receiving a referral, RJU convenors meet with the participants over a number of weeks to determine whether restorative justice is appropriate. The restorative justice process will only continue if it is safe to do so, and is likely to meet the needs of the victim-survivor. The perpetrator must show a willingness to accept responsibility for having caused harm and have the capacity to actively make amends.

If restorative justice is deemed appropriate, and all parties agree to take part, RJU convenors will facilitate a meeting to discuss the following:

- **What happened?** The perpetrator will be asked to talk about what led up to the offence, as well as what happened during and after the offence took place. They will also be asked to reflect on how they think the victim-survivor and others may have been affected.
- **How were people affected?** Starting with the victim-survivor, the convenor will ask everyone to share their thoughts about the offence, how they felt when the offence occurred and how they feel now.
- **How to make things better?** Everyone will be asked to share their thoughts on how the impacts of the crime can be alleviated. For example, this may be in the form of an apology, financial reparations or any other agreement between the victim-survivor and the perpetrator about what the perpetrator needs to do in order to repair the harm caused by the offence.

Often, these meetings are held face-to-face with everyone in the same room. However, it is possible for participants to communicate indirectly if this is more appropriate. Victim-survivors may also choose to have another person attend restorative justice meetings on their behalf.

The RJU will work closely with victim-survivors to ensure they feel in control, are able to set boundaries around what is discussed and determine the timing and format of any communication. For example, it may not be necessary to talk about what happened if this may re-traumatise the victim-survivor.

The process can also be adapted for participants from culturally and linguistically diverse backgrounds to ensure that it is culturally appropriate and effective. Aboriginal and Torres Strait Islander victim-survivors can be supported throughout the entire restorative justice process by an **Indigenous Guidance Partner**, who can attend all preliminary meetings, the conference and support the victim-survivor in the post-conference period. For more information about the restorative justice process and the Indigenous Guidance Partner, visit the ACT Government - Restorative Justice website.

### Important things to know

- Participants can withdraw their participation in the restorative justice process at any time.
- Accepting responsibility during the restorative justice process does not prevent the perpetrator from pleading 'not guilty' if the matter proceeds to court.
- Agreements reached during the restorative justice process must be fair and able to be carried out by the perpetrator, must not be unlawful or require the detention of the perpetrator, and must not be for a term longer than 6 months.
- Agreements reached during the restorative justice process may be taken into account during sentencing if the perpetrator is found guilty of the offence in court. However, the court cannot take into account whether the perpetrator refused to participate or withdrew from the restorative justice process.

# Endnotes

1. *Crimes Act 1900* (ACT) s 67 ; *Crimes Act 1900* (ACT) s 50B.
2. *Crimes Act 1900* (ACT) s 67.
3. *Family Violence Act 2016* (ACT) s 8.
4. *Family Violence Act 2016* (ACT) s 8.
5. *Family Violence Act 2016* (ACT) s 8.
6. *Crimes Act 1900* (ACT) s 54.
7. *Crimes Act 1900* (ACT) s 50-56.
8. *Crimes Act 1900* (ACT) s 51-53.
9. *Crimes Act 1900* (ACT) s 50.
10. *Crimes Act 1900* (ACT) s 54.
11. *Criminal Code Act 1995* (Cth) s 474.17.
12. *Crimes Act 1900* (ACT) s 72C.
13. *Crimes Act 1900* (ACT) s 72A.
14. *Crimes Act 1900* (ACT) s 72B.
15. Royal Commission into Institutional Responses to Child Sexual Abuse (2017). *Final Report: Our Inquiry – Royal Commission into Institutional Responses to Child Sexual Abuse* (Volume 1), p. 320.
16. *Crimes Act 1900* (ACT) s 91J.
17. *Sex Discrimination Act 1984* (Cth) s 28A ; *Anti-Discrimination Act 1991* (ACT) s 58.
18. ACT Magistrates Court (n.d). *Personal Protection and Workplace Protection Orders ; Personal Violence Act 2016* (ACT) s 27 ; *Family Violence Act 2016* (ACT) s 35.
19. ACT Government (2021). *Director of Public Prosecutions: The Prosecution Policy of the Australian Capital Territory*.



# Take a Break

Take a break from this resource and do something to help you relax, cope with stress or fear and to wind down. This could be through meditation, breathing exercises, prayer or the below visualisation. We have included some guided imagery prompts for you to picture in your mind if you choose. This technique can help you visualise positive and safe spaces.

## Visualisation Prompts

### *By the river*

Imagine you are sitting by a river. You can hear the gentle flow of water and the birds in the trees above. You can feel the cool stones beneath you and the light breeze on your face. You look up and you see the soft blue of the sky and dark outlines of trees reaching for the clouds. Now, you look back down and you see the browns, blues, greens and greys of the river. There are curls of white where the water meets the rocks. When you look more closely, you can see little fish darting around in the water. You place your hands and feet firmly on the ground beneath you. You take some deep breaths. You let the river carry away your worries.

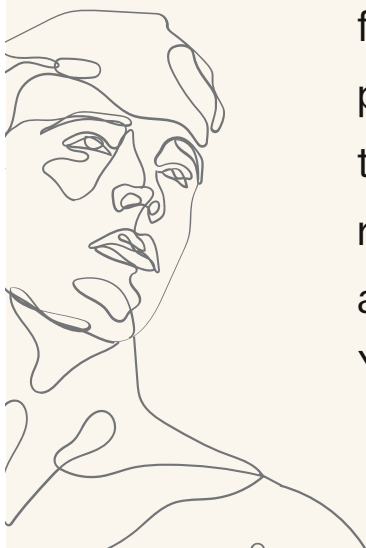


## Relaxation

Imagine you are lying down with your body relaxed, arms by your side and legs stretched. Take a few deep breaths to this rhythm: in for 4 counts, hold for 2 and release for 6. Feel the breath travel in through your nose and down into your lungs, lifting your belly as you breathe. Now, visualise the air from each breath travelling through your body: down through your legs and into your toes, across your arms and into the tips of your fingers, up through your neck and into your head. Imagine every breath relaxing each checkpoint in your body as the air travels around and through. Relax into your body, and slowly release any tension it carries.

## Safe space

Imagine you are in your room. You can feel your warm blankets around you and the soft pillow behind your head. Maybe you've just woken up, or maybe you're watching a movie or calling a friend. There is soft music playing, you feel at peace and revitalised. There's a steaming cup of tea on your bedside table and the air in your room smells fresh and clean. You look around as sunshine gently filters in through the curtains. You feel at home.



# 07

## **Institutional Settings**

This chapter outlines the obligations of institutions to safeguard individuals from sexual violence. It also identifies common types of institutional sexual violence and the avenues for guidance and support when reporting sexual violence in institutional settings.

### **Content warning:**

This chapter mentions sexual violence, institutional child sexual abuse and institutional betrayal.

# What's in this chapter?

## Key terms:

- Institutional sexual violence
- Sexual harassment
- Institutional child sexual abuse
- Mandatory reporting obligations
- Official Visitors
- Employment unions

## Key organisations mentioned:

- Child and Youth Protection Services (CYPS)
- ACT Ombudsman
- National Redress Scheme
- Blue Knot Foundation
- ACT Human Rights Commission
- Australian Human Rights Commission
- ACT Civil and Administrative Tribunal (ACAT)
- Universities Australia
- Fair Work Commission
- WorkSafe ACT
- UnionsACT
- Youth Law Australia
- Legal Aid ACT
- Women's Legal Centre ACT
- knowmore
- Young Workers Centre ACT
- Australian Unions Support Centre

**Institutional sexual violence** refers to any actual or attempted sexual act, comment or advance against a person who is employed by, enrolled in or is a member of an institution, and the act of violence occurred within the institution's premises or related contexts.<sup>1</sup> For example, institutional sexual violence can happen:

- At workplaces, schools, campuses, clubs or organisation premises
- While working remotely, including at home or a client's home
- During workplace or educational deployments such as secondments, exchanges and student placements
- During activities affiliated with an institution, including parties, trips, training courses, camps and student clubs
- On online platforms related to the institution, including on social media, over email or phone, on digital campuses and during virtual conferences
- Residential facilities such as aged care, disability and mental health facilities.

## Institutional Sexual Violence and the Law

### Sexual harassment

**Sexual harassment** is a highly prevalent form of institutional sexual violence in Australian communities. Sexual harassment is any unwelcome conduct of a sexual nature (including making oral or verbal sexual statements, requests, jokes or advances). Some examples of sexual harassment include:

- Sexual or suggestive emails, messages, gestures, jokes and comments
- Any unwelcome touching
- Staring or leering
- Brushing up against someone unnecessarily
- Unwanted invitations to go on a date
- Inappropriate comments about someone's private life or body
- Insults or taunts based on sex or gender.

Under the *Sex Discrimination Act 1984* (Cth), this kind of conduct is considered sexual harassment if a reasonable person would expect that it would make the target feel harassed, offended or humiliated.<sup>2</sup> Whether a reasonable person would characterise certain conduct as sexual harassment will also be influenced by characteristics of the victim-survivor, including:

- Their sex, age, sexuality, gender or marital status
- The relationship between the victim-survivor and the perpetrator
- If the victim-survivor has a disability
- Any other relevant characteristics in the circumstances.<sup>3</sup>

The *Sex Discrimination Act 1984* (Cth) generally makes it unlawful to discriminate against a person because of their sex, gender identity, intersex status, sexual orientation, marital or relationship status, family responsibilities, because they are pregnant (or might become pregnant) or are breastfeeding.

A 2018 survey conducted by the **Australian Council of Trade Unions (ACTU)** revealed that 64% of female respondents reported having experienced sexual harassment during their working lives.<sup>4</sup>

Additionally, a 2021 survey conducted by the **Community and Public Sector Union (CPSU)** found that only a quarter of women who experienced sexual harassment over the past twelve months reported the incident. Only 10% of those who reported were satisfied with the response given by their institution.<sup>5</sup>

The **Australian Human Rights Commission (AHRC) Respect@Work Report** found that almost two in five women and just over one in four men have experienced sexual harassment in the workplace in the past five years. Further, Aboriginal and Torres Strait Islander peoples were more likely to have experienced workplace sexual harassment than people who are non-Indigenous.<sup>6</sup>

Sexual harassment is primarily perpetrated by men against women. This is primarily due to normalised sexism and misogyny within Australian institutions. However, sexual harassment can happen to anyone regardless of their sex, sexual orientation or gender identity.

Most institutions will have internal reporting options for sexual harassment. However, there are also external reporting options available. It is important to note that most external reporting options involve a legal process, so it is recommended that you check if there are any internal reporting options first and get legal advice early to know what the best option is for you. For more information about other forms of sexual violence and harassment that may occur in institutional settings, see pages 71-73.

### **Institutional child sexual abuse**

**Child sexual abuse** includes any sexual act that involves or exposes a child to sexual processes that are beyond their understanding, contrary to accepted community standards, or fall outside of what is permitted by law, such as intercourse, grooming and indecent acts. In the ACT, a child is a person who is under 18 years of age.<sup>7</sup> For more information about child sexual abuse, see page 73.

**Institutional child sexual abuse** can happen:

- On the premises of an institution, such as a school, a church, a club, an orphanage or children's home
- Where activities of an institution take place, such as a camp or a sporting facility
- By an official of an institution such as a teacher, a religious figure like a priest or nun, a coach or camp leader.<sup>8</sup>

Institutional child sexual abuse is widely under-reported. However, options are available to victim-survivors who have experienced institutional child sexual abuse, including financial compensation and legal claims.

### **Mandatory reporting obligations**

Adults who work with or in relation to children in an institutional context hold **mandatory reporting obligations** under the *Children and Young People Act 2008 (ACT)*. If they believe on reasonable grounds that a child has experienced or may be experiencing sexual or physical abuse, they are legally required to make a report to **Child and Youth Protection Services (CYPS)**. These mandatory reporting obligations extend to care facilities such as out-of-home care and youth detention centres. Foster carers are excluded.

In some cases, a failure to report child sexual abuse can be a punishable offence. For more information about mandatory obligations and reporting child abuse and neglect to CYPS, visit the ACT Community Services website.

### **Reportable Conduct Scheme**

The **Reportable Conduct Scheme** aims to improve child protection within organisations in the ACT. Organisations included in the Reportable Conduct Scheme are mandated to report allegations or convictions of child abuse or misconduct toward children by an employee or volunteer to the **ACT Ombudsman** (the statutory body responsible for investigating complaints against ACT government agencies, including sexual violence).

Organisations covered by the scheme are called 'designated entities' and include:

- All ACT directorates
- Health services
- Kinship and foster care organisations
- Residential care organisations
- Government and non-government schools
- Religious bodies
- Child care services
- Education and care service providers, including after school care.

When the ACT Ombudsman receives a new notification from an organisation about an allegation of reportable conduct, they assess the initial response by the organisation and provide feedback on their risk assessment and investigation plan. Once the final report is received, they consider whether there was a proper investigation, whether appropriate action was taken and whether they need further information from the organisation. More information is available on the ACT Ombudsman Website. The ACT Ombudsman can be contacted on (02) 6276 3770.

## **The Royal Commission into Institutional Responses to Child Sexual Abuse**

The **Royal Commission into Institutional Responses to Child Sexual Abuse (Child Abuse Royal Commission)** was established in 2013 by the Federal Government to inquire into and report upon responses by institutions to instances and allegations of child sexual abuse in Australia. In 2017, the Child Abuse Royal Commission released its final report.<sup>9</sup>

### **The National Redress Scheme**

In response to the Child Abuse Royal Commission's recommendations, the Australian Government launched the **National Redress Scheme**.

The National Redress Scheme can help victim-survivors of child sexual abuse get access to:

- Counselling
- A redress payment
- A direct personal response from an institution (such as an apology).

Adult victim-survivors of child sexual abuse, where the abuse occurred before 1 July 2018, can make applications under the National Redress Scheme until 30 June 2027. Victim-survivors who receive an offer of redress may accept any or all of the options above.

The National Redress Scheme is (in most cases) considered an alternative to taking the matter to court or settling it out of court. It can also act as a top-up payment from a previous court settlement. Once an offer of redress has been accepted, victim-survivors will not be able to pursue a claim against the same institution in the future.

Some institutions were excluded from the National Redress Scheme and others have decided not to join. For a list of institutions that are part of the Scheme, see the National Redress Scheme website.

### **Counselling**

In the ACT, victim-survivors can be connected to a local counselling service for free as part of their redress offer. If you already have a counsellor that you would like to continue seeing, Victim Support ACT will arrange the payments for all required future sessions. If you do not have a counsellor, Victim Support ACT can also arrange one for you. You will be able to access this free counselling for as long as it is needed.

### **Redress payment**

Payments will be decided on an individual basis. They will range from less than \$10,000 through to \$150,000, with any previous payments related to the same case of abuse being deducted from the total redress payment offered.

### **Direct personal response from an institution**

A direct personal response will usually involve contact with the institution, such as an apology that acknowledges the harm caused and the impact of the abuse. It may also include an explanation about what the institution has done or will do to stop abuse from happening again. As part of the direct personal response, the victim-survivor may be asked what they hope to achieve from the response and how they would like to receive it, such as via letter or an in-person meeting.

If you are considering making an application under the National Redress Scheme, you can contact the scheme directly for further information at 1800 737 377 (within business hours), or get legal advice. You can also contact **knowmore** on 1800 605 762 (within business hours) for free legal advice and support about your redress options.

### **Religious institutions**

**Religious institutions** in Australia were investigated as part of the Child Abuse Royal Commission and are included in the National Redress Scheme. Although religious institutions may encourage victim-survivors to follow internal processes, victim-survivors are not excluded from reporting sexual violence to police or seeking support outside the religious institution. Since 2019, ministers of religion, religious leaders and clergy members of a church or religious denomination in Australia are required to report actual or suspected physical and/or sexual child abuse under the *Children and Young People Act 2008* (ACT).<sup>10</sup> It may also be an offence for religious staff to fail to report a reasonable suspicion of a child sexual abuse made known during confessions.<sup>11</sup>

## Youth detention

The Child Abuse Royal Commission found that youth detention environments are high-risk institutional settings for child sexual abuse to occur. **Official Visitors** are individuals appointed by the ACT Government to provide a monitoring and complaints system in correctional centres in the ACT. Official Visitors can receive complaints from children and young people in detention or others on their behalf and must attend juvenile detention centres in the ACT at least once a month. Official Visitors at juvenile detention centres hold mandatory reporting requirements. Young people can also report instances of mistreatment or abuse in detention to the Australian Human Rights Commission, ACT Ombudsman, ACT Inspector of Corrective Services and/or the ACT Public Advocate. More information can be found on the ACT Corrective Services website.

## The Royal Commission into Aged Care Quality and Safety

In 2021, the **Royal Commission into Aged Care Quality and Safety (the Aged Care Royal Commission)** released its final report.<sup>12</sup> Following its findings, organisations and staff working in Australian aged care facilities must report incidents of sexual abuse to the **Aged Care Quality and Safety Commission's Serious Incident Response Scheme (SIRS)** and to the police within 24 hours. This includes incidents that have already happened or are alleged/suspected to have happened.

More information about the SIRS can be found by calling 1800 081 549 (within business hours). For more information see the Aged Care Royal Commission website.

## The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability

The **Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (the Disability Royal Commission)** was established in 2019 and released its final report in September 2023.<sup>13</sup>

The **Blue Knot Foundation** offers free specialist counselling and referrals for anyone affected by the Disability Royal Commission. **National Legal Aid** and **National Aboriginal and Torres Strait Islander Legal Services** also provide information and legal support to people about safely sharing their story with the Disability Royal Commission.

More information can be found on the Disability Royal Commission website.

# Educational Standards and Obligations

**Educational institutions** have a responsibility to ensure that staff and students are protected from sexual violence and harassment. Under the *Sex Discrimination Act 1984* (Cth), it is unlawful for a teacher to sexually harass a student or other staff, and for a student over the age of 16 to sexually harass a student or teacher.<sup>14</sup> It is also unlawful for an educational institution to discriminate against a student on the basis of their sex.<sup>15</sup>

## Primary and secondary schools

Primary and secondary schools hold a duty of care to take all reasonable steps to protect children and young people from injury and harm, including sexual violence. All staff in these settings are mandatory reporters. Any adult working in a school who is alleged under reasonable grounds to have committed a sexual offence, sexual misconduct, or physical violence against (or in the presence of) a child, should be removed from the school. However, institutional failings mean that this does not always happen. If you experienced sexual violence while at school, you may be able to seek financial compensation under the National Redress Scheme. For more information about the National Redress Scheme, see page 95.

If you decide not to access the Scheme, there may be other options for compensation available to you, including by bringing a civil claim in court. It is important to note that claims where the victim-survivor was over 18 when the abuse occurred must be brought within six years of the incident.<sup>16</sup> For specific advice on your situation please seek legal advice.

## Universities and other tertiary education facilities

Universities and other tertiary education facilities have repeatedly failed to provide safe learning environments, particularly for students living in residential accommodation.

The **Australian Human Rights Commission's (AHRC) *Change the Course: National Report on Sexual Assault and Sexual Harassment at Australian Universities*** outlines findings on the prevalence and nature of sexual violence at all 39 Australian universities. It is based on analysis of data collected through the first **National Student Safety Survey (NSSS)** and a separate submissions process conducted over the second half of 2016.

Some key findings from the 2016 NSSS include:

- Across 2015 and 2016, one in ten women-identifying university students were raped or sexually assaulted.
- Approximately 200 sexual assaults occurred within a university setting each week around Australia, or an average of 30 sexual assaults per day.
- Approximately 68 students living in university accommodation will be raped or sexually assaulted in a university setting each week across Australia.<sup>17</sup>

A second NSSS was conducted in 2021. The results show that the prevalence of sexual violence at Australian universities has not improved. Of the 40,000+ Australian university students surveyed in the 2021 NSSS, one in twenty had been sexually assaulted and one in six had been sexually harassed since starting university.

Some key findings from the 2021 NSSS include:

- One in three university students in Australia have experienced sexual assault in their lifetime. The highest rate of sexual assault in the university context was reported by students who identify as women (41.8%), transgender (42.9%) and non-binary or non-identifying (56.1%).
- 51% of sexual assaults experienced by university students in 2021 occurred in student accommodation, university clubs, societies, events and/or spaces.
- Only 5.6% of students who were sexually assaulted made a formal complaint to their university. Fewer than one in three complainants were satisfied with the process.<sup>18</sup>

The largest tertiary learning institution in the ACT, the Australian National University (ANU), continues to have one of the highest rates of sexual violence in the country. Approximately one in eight students at the ANU experience sexual assault at some point during university (three times the national average) and approximately one in three experience sexual harassment at some point during university (twice the national average).

**Universities Australia** provides guidance frameworks for all 39 Australian universities to improve their sexual violence prevention and response policies through their *Respect. Now. Always* initiative. Despite these guidelines, every university institution has unique policies and procedures on sexual violence prevention and response. However, universities are still covered by the *Sex Discrimination Act 1984* (Cth).<sup>19</sup> If you are unsure about your own institution's procedures, it is important to speak to a trusted person at your university or seek legal advice.

Although universities may have procedures in place, they often fail to meet the needs of the student community and rates of sexual violence continue to rise. This is why the Safe Response Toolkit (SRT) exists. The SRT is an initiative by The STOP Campaign, a grassroots movement dedicated to ending sexual violence and stigmatisation in tertiary learning environments. The STOP Campaign was founded in 2018 by an ANU student as a direct response to the failures of ACT universities to protect students from sexual violence on their campuses. The continued inaction by institutions to prevent and adequately respond to sexual violence on campus demonstrates the importance of grassroots activism to create change and advocate for better. For more information about activism and advocacy, see Chapter 11.

take  
action



# Workplace Standards and Obligations

Workplace sexual harassment is unlawful and it is illegal to be disadvantaged at work due to reporting sexual harassment (for example, facing disciplinary action due to making a complaint) under the *Sex Discrimination Act 1984* (Cth).<sup>20</sup> Workplace sexual harassment can include unwelcome touching or physical contact, suggestive comments or jokes, sexually offensive pictures, unwanted invitations to go on dates or requests for sex and sexually explicit emails, texts or online interactions.

## Employer responsibilities

Under **Australian Work Health and Safety (WHS)** laws, a '**workplace**' means a place where work is carried out for a business or undertaking. It includes any place where a worker goes, or is likely to be while working.<sup>21</sup>

Employers must do all that they reasonably can to manage the risk of sexual harassment occurring in the workplace, including by:

- Providing a safe workplace for staff by taking steps to prevent sexual harassment and responding to sexual harassment when it occurs
- Ensuring that workers feel confident to talk about their experiences of sexual harassment by demonstrating that all reports are kept private and confidential
- Discouraging any behaviour that is sexist, sexual in nature or offensive
- Creating workplace cultures that are respectful and safe.

Employers are liable for the actions of their employees, including sexual harassment, unless they took 'all reasonable steps' to prevent it from occurring.<sup>22</sup> Under the *Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Act 2022* (Cth), employers also have a positive duty to take reasonable and proportionate steps to prevent sexual harassment and violence at work. This legal responsibility extends to their employees, clients, customers, patients and members of the public. The Australian Human Rights Commission is responsible for assessing and enforcing compliance with this legislation.<sup>23</sup>

## Reporting workplace harassment

If you are experiencing any form of sexual violence at work, including sexual harassment, there are a range of options available depending on what is most appropriate in your situation, including the following:

1

### **Write it down**

Writing down incidents of sexual harassment as they happen may be useful if you need to provide evidence about the harassment you have experienced, especially since you may not always remember things as clearly a few days, weeks or months later. You should capture any important information, including when it occurred, what happened, where the incident took place, who was involved and anything else that is relevant to the situation.

2

### **Tell someone**

Speak to someone you trust at your work about what is happening. This can be a colleague, supervisor, someone in the Human Resources department/role, your dedicated discrimination contact or a representative from your employment union (if you are a member).

3

### *Approach the perpetrator*

If you feel confident and safe to do so, you can approach the perpetrator and tell them that their behaviour is unacceptable and unwanted. If you are not sure about the best way of doing this, seek advice and support from someone you trust (internal or external to your workplace).

4

### *Make an internal complaint*

If the harassment continues or if you don't feel comfortable approaching the perpetrator yourself, you can make an internal complaint. This process will differ between all organisations, so it is recommended that you understand what the process may involve prior to making a complaint.

5

### *Make an external complaint*

You can also make an external complaint through any of the processes outlined throughout this chapter and detailed below, if the internal reporting options available to you are not suitable for your situation.

## External Reporting Options

There are a range of external reporting options available to those who have been discriminated against under Commonwealth and ACT discrimination laws, including those who have been sexually harassed.

### **ACT Human Rights Commission**

The **ACT Human Rights Commission** (the Commission) can receive, investigate and conciliate complaints of sexual harassment.

The Commission is independent and does not advocate for the person making the complaint or for the perpetrator or employer that the complaint is about. Their focus is to understand each person's perspective and, where appropriate, help those involved to resolve the complaint.

After the initial complaint, the Commission will contact the perpetrator or employer that the complaint is about and provide them with a copy of the complaint. They will be asked to provide further information or to respond to the complaint. At this stage, the Commission will decide whether to take the complaint to conciliation or to stop investigating the matter.

If the matter proceeds to conciliation, the parties will be invited to discuss the situations involved in the complaint and try to arrive at an agreed resolution. If the complaint is closed or cannot be resolved at conciliation, you may seek a hearing before the ACT Civil and Administrative Tribunal (ACAT) to take the complaint further.

Complaints can be made on the ACT Human Rights Commission website or anonymously by calling (02) 6205 2222.

## Australian Human Rights Commission (AHRC)

The **Australian Human Rights Commission (AHRC)** can investigate complaints about discrimination and breaches of human rights, including sexual harassment, and other forms of discrimination covered by federal discrimination laws, such as the *Sex Discrimination Act 1984* (Cth). Complaints can be made on the AHRC website.

You do not have to still be working at the workplace where the sexual harassment occurred to make a complaint to the AHRC. You have to file a sexual harassment complaint within two years of the harassment occurring. In some instances, the AHRC may accept a complaint outside this time period if you can explain your delay in reporting.

After the initial complaint, the AHRC will contact the person or organisation that the complaint is about and provide them with a copy of the complaint. They will be asked to provide further information or to respond to the complaint. At this stage, the AHRC will decide whether to take the complaint to conciliation or to no longer investigate the matter.

If the matter proceeds to conciliation, the parties will be invited to discuss the situations involved in the complaint and try to arrive at an agreed resolution. The possible outcomes of a complaint might include an apology, financial compensation, reinstatement to a job, changes to policy or the development and implementation of anti-discrimination policies or training. If no resolution can be reached during conciliation, the AHRC will terminate the complaint. From here, you have 60 days to take the complaint further, either to the **Federal Circuit and Family Court of Australia** or the **Federal Court of Australia**.

For further information on the AHRC complaints process, contact the National Information Service on 1300 656 419.

## Fair Work Commission (FWC)

The **Fair Work Commission (FWC)** can respond to complaints of workplace sexual harassment from people who are still working at the place where they experienced, or are still experiencing sexual harassment. The FWC can only hear complaints of sexual harassment that occurred when the worker was at work (including working offsite). The FWC can respond to an individual's complaint by making an order that the perpetrator 'stop sexual harassment at work'. The FWC recommends that you seek legal advice before you apply for these orders, but legal representation is not essential. There is a fee to make a complaint to the FWC but this fee can be waived in some instances.

After making a complaint, a FWC staff member will contact you to explain the next steps in the process. The person/organisation that the complaint is about will receive a copy of your application. Your employer is required to respond to the application within 7 days and the perpetrator has the option to respond if they wish. At this stage, the FWC will decide the appropriate next steps, including whether to take the complaint to conciliation, conference or formal hearing or to no longer investigate the matter. After the conciliation, conference or hearing process, the FWC can make a decision/order on the matter.

For example, an order could require:

- The perpetrator to stop the sexual harassment and apologise
- Someone to comply with a policy about dealing with sexual harassment
- Workers to be given more support, information and/or training.

When the FWC makes a decision or order to stop sexual harassment, it publishes the reasons on the FWC website. The decision and order usually identify the names of the people involved in the case and summarise the evidence given to the FWC. You can contact the FWC helpline for more information about this process on 1300 799 675.

### WorkSafe ACT

If you have a concern or complaint about a workplace or have seen something that doesn't feel right, you can submit a report to **WorkSafe ACT**. When reporting a workplace concern or issue, such as sexual violence, you can either choose to identify yourself or remain anonymous. Anyone can submit a workplace report including bystanders or non-employees.

WorkSafe ACT can be contacted by calling 13 22 81, 7am-8pm, Monday-Friday and 8am-5pm on weekends. You can also report a workplace concern or issue by visiting the WorkSafe ACT website.

### Reporting suspected criminal offences

Conduct that is considered workplace sexual harassment may also amount to a criminal offence. You are able to report incidents of workplace sexual violence to police. For more information about making a police report, see page 55.



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solidarity



## Support and Advice

### Personal safety

If you are experiencing institutional sexual violence, it is important to speak to someone you trust to ensure you are safe and supported. If you have immediate concerns for your safety following an experience of sexual violence you can contact ACT Police on **Triple Zero (000)**, the **Canberra Rape Crisis Centre (CRCC)** on (02) 6247 2525 or a trusted person.

If you are concerned for your safety following an incident of sexual violence, regardless of where it occurred, you may apply to the ACT Magistrates Court for a protection order against the perpetrator/s. For more information about **Personal Protection Orders (PPOs)**, see page 74.

Alternatively, your employer may apply for a **Workplace Protection Order (WPO)** to prohibit someone in your workplace from perpetrating personal violence towards you or others in the workplace. Personal violence includes:

- Physical violence or abuse
- Sexual violence or abuse
- Threatening behaviour
- Stalking
- Harassing, intimidating or offensive behaviour
- Damaging property that causes reasonable fear to a person at the workplace.

More information about the process of obtaining a protection order is available on the ACT Policing website, the ACT Magistrates Court website or by calling the Legal Aid ACT Helpline on 1300 654 314.

In addition, all employees (including part-time and casual) are entitled to minimum 10 days of paid family and domestic violence leave each year under the **National Employment Standards (NES)**. If an employment contract or workplace policy provides less than the 10 days of paid leave, the NES entitlement still applies.<sup>24</sup>

## Employment unions

Unions play an important role in the workplace. Their key features often include:

- Working with management to help resolve workplace issues
- Being an advocate for employees
- Looking into suspected breaches of discrimination and work, health and safety laws.

If you are a member of an employment union, you may also be able to seek advice on how to report workplace sexual violence.

**UnionsACT** is a representative body of trade union organisations in the ACT and can provide information to workers about which union they should contact if they have experienced harassment, violence or sexual discrimination at work. If your union is represented by UnionsACT, you can contact them for information and advice on the UnionsACT website, by emailing [unionsact@unionsact.org.au](mailto:unionsact@unionsact.org.au), [youngworkerscbr@unionsact.org.au](mailto:youngworkerscbr@unionsact.org.au) or by calling (02) 6225 8116.

## Legal advice

If you are experiencing sexual harassment and would like to report it to your employer or institution, it may be beneficial to seek legal advice. The following services provide information and guidance to people experiencing sexual harassment, bullying and/or other forms of sexual violence during work or in institutional settings.

### **Youth Law Australia (YLA)**

**Youth Law Australia (YLA)** is a national, technology-based community legal service, offering free and confidential legal advice and information to children and young people under the age of 25 and their advocates. YLA can help with any legal issue a young person might have including issues involving sexual harassment and abuse. YLA also runs the **Young Workers' Rights Service (YWRS)**. This is a free and confidential employment law advice service for children and young people under the age of 25 and their advocates in the ACT, NSW and the NT. The YWRS can be contacted directly on 1800 953 673. You can contact YLA on its website or by calling 1800 950 570.

### **Legal Aid ACT**

**Legal Aid ACT** provides a range of services and legal advice to people in the ACT, particularly those who cannot afford private legal advice. The Legal Aid Helpline is a free, confidential phone service staffed by Legal Aid paralegals. They can help you organise an appointment with a lawyer for advice and send you information and/or resources relating to your legal problem, including examples of harassment or violence that occurs at work or in an institutional context. You can call the Legal Aid Helpline on 1300 654 314. For more information about the services offered by Legal Aid ACT, see pages 117-118.

### **Women's Legal Centre ACT**

The **Women's Legal Centre ACT** is a specialist community legal centre. They provide legal advice and representation in employment, discrimination, sexual harassment, family law, family violence, early intervention care and protection work, migration and victims of crime. Their team is multi-disciplinary and includes lawyers, social workers and other cultural supports. You can contact them by using their Get Help Form on their website or by calling their Intake and Advice Line on (02) 6257 4377.

### **knowmore**

**knowmore** is a free, independent legal service providing advice to survivors of child sexual abuse on how to access justice and redress. You can call the free advice line on 1800 605 762. More information about the services offered is available on the knowmore website.

### **Young Workers Centre ACT**

The **Young Workers Centre ACT** is an initiative of UnionsACT. The Young Workers Centre Advice Service provides free information, advice and referrals for workers aged under 25 in the ACT on a range of work-related issues, including workplace harassment. You can contact the Young Workers Centre ACT by filling out the contact form on its website, using the online chat option or calling (02) 6225 8104.

### **Australian Unions Support Centre**

The **Australian Unions Support Centre** provides free and confidential services on work-related issues, including sexual harassment and workplace rights, health and safety. The Australian Unions Support Centre can assist you in contacting your relevant union for advice and to organise meetings and support within your workplace to discuss your concerns. You can contact the Australian Unions Support Centre by filling out the contact form on its website, using the online chat option or calling 1300 486 466.

# Endnotes

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7. *Crimes Act 1900* (ACT) s 4.
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13. Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (2022). *About the Royal Commission*. <https://disability.royalcommission.gov.au/about-royal-commission>.
14. *Sex Discrimination Act 1984* (Cth) s 28F.
15. *Sex Discrimination Act 1984* (Cth) s21.
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20. *Sex Discrimination Act 1984* (Cth) s 4.
21. *Work Health and Safety Act 2011* (ACT) s 8.
22. *Sex Discrimination Act 1984* (Cth) s 106 ; Australian Human Rights Commission (2022). *Sexual harassment - information for employers*. <https://humanrights.gov.au/our-work/sex-discrimination/sexual-harassment-information-employers>.
23. *Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Act 2022* (Cth) ; Australian Human Rights Commission (2022). Commission commends introduction of Respect@Work Bill. <https://humanrights.gov.au/about/news/media-releases/commission-commends-introduction-respectwork-bill>.
24. Fair Work Ombudsman. *New paid family and domestic violence leave*. <https://www.fairwork.gov.au/newsroom/news/new-paid-family-and-domestic-violence-leave>.

# Journal Prompts

If you're feeling safe and comfortable, take a moment to reflect on the following questions. We recommend finding a quiet place to clear your mind.

How am I currently feeling?

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When do I feel most like myself?

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What are some of my healthy habits?

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What makes me feel powerful?

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What brings me joy?

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Where do I want to be in a year's time?

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What have I learnt in the past year?

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# 08

## ACT Support Services

This chapter outlines support services available in the ACT.

### **Content warning:**

This chapter mentions domestic, family and sexual violence, child sexual abuse, trauma, mental health and homelessness.

# Navigating this Chapter

The ACT support services mentioned in this chapter provide a diverse range of services. The colour-coded key below is used throughout the chapter to identify what type of support a service offers.

## Service Support Key



## Translating and Interpreting Service National

If you need translation or interpreting services you can call the **Translating and Interpreting Service National (TIS National)**. TIS National offers immediate phone interpreting services for any person or organisation in Australia needing an interpreter. You can contact them 24/7 on 131 450 and ask them to contact a support service on your behalf.

## The National Relay Service

If you are deaf and/or find it difficult to communicate over the phone, you can call the **National Relay Service**. The National Relay Service will assist you to communicate with a hearing person over the phone. You can contact them using one of the following 24/7 options and ask them to contact a service.

- Voice Relay number - 1300 555 727
- Type and Read (TTY) number - 133 677
- SMS relay number - 0423 677 767
- Internet relay users - visit the National Relay Service website.

# ACT Crisis Support Services

## Hospitals

There are multiple public hospitals in Canberra that provide free health services to the community. You do not need an appointment to visit any hospital emergency department and access generalised and immediate medical care. If your situation is non-critical you may have to wait to be seen by a doctor. Canberra's public hospitals include:

### Canberra Hospital

- (02) 5124 0000 - 24/7
- Building 12, Yamba Drive, Garran ACT 2605

### North Canberra Hospital

- (02) 6201 6111 - 24/7
- 40 Mary Potter Circuit, Bruce ACT 2617

### Centenary Hospital for Women and Children (no emergency department)

- This is located at the Canberra Hospital and offers specialised services for women's health.

If it is an emergency, call **Triple Zero (000)** for an ambulance.

**Note:** If you are a temporary visa holder, access to hospital services may require payment.

## ACT Policing | Sexual Assault and Child Abuse Team

**000** (Emergency)  
**131 444** (Non Emergency)  
24/7



### Belconnen Police Station

Corner of Benjamin Way and Market Street, Belconnen ACT 2617

### City Police Station

16/18 London Circuit, Canberra City ACT 2601

### Gungahlin Joint Emergency Service Centre

Corner of Gozzard Street and Anthony Rolfe Street, Gungahlin ACT 2912

### Woden Police Station

Corner of Callam and Wilbow St, Phillip ACT 2606

### Tuggeranong Police Station

Corner of Soward Way and Anketell Street, Greenway ACT 2900

## ACT Policing | Sexual Assault and Child Abuse Team *continued...*

**ACT Policing** are responsible for keeping the community safe and responding to crimes in Canberra. The **Sexual Assault and Child Abuse Team (SACAT)**, which is located at the ACT Policing Headquarters – Winchester Police Centre, is a specialised team within ACT Police dedicated to investigating sexual assault and child abuse in the ACT. In an emergency, contact ACT Policing on **Triple Zero (000)**. If it is not an emergency but you would like police assistance, call **131 444**. You can also access the police by visiting the five police stations listed above.



*Private waiting room for victim-survivors before their police interview with SACAT.*

## Forensic and Medical Sexual Assault Care (FAMSAC)

(02) 5124 2185

(02) 5124 0000 (via Canberra Hospital switchboard)  
24/7

(02) 6247 2525 (via Canberra Rape Crisis Centre)  
24/7

Address: Canberra Hospital Emergency Department  
24/7



**Forensic and Medical Sexual Assault Care (FAMSAC)** is a specialised service for victim-survivors of sexual violence based in the Canberra Hospital. It is staffed by trained doctors and nurses who can provide medical assistance to victim-survivors within 5 days of an assault. FAMSAC can also collect forensic evidence from victim-survivors to be saved in case of future police investigation into the matter.

FAMSAC services are free of charge and the facilities are wheelchair accessible. For more information on FAMSAC, see page 47.

## Child At Risk Health Unit (CARHU)

Duty worker: (02) 5124 2712  
9am-5pm, Monday-Friday

After hours medical consultant: (02) 5124 2712  
5pm-9am, Monday-Sunday



**Child At Risk Health Unit (CARHU)** provides medical examinations, health screens, education, consultation and therapy to children aged 0-14 and their families and carers in the ACT who have concerns for the neglect or abuse of a child. Crisis services are also offered at CARHU, which include forensic examinations after an assault. For more information about CARHU, see page 48.

Clinical services will require a written referral. Written referrals can be obtained by visiting Canberra Hospital or North Canberra Hospital, contacting ACT or NSW police or Child and Youth Protective Services (CYPS), or through professional consultation with CARHU staff. CARHU services are free for Medicare and asylum seeker cardholders. Further bulk-billing options are available.

## Canberra Rape Crisis Centre (CRCC)

(02) 6247 2525 (Crisis line)  
0488 586 518 (Text only)  
7am-11pm, 7 days  
Email: crcc@crcc.org.au



**Canberra Rape Crisis Centre (CRCC)** provides confidential counselling and practical support to anyone who has experienced any form of sexual abuse. Their free and confidential services include:

- Crisis phone support available from 7am until 11pm, 7 days a week via their crisis line
- 24-hour crisis callout service available through the Forensic & Medical Sexual Assault Care (FAMSAC) and/or Sexual Assault & Child Abuse Team (SACAT)
- Confidential counselling and support for victim-survivors of sexual violence and their supporters, including immediate crisis appointments for women and children
- Advocacy, information and support regarding legal and medical processes, including court preparation and referrals to relevant agencies, services and government departments
- Community education.

**CRCC also provides the following services:**

### **Service Assisting Male Survivors of Sexual Assault (SAMSSA)**

(02) 6247 2525

7am-11pm, Monday to Sunday

Email: samssa@crcc.org.au



**Service Assisting Male Survivors of Sexual Assault (SAMSSA)** offers counselling and support to men over the age of 16 in the ACT and surrounding region who have been impacted by sexual violence.

**The Nguru Program** provides support and access to counselling for women, men and children of Aboriginal or Torres Strait Islander communities and their families and supporters.

**Redress Support Service** assists people who have survived or witnessed institutional child sexual abuse to apply for financial compensation through the National Redress Scheme.

CRCC also offers a **Therapy Dog program** for clients undergoing trauma therapy.

## Domestic Violence Crisis Service (DVCS)

(02) 6280 0900

0421 268 492 (Text only)

24/7

Non-urgent email: [crisis@dvcs.org.au](mailto:crisis@dvcs.org.au)



**Domestic Violence Crisis Service (DVCS)** offers a range of free services to domestic and family violence victim-survivors and their families. All services can be accessed by calling the 24/7 DVCS Crisis Line above. Services are confidential except where mandatory reporting is required.

DVCS provides **24/7 crisis intervention services** to anyone who is experiencing, or has experienced, domestic and family violence. Their crisis services include telephone support, attendance with police at domestic and family violence incidents, access to safe emergency accommodation, safety planning and referrals to support services. Supporters may also contact the Crisis Line for advice if they have concerns about someone who may be experiencing family or domestic violence.

DVCS provides **legal support and advocacy**. The DVCS legal advocacy team can support victim-survivors of violence to apply for family violence orders, give referrals to solicitors for legal advice, help develop victim impact statements, support victim-survivors when giving evidence in court (through the Court Advocacy Program), track domestic and family violence matters as they proceed through court and help victim-survivors liaise with key legal organisations, such as the courts.

DVCS offers the **Staying@Home Program** for female\* victim-survivors and their families to stay safe in their homes after leaving an abusive relationship. DVCS staff act as case managers to help victim-survivors undertake risk assessments of their living situation, develop safety plans, access home security upgrades, liaise with relevant accommodation and safety services and access other appropriate support services.

The DVCS **Young Peoples Outreach Program** helps with the wellbeing and recovery of children and young people (aged 5-13) who have been exposed to domestic and family violence, either as witnesses or direct victims. DVCS staff work to build positive, trusting and safe relationships with children and their families before working with the child to discuss their experiences at home, the strategies they've used to stay safe and to identify personal strengths and resiliencies. Staff also work to develop support networks so that each child can access ongoing support after the program.

The **Moving On Program** is an 8-session peer support group for female\* victim-survivors of violence. The program focuses on developing strategies and personal resources to help participants move on after family and domestic violence, explore each participant's sense of self and grow their social skills, confidence and self-esteem.

## Domestic Violence Crisis Service (DVCS) *continued...*

The **Growing Together Program** is an open group for women\* and their primary-school aged children who have experienced domestic and family violence. The focus of the group is to provide supported opportunities to strengthen the mother-child relationship after violence. Sessions are centred around play, arts and crafts, music and physical activities that promote health and wellbeing for participants. It aims to enhance the connection between mothers and their children. Siblings are welcome to attend the program.

The DVCS website provides information on safety planning (including information about how to stay safe during an incident at home, preparing to leave a relationship, staying safe after a relationship has ended, protection orders and online safety). This information is also available in an 'easy English' guide.

## ACT Access Mental Health

1800 629 354  
(02) 6205 1065  
24/7



**ACT Access Mental Health** offers immediate support to anyone who is experiencing a mental health crisis. They can make referrals to mental health services where necessary. Additional mental health resources are available via the Access Mental Health website, which includes information about the various mental health options across the ACT.

## Home Assessment and Acute Response Team (HAART)

1800 629 354  
(02) 6205 1065  
24/7



The **Home Assessment and Acute Response Team (HAART)** is a mental health crisis service that can be accessed by all ACT residents who are experiencing an acute exacerbation of a mental illness and/or severe psychological or emotional distress. HAART can provide immediate assistance through home-based mental health crisis assessment and short-term treatment and support. HAART can refer you to other services for ongoing hospital and community care. HAART is a government service and accepts referrals from Access Mental Health.

# ACT Legal Services

## Legal Aid ACT

**1300 654 314**

8:30am-7pm, Monday-Thursday; 8:30am-5pm, Friday

Email: [helpline@legalaidact.org.au](mailto:helpline@legalaidact.org.au)

Address: 2 Allsop Street, Canberra City ACT 2601



**Legal Aid ACT** provides a range of services and legal advice to people in the ACT, particularly those who cannot afford private legal advice. The **Legal Aid Helpline** is a free, confidential phone service staffed by Legal Aid paralegals who can help you organise an appointment with a lawyer for advice, send you information and resources relating to your legal problem and send an application for a grant of legal assistance. This service can also be accessed through the Live Chat button on their website.

Legal Aid ACT employs duty lawyers who can be consulted for free at the ACT Magistrates Court and Children's Court for assistance on a one-off basis. They do not provide ongoing support. Duty Lawyers can also provide legal representation at ACT Civil and Administrative Appeals Tribunal hearings related to mental health orders. For ongoing legal advice and representation, you may be required to meet the financial means test for a grant of legal aid. Contact the Legal Aid Helpline for more information.

Legal Aid ACT also provides a range of specific services which are outlined below.

### **Older Persons ACT Legal Service**

**(02) 6243 3436** or via the National Elder Abuse Hotline: **1800 353 374**

Email: [opals@legalaidact.org.au](mailto:opals@legalaidact.org.au)

This is a free and confidential legal service that provides help to older people in Canberra.

### **Youth Law Centre**

**(02) 6173 5410**

Email: [contact@youthlawact.org.au](mailto:contact@youthlawact.org.au)

Address: 2 Allsop Street, Canberra City ACT 2601

This is a free and confidential legal service for young people aged 12 to 25. It operates as a walk-in centre on weekdays from 10am to 4pm and can also be accessed over the phone or by appointment.

## Legal Aid ACT *continued...*

### **Domestic and Family Violence Unit**

SMS: **0427 143 401**

Call: **(02) 6207 1874** or **1300 654 314**

Email: [civil@legalaidact.org.au](mailto:civil@legalaidact.org.au)

This is a free and confidential legal service that provides assistance in applying for, understanding and responding to Family Violence Orders and Personal Protection Orders. It can also provide referrals to non-legal support services and can help you access non-legal solutions. It is appointment-based.

### **Community Liaison Unit**

This unit helps people in the community access services provided by Legal Aid ACT, other legal services in the ACT and non-legal support services. Contact details can be found on the Legal Aid website. Dedicated officers include:

- Aboriginal Liaison Officers
- Cultural Liaison Officers
- Family Violence Officer
- Family Advocacy and Support Service Family Advocate
- Disability Justice Liaison Officer
- Migration Clinic.

## Women's Legal Centre ACT

**(02) 6257 4377**

**1800 634 669**

*9am-5pm, Monday-Friday*



The **Women's Legal Centre ACT** provides free information, legal advice and representation to women. It can be accessed by phone and can assist with a range of issues, including domestic and family violence, discrimination, sexual harassment and filling out applications for financial assistance for victims of crimes.

The Women's Legal Centre ACT also provides the service **Mulleun Mura: Aboriginal and Torres Strait Islander Women's Access to Justice**, which supports Aboriginal and Torres Strait Islander women and their families to stay safe. It focuses on women affected by domestic and family violence, relationship breakdown and those who need help engaging with Child Protection services. Staff from Mulleun Mura can meet you where you feel safe, such as in a cafe or in your home.

## Canberra Community Law

(02) 6218 7900

9am-5pm, Monday-Friday

Email: [info@canberracommunitylaw.org.au](mailto:info@canberracommunitylaw.org.au)

Address: Level 1, 21 Barry Drive, Turner ACT 2612



**Canberra Community Law** provides free, independent and confidential legal advice and advocacy services. Their services include:

- providing specialist housing and social security law assistance for women experiencing family violence
- providing information, referral and/or one-off legal advice in most areas of law not covered by CCL's day time services, and
- providing legal advice and representation for people with lived experience of mental ill-health, as well as community legal education.

## Aboriginal Legal Service (NSW/ACT)

(02) 9213 4100 (General enquiries)

1800 765 767 (Police charges and court matters)

1800 733 233 (Care, protection and family matters)

(02) 6120 8800 (Canberra office)

9am-5pm, Monday-Friday

Email: [canberra@alsnswact.org.au](mailto:canberra@alsnswact.org.au)

Address: Level 7 CML Building, 17-21 University Ave, Canberra ACT 2601



The **Aboriginal Legal Service (NSW/ACT)** is a First Nations-led organisation providing legal and community services to Aboriginal and Torres Strait Islander people in NSW and the ACT. It provides free legal advice and representation in criminal and family law. It also operates the Family Violence Legal Service, which provides early support, intervention and community education to minimise the risk of children being removed from their families and communities.

## ACT Law Society

(02) 6274 0300

9am-5pm, Monday-Friday

Email: [mail@actlawsociety.asn.au](mailto:mail@actlawsociety.asn.au)



The **ACT Law Society** assists individuals who are seeking legal assistance by providing referrals to specialist lawyers and firms. They can also provide free legal assistance to disadvantaged members of the community through the Pro Bono Clearing House, once all other avenues for assistance have been exhausted. The ACT Law Society can be contacted by phone or email.

# ACT Accommodation Services



If you need emergency crisis accommodation outside of business hours, contact the **Domestic Violence Crisis Service (DVCS)** 24/7 crisis line on **(02) 6280 0900** to discuss your options. Requests for short-term and long-term crisis accommodation **during business hours** should go through **OneLink**, which is discussed below.

## OneLink ACT

**1800 176 468**

*8am-6pm, Monday-Friday; 12.30pm-5pm, Saturday-Sunday*

Email: [info@onelink.org.au](mailto:info@onelink.org.au)

Address: Ground Floor of Nature Conservation House, 153 Emu Bank, Belconnen, ACT, 2617



**OneLink ACT** acts as a central intake service for people experiencing, or at risk of experiencing, homelessness in the ACT. There are specialist services for men, women and young people. OneLink works closely with all services to assess needs, make referrals and connect clients with appropriate support. A OneLink assessment officer will discuss your needs, situation and appropriate services for assistance. They will connect clients with appropriate support services, including crisis accommodation

## Beryl Women Inc.

Call OneLink on **1800 176 468** to access accommodation  
**(02) 6230 6900**

*9am-5pm, Monday-Friday*

Email: [admin@beryl.org.au](mailto:admin@beryl.org.au)



**Beryl Women Inc.** is a specialist domestic violence crisis accommodation service which can be accessed by women and children who are escaping domestic and/or family violence in the ACT. It provides a range of trauma-informed services including short-term and low-cost crisis accommodation, community outreach services, advocacy, therapeutic support, case management, referrals to other appropriate support services and post-crisis group support programs. Staff are trained and are from various diverse backgrounds, including First Nations women.

## The Salvation Army: Oasis Youth Services

Call OneLink on **1800 176 468** to access accommodation  
If it is after hours, contact the refuges directly:

**(02) 6292 0894** (Tuggeranong)

**(02) 6288 4965** (Weston Creek)

**(02) 6247 0330** (North Canberra)

**(02) 6258 1133** (Belconnen)



The **Salvation Army's Oasis Youth Service** provides 24-hour emergency accommodation for 13 young people aged 16-21 years every night. There are staff on-site at all times who work alongside the young people to build trust, help them to access and attend appropriate services and ensure that they are supported as they work towards sourcing long-term, stable accommodation.

There are four refuges located in the Canberra region: Tuggeranong, Weston Creek, North Canberra and Belconnen. Contact OneLink for a referral, or use the numbers listed above to contact the refuges directly after business hours.

## Toora Women Inc.

Call OneLink on **1800 176 468** to access accommodation  
**(02) 6247 2399** (domestic violence and homelessness line)

Address: Weston Community Hub, Hilder Street, Weston Creek  
ACT 2611



**Toora Women Inc.** is a registered community housing provider offering trauma-informed gender specialist residential and outreach support to women aged 16 and older and accompanying children and families, who have experienced past or present traumas: domestic, family and sexual violence, homelessness, the impact of their own or others' drug and alcohol use, mental health issues and incarceration. Services include case management, advocacy, safety planning, crisis and transitional accommodation, assistance to obtain independent accommodation or to sustain a tenancy, community integration and support post detention, culturally sensitive support for women with uncertain visa status, as well post-crisis therapeutic supports. In partnership with EveryMan, Toora provides wrap around violence intervention programs to couples and families to address patterns of abuse and develop respectful relationships. All programs are supported by an **Aboriginal Liaison Officer** and **Child & Family Specialist**.

## Doris Women's Refuge

Call OneLink on **1800 176 468** to access accommodation  
**(02) 6278 9999**  
Email: [coordinator@doris.org.au](mailto:coordinator@doris.org.au)



**Doris Women's Refuge** is an emergency accommodation service in Belconnen that can be accessed by women and children in the ACT who are escaping domestic and/or family violence. Doris Women's Refuge provides supported short and medium term accommodation. Doris Women's Refuge can be accessed for free, but rent may be charged in some cases based on income. Facilities are wheelchair accessible.

**Kim Ransa's Safe House** is a joint venture between Doris Women's Refuge and private community donors which provides an immediate response and assistance to migrant and refugee women and children fleeing domestic violence in the ACT.

## Karinya House for Mothers and Babies

**(02) 6259 8998**  
24/7  
Email: [info@karinyahouse.asn.au](mailto:info@karinyahouse.asn.au)



**Karinya House for Mothers and Babies** provides supported accommodation, transitional housing and outreach support to mothers and babies in Canberra and the surrounding region. They offer information, counselling, 24 hour support, advocacy, casework and referrals for pregnant women at any time before the birth of their baby and for up to three months after their baby is born.

## Louisa Domestic Violence Service

**(02) 6299 4799**  
*9am-5pm, Monday-Friday*  
Outside of business hours, contact DVCS on **(02) 6280 0900**  
Located in Queanbeyan, NSW



**Louisa Domestic Violence Service** is a community-based service in Queanbeyan, NSW, that provides secure crisis accommodation, early intervention and outreach support for women and children escaping domestic and family violence.

# ACT General Support Services

## A Gender Agenda (AGA)

(02) 6162 1924

0402 276 553 (Friday Centre - open 1pm-6pm Fridays)

9am-5pm, Monday-Friday

Email: [fridaycentre@genderrights.org.au](mailto:fridaycentre@genderrights.org.au)



**A Gender Agenda (AGA)** support the goals and needs of the intersex, transgender and gender diverse communities of Canberra and the surrounding region through education, advocacy, peer support and professional networks. AGA provides educational resources related to supporting LGBTIQ+ people and those who are questioning their gender identity, sexual health and wellbeing for intersex, transgender and gender diverse people, and LGBTIQ+ advocacy. AGA also offers social and networking events and training workshops on how to best support members of the LGBTIQ+ community.

AGA's **Friday Centre** also offers peer-navigation support for transgender and gender diverse people during their social, legal and/or medical transition.

AGA House is located in Lyneham. Contact AGA via phone or their website for the address.

## ACT Disability, Aged and Carer Advocacy Service (ADACAS)

(02) 6242 5060

9am-5pm, Monday-Friday

Email: [adacas@adacas.org.au](mailto:adacas@adacas.org.au)

Address: Unit 14, 6 Gritten Street, Weston Community Hub,  
Weston ACT 2611



**ACT Disability, Aged and Carer Advocacy Service (ADACAS)** provides free advocacy and information to people with a disability, people experiencing mental health issues and older people and their carers. ADACAS provides a range of free services, including support to access the National Redress Scheme and systemic advocacy. ADACAS also develops tools to help people help themselves, such as the Supported Decision Making toolkit and their inclusion training, which is available to those working with people with a disability within a human rights framework. When accessing the ADACAS centre, the car park on the Hilder Street side of the building is the most accessible.

## Advocacy for Inclusion

**(02) 6257 4005**

*9am-7pm, Monday-Friday*

Email: [info@advocacyforinclusion.org](mailto:info@advocacyforinclusion.org)

Address: Griffin Centre 2.02/20 Genge Street, Canberra ACT 2601



**Advocacy for Inclusion** supports the voices of people with disabilities and advocates for their rights and preferences at the individual and systemic levels. They provide short-term individual advocacy support for people living with a disability or mental illness who are seeking assistance to resolve issues they are facing, such as NDIS appeals or systemic problems.

## Menslink

**(02) 6287 2226**

*9am-5pm, Monday-Friday*

Email: [info@menslink.org.au](mailto:info@menslink.org.au)

Address: Unit 27 Grant Cameron Centre, 27 Mulley St, Holder 2611



**Menslink** provides free counselling, mentoring and group education programs to young men aged 10-25 and their families. Menslink provide a friendly, welcoming and supportive service for young men affected by sexual assault, domestic violence, bullying or other trauma.

## Adamas Nexus

**0422 482 236**

*9am-5pm, Monday-Friday*

Email: [kay@adamasnexus.com](mailto:kay@adamasnexus.com)



**Adamas Nexus** is a peer-support group for women who have experienced violence, abuse or intimidation. They facilitate fortnightly group sessions that alternate being held in person and online. An eligibility questionnaire can be accessed via the Adamas Nexus website.

## Canberra Sexual Health Centre

(02) 5124 2184

9am-4:30pm, Monday-Tuesday; Thursday-Friday  
12:30pm-4:30pm, Wednesday

Address: Building 8, Level 4, Canberra Hospital, Garran ACT  
2605



The **Canberra Sexual Health Centre** provides sexual health care including free testing for, and treatment of, sexually transmitted infections. The clinic operates by appointment and offers telehealth or in-person appointments. A Medicare card is recommended but not required.

## Companion House

(02) 6251 4550

9am-5pm, Monday-Friday

Email: [info@companionhouse.org.au](mailto:info@companionhouse.org.au)

Address: 41 Templeton Street, Cook ACT 2614



**Companion House** is a non-government community-based organisation that supports people who have come to Australia to avoid persecution, torture and war-related trauma. Companion House can be accessed by refugees and asylum seekers and provides a number of services, including counselling and complementary therapy, as well as general practice and primary health medical services. The Companion House website can be viewed in multiple languages.

## Headspace

See website for contact details for individual centres.



**Headspace** is a national mental health service that can be accessed in centres across Australia, by phone or online. Headspace provides a range of services, including free or lower cost in-person consultations with clinical mental health professionals, free or lower cost consultations with on-site GPs for medical advice and treatment relating to sexual health, and telehealth consultations with psychiatrists for people aged between 12-25 and workers in regional and remote areas.

## EveryMan

(02) 6230 6999

9am-5pm, Monday-Friday

Address: Room 3.01, Griffin Centre, 20 Genge Street, Civic  
ACT 2601



**EveryMan** provides counselling support to men who are at risk of homelessness, who live with mental health issues or disability, have perpetrated or experienced sexual violence, have been imprisoned, are socially isolated or are experiencing relationship or parenting issues. These services are free, confidential and appointment-based. EveryMan also offers violence prevention programs, support for Aboriginal and Torres Strait Islander peoples within the community, accommodation and outreach support and NDIS services. EveryMan can be contacted by phone or via the contact form on their website.

## Stride's Safe Haven

1300 00 1907

3pm-10pm, Tuesday-Saturday

Address: 56 Lathlain Place, Belconnen ACT 2617



**Stride** is a specialist mental health service to improve the lifelong mental health of children, young people and adult. Stride's Safe Haven is a drop-in space for people experiencing suicidal thoughts and/or emotional distress to access support from Peer Support Workers and non-clinical Mental Health Support Workers. You do not need a diagnosis or referral to access this service. Canberra's Safe Haven is in Belconnen.

## Women With Disabilities ACT (WWDACT)

0468 324 695

9am-5pm, Monday-Friday

Email: [info@wwdact.org.au](mailto:info@wwdact.org.au)

Address: Building 1, Pearce Community Centre, Pearce ACT 2607



**Women With Disabilities ACT (WWDACT)** is an advocacy and peer support organisation that provides systemic advocacy for women, girls, female-identifying people and non-binary people in the ACT who are living with disabilities. This organisation does not provide individual support or advocacy, but focuses on representing the interests of women with disabilities on a broader level in order to create a more inclusive community.

## YWCA Canberra

**(02) 6185 2000**

*9am-4pm, Monday-Friday*

Email: [canberra@ywca-canberra.org.au](mailto:canberra@ywca-canberra.org.au)

Email (domestic violence service): [respect@ywca-canberra.org.au](mailto:respect@ywca-canberra.org.au)

Address: Level 2, 71 Northbourne Avenue, Canberra City ACT 2601



**YWCA Canberra** is a feminist not-for-profit organisation that provides community services and services for women, girls and families in the ACT and surrounding regions. Their **Domestic Violence Support Service** provides free, confidential support to women to enhance their safety and wellbeing, including information and advice to support women in assessing their risk and planning for safety, including how to exit an abusive relationship and support for those who have already left an abusive relationship. The service includes help accessing legal, financial and housing services, as well as supporting victim-survivors and their families' emotional wellbeing.

The YWCA Canberra **Next Door** service also provides housing support services for older women experiencing or at risk of experiencing homelessness.

## Meridian

**(02) 6257 2855**

*9am-5pm, Monday-Friday*

Email: [contact@meridianact.org.au](mailto:contact@meridianact.org.au)

Address: Havelock House, 85 Northbourne Ave, Turner ACT 2612



**Meridian** is a peer-led, community-controlled organisation that provides primary health and social support services to communities in the ACT. They are a specialist service provider to people with diverse sexualities and genders, HIV-positive communities and sex workers. They offer a diverse range of services, including psychological therapies and counselling, peer-navigation, peer-support and outreach programs as well as advocacy, community training, education and sexual health services.



## Relationships Australia Canberra & Region

**(02) 6122 7100**

*9am-5pm, Monday-Friday*

Email: [enquiries@racr.org.au](mailto:enquiries@racr.org.au)

Address: 15 Napier Close, Deakin ACT 2600



**Relationships Australia Canberra & Region** is an independent, not-for-profit organisation committed to enhancing relationships to foster personal and community wellbeing. Services offered include the Canberra Family Relationship Service, Specialist Family Violence Service, Coronial Counselling Service, ACT Gambling Counselling and Support Service, Dhunlung Yarra Service for Aboriginal and Torres Strait Islander peoples and Elder Relationship Service for counselling and mediation support to assist older people and their families.



## Sexual Health and Family Planning ACT (SHFPACT)

**(02) 6247 3077**

*9am-5pm, Monday-Friday*

Email: [shfpact@shfpact.org.au](mailto:shfpact@shfpact.org.au)

Address: Level One, 28 University Avenue, Canberra ACT, 2601



**Sexual Health and Family Planning ACT (SHFPACT)** provides free unplanned pregnancy counselling, testing and treatment for sexually transmitted infections, community outreach and education programs. The SHFPACT clinic provides consultations for a range of sexual health and reproductive health needs. If requested, the clinic can also provide further information on medical abortion service providers and post-abortion counselling services. Bookings can be made online via the SHFPACT website.

## ACT Children and Young People Commissioner

(02) 6205 2222

9am-5pm, Monday-Friday

Email: [actkids@act.gov.au](mailto:actkids@act.gov.au)



The **ACT Children and Young People Commissioner** is an independent position within the ACT Human Rights Commission which promotes the rights of children and young people. The ACT Children and Young People Commissioner promotes youth participation in decision making and can provide advocacy, representation, investigation and monitoring services to vulnerable children and young people.

## ACT Public Advocate

(02) 6205 2222

9am-5pm, Monday-Friday

Email: [hrc@act.gov.au](mailto:hrc@act.gov.au)



The **ACT Public Advocate** is an independent statutory position within the ACT Human Rights Commission that works to protect and promote the rights and interests of people in the ACT who are vulnerable to abuse, exploitation and neglect. This includes people living in mental health facilities and supported accommodation, children and young people living in out-of-home care and people in custody. The Public Advocate also monitors the provision of services to people experiencing vulnerability, oversees the systems that support and respond to people experiencing vulnerability and holds the government to account on issues affecting vulnerable people.

## The Junction Youth Health Service

(02) 6232 2423

9am-5pm, Monday-Friday

Email: [junctioninfo@anglicare.com.au](mailto:junctioninfo@anglicare.com.au)

Address: 30 Scotts Crossing, Civic ACT 2601



The **Junction Youth Health Service** provides bulk-billed primary health care and support services to young people aged 12-25, and their dependent children. Services include GPs, nurses, smoking cessation support, case management, youth work support and outreach in schools, as well as education and advocacy on health issues affecting young people in the Canberra region.

## Victim Support ACT

1800 822 272

(02) 6205 2066

9am-5pm, Monday-Friday

Email: [victimsupport@act.gov.au](mailto:victimsupport@act.gov.au)



**Victim Support ACT** provides support, advocacy and financial assistance to people who experience crime in the ACT. Their services include guiding victims of crime through the criminal justice process, advocating for clients in relation to their rights as victims of crime and providing referrals to free counselling or other relevant support services. They also offer specialised programs, including the Court Support Program for victims of crime whose matters proceed to court. Victim Support ACT assists victims of violent crimes to apply for financial assistance through the Financial Assistance Scheme for Victims of Crime, which is designed to assist victims of violent crimes to access compensation and recover and acknowledge the harmful effects of violence. Victim Support ACT is part of the ACT Human Rights Commission.

## Women's Health Service

(02) 5124 1787

8:30am-4:45pm, Monday-Friday

Main address: Level One, City Community Health Centre, corner of Moore Street and Alinga Street, Canberra City ACT 2601



The **Women's Health Service** provides nursing, medical, nutrition and counselling services for women in the ACT who have been affected by violence or otherwise have difficulty accessing health services. The service is staffed by women and is free for valid Medicare cardholders. They cannot provide mental health care plans, chronic disease care plans or crisis counselling. Same-day medical appointments are available at 1pm Monday to Friday.

# DOODLING FOR MINDFULNESS

1 YOUR NAME IN BUBBLE LETTERS

A SELF-PORTRAIT 2

3 YOUR FAVOURITE PLANT

YOUR FAVOURITE ANIMAL 4

5 YOUR OUTFIT

SOMETHING IN FRONT OF YOU 6



1

2

3

4

5

6

# 09

## National Support Services

This chapter outlines support services available nationally.

### **Content warning:**

This chapter mentions domestic, family and sexual violence, child sexual abuse, trauma and mental health.

# Navigating this Chapter

The national support services mentioned in this chapter provide a diverse range of services. The colour-coded key below is used throughout the chapter to identify what type of support a service offers.

## Service Support Key



## Translating and Interpreting Service National

If you need translation or interpreting services you can call the **Translating and Interpreting Service National (TIS National)**. TIS National offers immediate phone interpreting services for any person or organisation in Australia needing an interpreter. You can contact them 24/7 on 131 450 and ask them to contact a support service on your behalf.

## The National Relay Service

If you are deaf and/or find it difficult to communicate over the phone, you can call the **National Relay Service**. The National Relay Service will assist you to communicate with a hearing person over the phone. You can contact them using one of the following 24/7 options and ask them to contact a service.

- Voice Relay number - 1300 555 727
- Type and Read (TTY) number - 133 677
- SMS relay number - 0423 677 767
- Internet relay users - visit the National Relay Service website.

## 1800RESPECT

1800 737 732  
24/7



**1800RESPECT** is Australia's national sexual, domestic and family violence counselling service. 1800RESPECT can be accessed over the phone or online via a chat function 24/7. They have trained counsellors who can provide counselling, information and referrals. It is free to call from all landlines, payphones and most mobile phones. 1800RESPECT provides services for everyone, including those who have communication difficulties such as people who are hearing-impaired, speech-impaired or who can speak limited to no English. 1800RESPECT can also help supporters of those who have experienced or are at risk of experiencing sexual, domestic and family violence.

**Daisy App** - *Free to download on a mobile at <https://www.1800respect.org.au/daisy>*

**Daisy** is an app developed by 1800RESPECT to connect people experiencing violence or abuse to services in their local area. Daisy can be downloaded for free from the App Store or Google Play. Service websites can be accessed from within the app so the sites do not show up in any browser history, as a way to protect privacy. Each listing includes information about opening times, how to get in touch and the services they offer.

**Sunny App** - *Free to download on a mobile at <https://www.1800respect.org.au/sunny>*

**Sunny** is an app co-developed by 1800RESPECT and Women With Disabilities Australia to support women with a disability who have experienced violence and abuse. It can be downloaded for free from the App Store or Google Play. The Sunny App was co-designed by women with a disability to include accessibility features such as a screen reader. The Sunny App includes information about understanding abuse, knowing your rights, finding support services that can help and tips on how to share with others your experience of abuse.

## Kids Helpline

1800 551 800  
24/7



**Kids Helpline** is a national service that provides free, private and confidential counselling for young people in Australia aged 5-25. Kids Helpline can be accessed over the phone or online via a chat service, which has specific links for different ages and demographics including kids 5-12, teens 13-17 and young adults 18-25. This service also offers support for parents and carers, as well as schools and teachers.

## Lifeline

13 11 14  
0477 131 114 (text only)  
24/7



**Lifeline** is a national charity that provides confidential crisis support that is accessible 24/7. Their crisis support services can be accessed via phone, text or online chat.

## 13YARN

13 92 76  
24/7



**13YARN** is a crisis support line for Aboriginal and Torres Strait Islander people that is accessible 24/7. It offers free and confidential one-on-one yarning opportunities with a Lifeline-trained Aboriginal and Torres Strait Islander Crisis Supporter.

## Beyond Blue

1300 224 636  
24/7  
*Online chat available 11am-12am, 7 days*



**Beyond Blue** provides 24-hour access to mental health support for individuals affected by anxiety, depression and suicide. Their services include a phone line, online chat and online forums.

## Suicide Call Back Service

1300 659 467  
24/7



The **Suicide Call Back Service** is a nationwide service providing 24/7 telephone and online counselling to people affected by suicide. They also have resources available on their website to assist people through difficult times and educate the community on suicide, mental health and related issues. Online chat support is available on the Suicide Call Back Service website.

## Bravehearts

1800 272 831  
(07) 5552 3000  
9am-5pm, Monday-Friday  
Email: intake@bravehearts.org.au



**Bravehearts** provides a range of online services to children and young people who have experienced or are at risk of experiencing child sexual abuse. They also provide services to children who engage in problematic sexual behaviour and non-offending adult family members. National services include a free Information and Support Line, online education and training courses and confidential support for those considering applying to the National Redress Scheme.

## Full Stop Australia

1800 385 578  
24/7



**Full Stop Australia** supports people affected by sexual, domestic and/or family violence. FullStop Australia can be accessed over the phone or internet 24/7 by anyone who has been affected by violence and/or trauma. They provide:

- Confidential, trauma specialist counselling for people of all genders who are impacted by violence and abuse, as well as their friends, colleagues and family members.
- Best-practice training and professional services to support safe and respectful workplaces, educational environments and communities.
- Advocacy to governments, businesses and communities to make changes to laws, policies and practices to better prevent and respond to sexual, domestic and family violence.

They also have the following national support lines:

- **Sexual Abuse and Redress Support Service:** free telephone and face to face counselling for people impacted by institutional child sexual abuse.
  - 1800 211 028
- **Sexual, Domestic and Family Violence Helpline:** for victim-survivors of sexual, domestic and/or family violence and their supporters.
  - 1800 943 539
- **Rainbow Sexual, Domestic and Family Violence Helpline:** for LGBTQIA+ victim-survivors of sexual, domestic and/or family violence and their supporters.
  - 1800 497 212

## Blue Knot Foundation

1300 657 380

9am-5pm, 7 days

Email: [helpline@blueknot.org.au](mailto:helpline@blueknot.org.au)



The **Blue Knot Foundation** provides information and support to anyone in Australia who is affected by complex trauma. They also provide a National Counselling and Referral Service for people with a disability which can be accessed on 1800 421 468. They can be accessed by phone or email.



**What is complex trauma?** Complex trauma is repeated, ongoing and often extreme interpersonal trauma (between people). It can include violence, abuse, neglect or exploitation experienced as a child, young person and adult.

## Living Well

Visit **Living Well's** website for more information



**Living Well** provides information and support to men who have experienced sexual abuse. Living Well has a range of useful resources for victim-survivors and their supporters, including an app. Living Well also has a free **Guide for Men**, which provides information for men who are dealing with sexual abuse and its effects.

## National Redress Scheme

1800 737 377

8am-5pm, Monday-Friday



The **National Redress Scheme** is a national program that provides acknowledgement and support to adults who experienced institutional child sexual abuse. It can provide access to counselling, financial compensation and/or a direct acknowledgement of the harm caused by an institution through an apology or similar. This scheme is an alternative to seeking compensation through the court system. To access this scheme, call the above information line or make an online application through their website. Applications will be accepted at any time before 30 June 2027. For more information about the National Redress Scheme, see page 95.

## Mensline Australia

1300 789 978  
24/7



**Mensline Australia** can be accessed by phone or online and provides support and information to men and boys living in Australia who are experiencing issues with mental health, anger management, family violence (whether they are perpetrating it or experiencing it), addiction, relationships, stress and general wellbeing. Mensline Australia provides free online counselling for men aged 15 years and over, and 18 years and over for counselling via video chat. Additional services offered by Mensline Australia include the **Mensline Australia Forum**, a peer support program that assists men with parenting and relationship issues as well as their emotional wellbeing, and **Befrienders Worldwide**, which provides information about suicide and emotional support services available worldwide in multiple languages.

## QLife

1800 184 527  
3pm-12am, 7 days



**QLife** provides nationwide anonymous, LGBTI peer support and referral for people wanting to talk about a range of issues including sexuality, identity, gender, bodies, feelings or relationships. QLife services are free and include both telephone and webchat support. They are delivered by trained LGBTI community members across the country. Their services are for LGBTI individuals, their friends and families, and health professionals in Australia. Online chat is available on the QLife website.

## Women's Services Network (WESNET)

1800 937 638  
9am-5pm, Monday-Friday



The **Women's Services Network (WESNET)** is a peak body for specialist domestic violence and family violence services, specialising in assisting women impacted by technology-facilitated abuse. They provide technology safety education and advice, and they can provide new phones and phone credit. Their preferred contact method is via the contact form on their website.

## ReachOut Australia

(02) 8029 7777

9am-5pm, Monday-Friday



**ReachOut Australia** is a mental health service that provides self-help information, peer support programs and referral tools to young people aged up to 25 and their parents and carers.

## Men's Referral Service

1300 766 491

Open 7 days



The **Men's Referral Service** provides support, information and counselling for men who use family violence. It can also be accessed by friends, family or colleagues of people who are using or experiencing family violence and professionals who want to support a client either using or experiencing family violence. Men's Referral Service can be accessed by phone or through a live chat function on the website. Their additional services include:

- **Brief Intervention Service:** provides counselling support and referral options to assist men to get further support.
- **Men's Accommodation and Counselling Service:** works with men who have been excluded from the home due to their use of family violence.
- **BETTER MAN:** aims to motivate men who are worried about their behaviour to seek help at an early stage.

## Youth Law Australia (YLA)

1800 950 570

9:30am-5pm, Monday-Friday

Email: [advice@yla.org.au](mailto:advice@yla.org.au)



**Youth Law Australia (YLA)** is a national community legal service offering free and confidential legal advice and information to children and young people under the age of 25, and their advocates. They can help with any legal issue a young person might have including issues involving sexual harassment and abuse. YLA also runs the **Young Worker's Rights Service (YWRS)**. This is a free and confidential employment law advice service for children and young people under the age of 25 and their advocates in the ACT, NSW and the NT.

# 30 DAY SELF-CARE CHALLENGE

TAKE A BREAK AND TRY ONE OF THESE SELF-CARE ACTIVITIES  
EACH DAY

<input type="radio"/> Do a workout	<input type="radio"/> Drink more water	<input type="radio"/> Go for a walk outdoors	<input type="radio"/> Write a positive affirmation	<input type="radio"/> Go to bed early
<input type="radio"/> Listen to your favourite song	<input type="radio"/> Do something you love	<input type="radio"/> Take a nice bubble bath	<input type="radio"/> Cook your favourite meal	<input type="radio"/> Practise yoga
<input type="radio"/> Unplug from social media	<input type="radio"/> Do some journaling or doodling	<input type="radio"/> Call someone who makes you laugh	<input type="radio"/> Write down 3 things you are grateful for	<input type="radio"/> Read a book
<input type="radio"/> Do some stretches	<input type="radio"/> Watch the clouds	<input type="radio"/> Go for a drive	<input type="radio"/> Watch your favourite movie	<input type="radio"/> Write a letter to a friend
<input type="radio"/> Sit under the stars	<input type="radio"/> Start a new hobby	<input type="radio"/> Write out your goals	<input type="radio"/> Organise your wardrobe	<input type="radio"/> Watch the sunset
<input type="radio"/> Give yourself a break	<input type="radio"/> Listen to a podcast	<input type="radio"/> Declutter your space	<input type="radio"/> Spend time with someone you love	<input type="radio"/> Go out with friends

# 30 DAY SELF-CARE CHALLENGE

TAKE A BREAK AND DESIGN YOUR OWN SELF-CARE ACTIVITIES FOR EACH DAY

○	○	○	○	○
○	○	○	○	○
○	○	○	○	○
○	○	○	○	○
○	○	○	○	○
○	○	○	○	○

# 10

## Sharing Your Story

This chapter outlines some avenues and key considerations for victim-survivors when deciding whether to share their story with others. It also outlines the obligations of media when reporting on stories of sexual violence and highlights the experiences of a few victim-survivors who have shared their stories publicly.

# What's in this chapter?

**Warning:** Aboriginal and Torres Strait Islander peoples should be aware that this chapter contains the names and experiences of people who have passed away.

## **Content warning:**

This chapter mentions sexual violence, stigmatisation and institutional betrayal.

## **Key terms:**

- Disclose / disclosure
- Print media
- Broadcast media
- Social media
- Anonymity
- Defamation

## **Key organisations mentioned:**

- The STOP Campaign
- Reclaim Me Podcast
- This Is My Brave Australia (TIMBA)

# Introduction

The STOP Campaign believes that victim-survivors' stories deserve to be heard and have the power to enact change. Sexual violence and trauma is difficult to speak about and victim-survivors are often stigmatised for telling their stories. The STOP Campaign aims to change this.

It can be difficult to share an experience of sexual violence. It may be especially daunting to bring it up with people closest to you. Whether you choose to tell others right away, years later or prefer not to share your experience at all is entirely up to you. Deciding to disclose doesn't mean sharing every detail - it's your decision to share as much as you feel comfortable with.

## Sharing Your Story With Someone You Know

A **disclosure** is the act of telling someone about your experience of sexual violence. If you are thinking about disclosing to someone you know about your experience of sexual violence, here are some key things to consider.

### Who

You decide who you tell about an experience of sexual violence. Consider whether the person you wish to tell will react in a supportive way. Not everyone will know how to appropriately react to or process the information that you share with them, so it is important to check with that person to see if they are comfortable.

### How

Choose a way to disclose that makes you feel comfortable. It can be in-person, over the phone or via message. If you are worried about being interrupted or being asked too many questions, it could be helpful to write a message. No matter how you choose to tell someone, it is a good idea to set some ground rules first. For example, you can say something like, "I'd like to tell you about something that's hard for me to talk about. It would mean a lot to me if you listen and not ask about the details".

### What

What information (and how much) you share about your personal experience of sexual violence is completely up to you. If the person you are disclosing to asks for more detail, you don't have to tell them. Only share as much as you feel comfortable.

### When

Choose a time that you are both comfortable with, so the person you are disclosing to has time to be present and process what has been shared. For example, if someone is about to go to sleep, is leaving the house or is intoxicated, consider waiting for a time that is more suitable for the conversation.

### Where

It is important that you feel safe if you decide to share your story in person. You may choose to meet in a private location, in public and/or alongside someone else you trust, depending on how comfortable you feel with the person you are disclosing to.

# Sharing Your Story Publicly

Sharing your experience with sexual violence publicly can be empowering. There are options to do this, such as with a journalist, your personal social media account or through a grassroots movement or platform.

In 2017, journalist and **End Rape On Campus (EROC) Australia** director, Nina Funnell, authored a series of factsheets for the **Full Stop Foundation** on your rights and options when working with media. The following information is reproduced from those factsheets with Funnell's permission. If you are thinking of sharing your experience of sexual violence publicly it may be useful to ask yourself the following questions:

- Are there any family or friends I want to disclose to before sharing my story publicly?
- Am I comfortable with the possibility that media outlets could contact me, even months or years from now?
- Am I comfortable with the possibility that other victim-survivors may want to reach out to me and disclose their own experiences? Do I know where to refer them for support?
- Am I prepared for the possibility that I could experience backlash, trolling, doubt, intrusive questions or comments from members of the public, or from people I know?
- Am I comfortable with my name permanently being attached to this issue in the public domain or would I prefer to remain anonymous?
- In five or ten years, will I still be comfortable for people to be able to search and find this information about me?
- Do I have a solid support network to assist me?
- What strategies or tools do I already have to help me manage any negative experiences or fallout after sharing my story publicly?<sup>1</sup>

*"The media can be a powerful vehicle for change. Survivor voices matter and deserve to be heard and respected."* Nina Funnell, Walkley award winning journalist, survivor and creator-manager of the #LetHerSpeak campaign.<sup>2</sup>

## Print media (newspapers / magazine articles)

Sharing your story through print media and news platforms allows you to reach large and diverse audiences. **Print media** includes newspapers and magazines and is often translated to online platforms (for example, newspaper articles written and shared on Facebook). Sharing your story through traditional print media will often involve working with a journalist.

Important considerations:

- Traditional print media are often distributed in a specific area or location. However, articles that are shared online can often reach a much larger audience.
- Journalists in the ACT cannot legally identify you as a victim-survivor without your express permission. This means that you can choose to remain anonymous. However, speculation around your identity may still occur.

- Journalists and editors may ask to work with you to edit your piece for publication. This might mean that your story is edited for length and clarity.
- Depending on the type of publication, or if you are choosing to self-publish, there may be a publishing fee.
- Traditional news media outlets are subject to ethical guidelines which may restrict the type of content they can, or are willing to publish. Journalists must also fact check information and may seek comments from other sources to hear other perspectives.
- The media cannot always deliver outcomes that meet a victim-survivor's expectations. Journalists may also bring their own agenda or objective to the story.
- Traditional media tends to platform stories from white, cisgender and able-bodied perspectives.

### **Broadcast media (radio / interviews / television)**

Traditional forms of **broadcast media** include radio and television. It is increasingly common to engage with more informal platforms such as podcasts and social media videos. Stories shared using broadcast media most often take the form of an informal interview. There are also options to share more structured content, including through written statements.

Important considerations:

- Broadcast media can reach large audiences.
- It may be difficult to remain anonymous.
- There are limited options to share creative pieces such as art, poems and/or opinion pieces.
- Interviews may be edited significantly to meet time limits.
- Sharing your story live on television or radio can be nerve wracking.
- There is often little time to prepare due to radio and television interviews being organised on short notice.
- There may be less autonomy to receive questions in advance and you may be put on the spot to answer questions live.
- Television or radio interviews often require a large production team (meaning there may be more people present when you share your story).

### **Social media**

**Social media** platforms are a popular choice for victim-survivors who choose to share their stories. Victim-survivors can also share their stories using their own personal social media accounts or through other creators' platforms.

Important considerations:

- Social media can allow more creative freedom in sharing your story.
- Social media posts can be widely shared. This may make it difficult to target a specific audience.
- It may be difficult to maintain anonymity if sharing through your own personal platform.
- Audiences can respond directly to social media posts, increasing the risk of negative feedback and/or online harassment.

# Grassroots organisations sharing victim-survivors' stories

Many **grassroots organisations** in the sexual violence space provide platforms for victim-survivors to share their lived experiences. We have highlighted some of these organisations operating in the sexual violence space that allow for victim-survivors in the ACT to share their stories publicly below.

## The STOP Campaign

*Uses print media and social media*

**The STOP Campaign** believes in the power of storytelling as a way to raise awareness and destigmatise conversations on sexual violence and sexual wellbeing. It does this by providing avenues for victim-survivors to share their stories safely using creative mediums. This includes through organisational publications such as The STOP Campaign Zine and Video Series, engagement with media, online blogs and public events.

**Zine and Video Series:** One of The STOP Campaign's core projects is the Zine (short magazine) and Video Series, which aims to showcase a collection of anonymous stories of victim-survivors and their supporters through various creative mediums. The Video Series is a version of the Zine in video format. This is facilitated safely and anonymously. The director of the project will communicate with you via text to keep you informed throughout while ensuring your identity is protected.

**Blogs:** The STOP Campaign is always looking for submissions to publish as blogs on their website and social media. To publish a blog, you can contact The STOP Campaign on social media or via their website. There are options on the website to share while remaining anonymous. Once you contact the The STOP Campaign, you can work with a team member who will proofread your blog and offer editing suggestions as required. Like the Zines, your story can be shared in any form, including (but not limited to) poem, prose or artwork.

Sharing through The STOP Campaign means that:

- You have the option to remain anonymous, not only to the public, but to the Campaign team as well.
- You can use many forms of expression such as prose, poems and artworks.
- You will be sharing your story with The STOP Campaign audience (generally advocates, activists and allies for victim-survivors).
- You are in control of which platforms your story is shared on, such as the website and various social media sites.
- You can opt to have your story proofread and edited by team members of The STOP Campaign.

## Reclaim Me by Madeleine Heather

*Uses broadcast media and social media*

**Reclaim Me** is a podcast hosted by Madeleine Heather that shares the stories of victim-survivors in a safe and trauma-informed space to remove the stigma surrounding conversations of sexual violence. Reclaim Me is available on platforms including Spotify and Apple Podcasts. Madeleine also shares snippets of episodes on the Reclaim Me social media accounts.

Each podcast episode shares the story of a victim-survivor to help them reclaim their narrative, their voice and educate the wider community. Victim-survivors who speak on the podcast are usually named and pictured. Episodes are recorded using video. You can express your interest in sharing your story with Reclaim Me by messaging their Instagram account. Madeleine has also started sharing victim-survivor stories on the Reclaim Me Instagram account, for those who want to remain anonymous.

Sharing your story through Reclaim Me means that:

- Your story will be shared to the Reclaim Me podcast's audience (generally advocates, activists and allies for victim-survivors).
- You are sharing your story through broadcast media and can speak directly with Madeleine about your experiences.
- You can choose to share your story anonymously in written form via their social media pages.

## This Is My Brave Australia (TIMBA)

*Uses print media, broadcast media, theatre and social media*

**This Is My Brave Australia (TIMBA)** shares the stories and experiences of victim-survivors of violence and those experiencing mental illness through live performances. TIMBA was created by activists Jennifer Marshall and Anne-Marie Ames in the United States and was launched in Australia in 2017 with the help of mental health advocate Tim Daley. TIMBA's vision is to allow people who have experienced things such as depression and anxiety, bipolar disorder, post-traumatic stress disorder, alcoholism, substance misuse and sexual violence to share their personal stories with the wider community. These highly stigmatised topics are reframed to emphasise the bravery, dignity and healing of victim-survivors.

Stories are told through poetry, musical performances, film and spoken word. These stories are also shared through TIMBA's live stage performances (with recordings also available as a podcast), the TIMBA blog and Youtube channel.

Sharing your story through TIMBA means that:

- Your story will be shared to TIMBA's audience (generally mental health advocates, activists and allies).
- You have creative freedom to create and share a spoken word piece, poem, or short musical piece about your experience of sexual violence, healing and recovery.
- It may be difficult to remain anonymous if you choose to share your story.

# Considerations When Sharing Your Story

## ***Personal safety considerations***

Sharing your story publicly after experiencing sexual violence may carry a risk to your personal safety. Looking after your personal safety might require you to remain anonymous or keep your personal information (such as your name and/or face) private to prevent people from knowing your identity. This can protect you from being targeted by people who hear or see your story.

If you would like to share your story but are worried about repercussions from someone you know, or if you are experiencing violence or threatening behaviour as a result of sharing your story, you may be able to apply for a **Personal Protection Order (PPO)** against the person harming you. For more information about specific types of protection orders and applying for protection orders, see page 74. If it is an emergency or you are worried about your immediate safety, contact police on Triple Zero (000).

If you are experiencing harassment or threatening behaviour online (such as threatening or violent texts, emails or social media messages) after sharing your story, you can report to the police or the Office of the eSafety Commissioner (eSafety). For more information about reporting sexual violence, see Chapter 5.

## ***Legal considerations***

### **Sharing a victim-survivor's identity**

Some jurisdictions in Australia have sexual assault 'gag laws' which make it illegal for victim-survivors of sexual violence to identify themselves in the media (especially if they are involved in sexual offence court proceedings). However, victim-survivors in the ACT can consent to being identified in the media in all cases, unless doing so would directly or indirectly identify another victim-survivor. It is illegal for a person (including a journalist) to publish the name, identity information (including residential or business address, email address or phone number), or any other information that could be used to identify a victim-survivor involved in that proceeding, without the consent of that victim-survivor.<sup>3</sup>

Victim-survivors in NSW can also consent to being identified in the media if they are over 14 years of age, and if other victim-survivors are not directly or indirectly identified as a result.

### **Defamation**

**Defamation** means causing serious harm to a person's reputation by saying or publishing material about them that changes the way people feel about them. A person can be 'defamed' even if their name isn't used or even if the person defaming them didn't mean to cause any harm. A person who claims to have been defamed can go to court to get compensation for the harm caused. Compensation could be money and/or a public apology. In the context of sexual violence, this includes publishing an allegation that someone is a perpetrator of sexual

violence, which may give rise to them claiming you defamed them. This may also happen if you publish your own Victim Impact Statement, should your matter have been finalised in court with a not-guilty verdict.

It is important to consider whether you want to identify the perpetrator when sharing your story publicly. This also applies to if you want to share about your experience of disclosing or reporting to a person in an institutional setting, such as a workplace or school. In some cases, these people may also bring about defamation claims against a person who has spoken publicly about their response or handling of a sexual violence incident. **If you have concerns about defamation or other legal issues that might arise for you if you choose to share your story publicly, it is important to seek legal advice first.**

## ***Cultural, family and community considerations***

Sexual violence is a highly stigmatised topic in Australia. Young people are often isolated and unwilling to speak about their experiences of sexual violence. Even when victim-survivors have the language to explain their experiences, victim-blaming can deter people from disclosing.

The reaction of supporters to a disclosure of sexual violence can have a profound impact on a victim-survivor's mental health and recovery. It is important that victim-survivors who wish to share their stories with friends, family or members of their community feel safe and supported while doing so.

Sex and sexuality can also be highly sensitive or taboo topics within some family, cultural and religious groups. This may require unique considerations for victim-survivors who wish to share their personal experiences of sexual violence. For example, people from **culturally and linguistically diverse (CALD)** backgrounds or in the **LGBTQIA+** community may face additional barriers when sharing their story or seeking help. These may include:

- Language
- Culture and 'cultural etiquette'
- Immigration status
- Fear of the perpetrator
- Mistrust of authorities and the media, due to harmful and discriminatory reporting
- Judgement from the community and fear of community shame
- Negative family responses.

Some people may find it easier to seek help or disclose to professionals who identify with their own culture or community. Others find it easier to seek help from someone outside their own community so that victim-survivors do not feel that their story will be exposed to their community.

If you are a person from a diverse background seeking support, your safety and comfort is extremely important. Legal Aid ACT, the Domestic Violence Crisis Service (DVCS) and the Canberra Rape Crisis Centre (CRCC) are available to help. For more information about these services and for their contact details, see chapter 8.

### **Victim-survivor experience from a culturally diverse background - Anonymous**

"Ana said that she would never report her sexual assault to police. This is largely due to the cultural stigma associated with reporting in a migrant community. In a small migrant community, it is very isolating and shameful to report. Values about marriage, supporting your family, and the taboo about sex, interferes with victim-survivors' ability to report, disclose or seek support. When there is no trust that the system is set up to support culturally and linguistically diverse women, it really deters you from reporting. Services lack cultural competency and often do not recognise the societal or community pressures surrounding why CALD women do not report. They don't feel safe at home and they don't feel safe in their own community. Language is a huge barrier. There is huge power in language. How do you translate your experience? There are sometimes, no similar words to even describe, there may not be a word for sexual assault in their language which means we lose the understanding of what has happened to them.

Despite the victim-blaming Ana experienced at home, she decided to disclose to a trusted friend who had no connection to her community or family. She felt this provided her with a different avenue and gave her access to support. She felt believed and was grateful to have that experience. Ana expressed that grassroots organisations were the most beneficial in navigating her journey after sexual assault."

## **Reporting Victim-Survivor Stories**

When reporting on the experiences of victim-survivors of sexual violence, there are important guidelines that the media must follow:<sup>4</sup>

- 1** Media reporting must not compromise the safety of the victim-survivor. If the victim-survivor has not consented to having their identity made public, the report must not contain any information that could identify them.
- 2** Appropriate terminology should be used to explain acts of violence. For example, an incident of family violence should not be characterised as a 'domestic dispute'.
- 3** Reports must maintain respectful and appropriate language and tone. They must emphasise the seriousness of sexual violence, uphold the privacy and dignity of the victim-survivor, not use dramatic language that trivialises a violent incident and not identify the people involved by their race, ethnicity or other status unless necessary.
- 4** Reports must not use language that justifies violence or blames the victim-survivor for what happened.
- 5** Reports must not describe violence as being fuelled or caused by alcohol, drugs, stress or mental health issues.

- 6 Reports must not include images that support harmful stereotypes about sexual violence, perpetrators and victim-survivors (for example, images that show or suggest that the victim-survivor was intoxicated when the incident occurred).
- 7 Reports should include appropriate content warnings and support services for readers who may find the content distressing.
- 8 Reports must be culturally appropriate and sensitive in line with cultural protocols, particularly when reporting on the experiences of Aboriginal and Torres Strait Islander peoples.

More information on media guidelines when reporting on sexual violence can be found on the **Our Watch** website.

## Personal Reflections

### **Mahalia** (she/her)

*Content Warning: Sexual violence, victim-blaming and trauma.*



"I first shared my story publicly as a poem through a university publication a few years ago. I write poetry often, so sometimes it just feels like the right time as the words trickle, or gush, onto the page.

The first time I made my story clear was in The STOP Campaign's Reclaim the Narrative Zine, where it was also made into a spoken word video for their video series. My poem detailed a few of my experiences that were related to the Australian National University, either places or people or both. I decided to make this work anonymous. There were quite a few reasons for this - it was a mixture of not being ready for my family to know specifics, or even that it had happened, and self-doubt and blame about the experiences themselves.

While I have experienced victim-blaming, I have been extremely privileged in the opportunities and support I've received. Of course this doesn't change my experiences, but sharing my story through writing, speaking aloud and having my voice heard is so important to me. I am heard. I am seen. I am believed. The choice to share my story is empowering and encouraging. Sharing is a personal choice. You do not need to share your trauma for you to be an advocate, but there should be the option to. Sharing your story should be in an environment that is safe, trauma-informed, and done in a way where you have control over when, where and how it is shared."

**Khadija Gbla, Human Rights Activist (she/her)**

"Speaking up enables me to take back power I lost. I've channeled my anger into making sure that [Female Genital Mutilation] doesn't happen to another little girl." <sup>5</sup>



**Brittany Higgins, Survivor-Advocate (she/her)**

"I spoke out because I wanted the next generation of staffers to work in a better place. To take up a dream job like I did. And for it to live up to their hopes and not betray them. And above all, I decided to speak out because I hoped it would make it easier for other women to speak out too." <sup>6</sup>



**EL (pseudonym) (she/her)**

*Content Warning: Sexual violence, victim-blaming and trauma.*

"In my third year of university, I decided to share my story through The STOP Campaign's first zine: Revealing Truths and Breaking Stigmas. At first, I just wrote out my story on a piece of paper and I felt an overwhelming sense of emotions – relief, sadness and hope. For the first time, I felt in control of my story and I knew sharing my story would be a positive step toward healing and accepting what happened. From this experience, I then shared my story through The STOP Campaign's second zine, Reclaim the Narrative, and had it adapted to their video series.

I never felt that I would have the option to share my story. I always felt like I would be shut down and not believed. Sharing my story anonymously gave me a way to communicate my experience and not feel ashamed. Part of me is still not ready for my identity to be known. I am still scared of the ramifications and what people around me will think. However, sharing my story has given me closure. When I read other stories of sexual violence, I do not feel alone. A key reason for sharing my story was to help others feel like they are not alone and show that not all experiences are the same.

To promote safe and trauma-informed storytelling, I think it is vital to ensure victim-survivors are comfortable every step of the way. This includes ensuring they have adequate support during the process, are able to ask questions, are involved in the process of sharing their story and have control to tell their story. It's important to remember that healing takes time and victim-survivors don't have to share their stories before they're ready, if at all. Victim-survivors deserve the chance to reclaim their story in a way that makes them feel validated and heard, and sharing can provide them with opportunities to speak out and influence community change."

**Madeleine Heather (she/her), victim-survivor and founder of the Reclaim Me Podcast**

Each and every story matters. We see you, we hear you, we believe you.

You won't just survive, you will thrive. Trust Me.



"The Reclaim Me platform was started to provide victim-survivors with a platform to share their stories and reclaim their voice, their story and their narrative. When I began sharing my own story on social media I was overwhelmed with the response I received. People were messaging me from all over the world, sharing their personal stories and those of their loved ones. It opened a door for me. I had been speaking about starting a podcast for a long time, I just wasn't sure what it would look like. From these experiences of connecting through shared vulnerability, I was set on my path to provide an intersectional platform that would reach more communities while pushing against stigma and shame.

I believe everyone's experiences of trauma are important. So many survivors have expressed to me that their abuse is not worthy of space, as their experiences don't match the 'horrific sex crime' stories that the media uses to define sexual violence. I make the process of sharing stories as trauma-informed as I can and I ensure that all guests on the show have autonomy at every stage of the process.

My platform has also prompted those who have not experienced sexual violence to think about ways they can help further the conversation and spark community change. I believe there are so many benefits for those who engage with the platform to get a sense of this conversation they don't know much about. But, sadly, as with any advocacy; there will be some you can educate and who will become allies, and there will be some that no matter what you do – they will fight against the conversation.

Unfortunately, one of the key difficulties of sharing a personal story is the legal implications of defamation. Sadly even those with convictions face many barriers legally with sharing stories. If you are able to tell your story, do so on your terms. Don't add in details you aren't comfortable with, don't share it with a space, person or agency you don't feel comfortable with, make sure you are implementing practices of self-care, and have a support system in place for during and after you share your story. Reaching out to survivor networks is a really great way to gain insights, advice and help from those who have experience with sharing their stories."

**RECLAIM:ME**  
Podcast

**Anna** (she/her), **Brenda** (she/her), **Erin** (she/her) and **Kate** (pseudonym) (she/her), **victim-survivors and founders of The Survivor Hub**

When I was in the middle of my trial I was approached by another survivor who was further along in her trial than me. For the first time ever, I felt like someone understood what I was going through. Within hours, we went from complete strangers to as close as I've ever been to anyone in my life. Without her, I don't know how I would have survived the legal process. It was retraumatising, exhausting and painful, but I knew that she knew exactly how I was feeling.



Being a survivor can be an isolating experience. For years I did not know if I even knew other survivors, let alone those who had experienced court and everything that comes with that. While professionals without lived experience can do their best to understand and empathise, knowing that you are sitting with another survivor is an unmatched feeling.

"The four co-founders and directors of The Survivor Hub, a survivor-led initiative aiming to provide a space for victim-survivors to connect and share through peer support, Anna, Brenda, Erin and Kate (pseudonym), believe in the power of storytelling. Their approach is that connecting with others with similar experiences can help those within the community understand and navigate the legal system, avenues for support and knowing that we are not alone. The Survivor Hub achieves this through fortnightly virtual and in-person meetups.

Despite our lived experiences, we also appreciate that there are still a myriad of challenges in navigating how we can provide a safe space for all survivors. We recognise that the participants at our meetups may be at different points in their trauma recovery; thus what may be appropriate or needed for one survivor may not be for another.

In the survivor-advocate sphere, like everywhere, marginalised voices are underrepresented. This is particularly important when considering that the survivors whose voices are not being represented are those who disproportionately experience sexual, domestic and family violence. As a community, we need to elevate the voices from First Nations communities, those living with disabilities, gender diverse people, people of colour and people of diverse identities.

*"Your story is important, and will be just as important in two days, two weeks, two months or two years from now. Take all the time you need."* This quote from Nina Funnell perfectly reflects The Survivor Hub's message - that you should never feel pressured to tell your story."

## ***Brittany Higgins and Grace Tame's voices helped me to face my own story***

(an excerpt from a Women's Agenda article)

**by Aleysha Cullen**

“The only way out of this current state of being is to continue to take up space. Start the conversations. Challenge where you feel safe to do so. Use your voice, use your power, use your privilege – to seek justice for all. Raise the voices of those who aren't being heard. Make space for the voices which aren't represented. And know that there will be days when it feels like you are failing and making no impact at all. But let me assure you, even on those days – someone is watching, growing, gaining the confidence to use their own voice. And that is how change happens. It's messy. It hurts. But it is possible and it requires all of us coming together, raising each other up as we unite to create a better world where those in power reflect and represent us all.”<sup>7</sup>



# Endnotes

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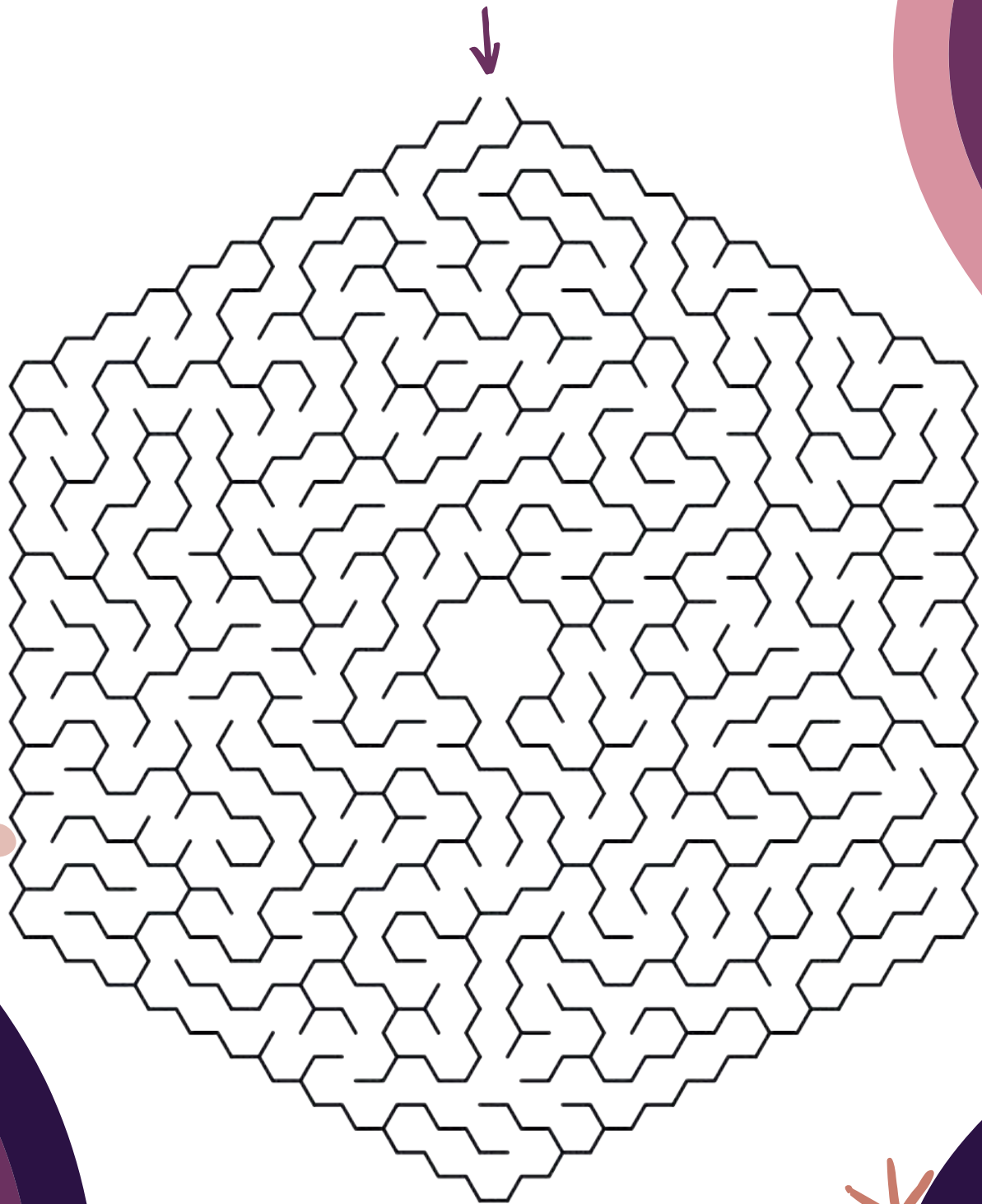


# TAKE A BREAK AND FIND ALL 10 WORDS

H V U A M O J H X F B R Q J P  
Z T V F M I A L C E R I B R B  
S D G I A V P Z F S C Q P W B  
S B X N T T C E P S E R I X R  
X A A K E C I V N P P U M J A  
F R O X S R R H I W D Q V D V  
Y S V D S N T F Y M N U O E E  
M K S T T P E S Q Y V P E U G  
J E M P O W E R N H S U B G H  
O S O L I D A R I T Y T T I F  
G S X R Y X W Y R R U V U E P  
T Z B W E H P B F O G I H I V  
C S N R Q S J T X W V M W O D  
J I H Q A U T O N O M Y Z M V  
E V Y I H L E V E I L E B A O

- brave
- solidarity
- reclaim
- rest
- autonomy
- believe
- worthy
- respect
- empower
- strength

**NAVIGATE YOUR WAY  
TO THE CENTRE OF  
THE MAZE**



# 11

## **Activism and Advocacy**

This chapter outlines key concepts regarding activism and advocacy and highlights the experiences of sexual violence activists and advocates.

# What's in this chapter?

## **Content warning:**

This chapter mentions sexual violence, stigmatisation and discrimination.

## **Key terms:**

- Activism
- Advocacy
- Campaigning
- Ally
- Social justice
- Intersectional feminism
- Patriarchy
- Power
- Privilege

## **Key organisations mentioned:**

- The STOP Campaign
- ACT Youth Advisory Council (YAC)
- Canberra Rape Crisis Centre (CRCC)
- Initiatives for Women in Need (IWIn)
- Forcibly Displaced People Network (FDPN)
- Women's Health Matters
- Meridian
- She's A Crowd
- With You We Can
- End Rape On Campus (EROC) Australia

# What is Activism and Advocacy?

*Activism and advocacy are about having your voice heard and sparking social change. They are an aspect of the whole-of-community approach to prevention.*

These terms are often used interchangeably but have slightly different meanings. In general, an activist is someone who takes intentional action to bring about social or political change. An advocate is someone who speaks on behalf of others to encourage change and reform.

## Activism

**Activism** involves taking deliberate action on behalf of a cause to challenge societal norms and systems in order to effect social change. This includes actions like organising or attending protests, meeting with important leaders to push for policy or legal change on a particular topic or circulating petitions for signature. The term 'grassroots activism' is also often used to describe activism that occurs within local communities to create change at the local, regional and/or international level. Intersectional activism can be an extremely powerful means for providing minority groups with a voice, highlighting important civic issues and ultimately instigating political change.

## Advocacy

**Advocacy** means using your voice, skills and networks to elevate the voices of others and encourage positive change from within systems and institutions. This can include encouraging open discussions about important issues with community members, contacting local politicians or community leaders to push for policy change, volunteering for social justice organisations, or participating in social media movements to raise awareness of a particular issue.



## How to spark change

Campaigning, activism, influencing, lobbying and protesting are drawn together by the theme of change. Different ways of sparking change for issues you care about in your community at the local, regional or international level might include:

- Participating in social media campaigns
- Signing a petition
- Expressing your views to those in power, for example by writing a letter
- Organising a performance, public exhibition or hosting an event
- Contacting media
- Writing a blog
- Sharing your art
- Empowering and educating others through open conversation and learning.

## How to be an Ally to Sexual Violence Activists and Advocates

— “

*We need men to take the lead on this or to at least walk side by side with women in the fight against violence.*

” —

*Ashlee Donohue - Author, Advocate and Educator*

**Allies** have an important role to play in all forms of activism and advocacy, especially sexual violence advocacy. The more educated that people are on the importance of eliminating sexual violence and encouraging overall sexual wellbeing and safety, the less sexual violence will occur. You don't have to be a bystander forever... you can become an ally.



There are many ways in which you can show your support as an ally to those who have experienced sexual violence and/or are sexual violence activists and advocates. Simple things to remember include:

1. **Stay informed and be open to learn.** Education is the most important aspect of being an ally and it is your responsibility to seek out ways to educate yourself. If someone close to you is an activist or advocate, ask questions to understand why they are passionate about the issue, why it is important and what it means to them. Your next step could then be getting involved directly with the cause or supporting them to do so.
2. **Listen.** Listen to victim-survivor activists and advocates. Listening is often the easiest yet most crucial thing allies can do. Listen to their stories, actively enquire and understand how you can make a difference or change in your own life.
3. **Seek to understand their frustration.** It is important that allies do not respond negatively towards any emotions that may arise, such as anger, sadness or frustration. Don't tell an activist or advocate to 'calm down' - anger is understandable when sexual violence is inescapable.
4. **Speak up and turn up.** Allyship does not need to start only after sexual violence impacts you personally. It is important to not silence the conversation of sexual violence, but instead accept the conversation when it arises and engage. Remember to encourage diverse voices to be heard.
5. **Ask and check in.** How can I support the activist or advocate better? Where can I learn more? What can I do to show support? How is their activism and advocacy going? Are there any progress updates that they want to share?
6. **Support the person and the cause.** As an ally, it is important to show victim-survivors that you support them. This can be done in whatever capacity you are able to and can be as simple as liking and/or sharing their social media posts, donating to their cause, turning up at events and remaining informed.

Being an ally means actively and consistently engaging with the issue. Sexual violence is always happening, regardless of whether you know a victim-survivor or not. You can be an ally through simple actions. For example, you can choose how to respond to a 'rape joke', potentially by pausing the conversation and mentioning how it's harmful. If someone makes an inappropriate comment on someone's outfit, mention how it can enable rape culture.

# Key Concepts for Activists and Advocates

— “ —  
*A lot of the anti-violence messaging and campaigns are viewed through a white lens which doesn't see Aboriginal women - the women who are impacted the most.*

— ” —  
*Ashlee Donohue - Author, Advocate and Educator*

## Social justice

**Social justice** means equal rights and equitable opportunities for all. Many activists and advocates are part of social justice movements, with their goals being to change the structures within society that result in people being treated unfairly or unjustly.

## Intersectional feminism

The purpose of **intersectional feminism** is to recognise how different aspects of a person's gender and identity might interact to change the way they experience the world and the barriers they might face as a result. Intersecting aspects of identity can include ethnicity, race, age, socio-economic status, religion, sexuality, class or ability. For more information about intersectionality, see page 22.

Understanding intersectional feminism allows us to understand how people experience different forms of marginalisation. It's important to recognise that each individual's experience is unique, meaning there is no singular solution to address gender inequality. Recognising this can allow us to be more targeted in the ways we seek to further gender equality.

How to be a better intersectional feminist:

- Acknowledge your privilege
- Be willing to make and learn from mistakes
- Be open to criticism
- Educate yourself
- Listen and learn from diverse groups
- Use your platform to support others, but do not speak for them.



## Patriarchy

The concept of **patriarchy** describes the structure of society that allows men - especially white, cis-gender and heterosexual men - to exercise power over all other gender identities. Traditionally, patriarchy was thought of as referring to the power relationship between the gender binary, particularly between white men and women. An intersectional understanding of patriarchy is more complex than the binary of men and women, and includes people with diverse gender and sexuality identities. While men have historically been able to wield far greater control and influence over culture and society than women, the effect of the patriarchy on an individual's experiences can also be impacted by oppression and discrimination on the basis of factors like race, ethnicity, religious affiliation, gender and sexuality, age and ability.

Intersectional feminism reminds us that gender oppression and the experiences of women look and feel different for different women. To look at the patriarchy as being merely a manifestation of male privilege and as the sole driving force of feminist activism, is not enough. Dismantling the patriarchy not only requires addressing male privilege, but also other forms of privilege that allow the patriarchy to thrive.

## Power

**Power** is having control or influence over a person, a group or a system. Power relationships occur within all aspects of society, including within politics, the workplace, within households and between individuals. For an activist and advocate, power can be used as a positive tool to spark social change. This can particularly be seen through social media campaigns, from intersectional feminist influencers and public figures.

## Privilege

**Privilege** is any benefit, opportunity or advantage given to someone merely because of their identity. In Australia, structures of privilege often favour white, cis-gender and heterosexual people. Experiencing privilege does not mean that you will not face challenges - it means that those challenges are not made harder to overcome because of things that are out of your control.

In the mainstream media and public sphere, social justice advocacy and activism is often dominated by activists with privilege - even though the harmful effects of many social justice issues, including sexual violence, disproportionately impact victim-survivors from diverse and minority communities. Activists and advocates must ensure that diverse voices are heard when discussing issues that affect them directly. It is also important that those with lived experience of a particular issue have their experiences reflected in advocacy for social change. This is because those who have experienced harm first-hand have important ideas for how similar harms can be prevented and/or better responded to.

It is important to reflect on your own power and privilege when doing activism and advocacy to ensure you are not 'part of the problem' and that your advocacy and feminism is intersectional and inclusive.



— “

*Sisterhood means that I recognise that my sisters and other gender diverse people's experiences may be different to mine, but I have the responsibility to always listen to those diverse experiences, to learn from them, amplify them, to always find solidarity with them and always acknowledge my privilege wherever I have it, always.*

” —

*Khadija Gbla - Human Rights Activist*

## Activism and Advocacy Groups

### The STOP Campaign

The **STOP Campaign** is a grassroots not-for-profit organisation, mostly comprised of young people aged 18 to 30 around Australia, with a vision to stop sexual violence in tertiary learning communities. The STOP Campaign provides a platform for victim-survivors to share their stories and undertakes education projects like the Safe Response Toolkit. It also facilitates events and programs to raise awareness, encourage peer-led education and foster empowerment. The STOP Campaign membership is open all year-round via their website. Members can participate in the planning and facilitation of programs, engage in sexual violence activism and advocacy activities and connect with individuals and organisations with similar values.

The STOP Campaign's activism is mostly focused on:

- Holding institutions to account in how they prevent and respond to sexual violence in their environments
- Promoting sociocultural change in institutions' internal processes and practices
- Working to bring about broader structural change through engagement in government and community advisory groups
- Creating and sustaining positive sociocultural change through public engagement strategies
- Advocating for victim-survivors through media engagement.

### **ACT Youth Advisory Council (YAC)**

The **ACT Youth Advisory Council (YAC)** is a group of 15 young people aged 12-25 that represents the views and ideas of young people in the ACT by providing advice on youth issues to the relevant ACT Minister. This includes discussing issues that affect young people, like sexual health and sexual violence, along with other needs, concerns and aspirations related to these issues. In 2021, the YAC developed their own consent brochure, which provides clear and easily understandable information on consent and respecting boundaries, including support services in the ACT.

### **Canberra Rape Crisis Centre (CRCC)**

**Canberra Rape Crisis Centre (CRCC)** is a non-government, not-for-profit, feminist organisation working to eliminate sexual violence. On the last Friday of October each year, CRCC organises Canberra's **Reclaim the Night** event to raise awareness of sexual violence and the right to feel safe in public places.

### **Initiatives for Women in Need (IWIn)**

**Initiatives for Women in Need (WiN)** is a volunteer-led organisation established by Dr Madhumita Iyengar in 2013 to support activities to elevate wellbeing of culturally and linguistically diverse women and children coming from disadvantaged backgrounds and families experiencing domestic, family and sexual violence. IWIn has also partnered with international non-government organisations on a grassroots level to support initiatives in India.

### **Forcibly Displaced People Network (FDPN)**

**Forcibly Displaced People Network (FDPN)** is an Australian organisation committed to promoting the rights of forcibly displaced LGBTIQ+ persons through social support networks and policy reform initiatives. FDPN's 'Canberra Statement' published in November 2019 called for multiple reforms to mandatory detention, gender reaffirming health care and support for LGBTIQ+ refugee-led initiatives. Through its LGBTIQ+ Refugee Advisory Group and involvement in the Queer Sisterhood Project, FDPN seeks to empower, support and include forcibly displaced LGBTIQ+ persons around Australia.

### **Meridian**

**Meridian** is a peer-led community-controlled organisation providing primary and allied health and support services that are safe and inclusive to people of diverse genders, sexualities, bodies and relationships. This includes activism and advocacy for LGBTIQ+ communities and HIV for over 35 years and this includes the **Sex Worker Outreach Program (SWOP)**. SWOP is a sex worker-led program that provides outreach to ensure all sex workers are empowered to make informed decisions about safer sex, personal safety practices, laws, regulations and have access to information about their health and rights. They aim to encourage the wider community to recognise sex work as work and ensure that sex workers are treated respectfully in and outside their workplaces.

## Women's Health Matters

**Women's Health Matters** is an independent think tank working to improve the health and wellbeing of women in the ACT and surrounding region. They developed the Canberra Safety Map, which allows women to mark where they feel unsafe to help understand what elements contribute to women feeling safe or unsafe in ACT's public spaces.

## She's A Crowd

**She's A Crowd** is an activist organisation that compiles data about gender-based violence by collecting stories and experiences.

## With You We Can

**With You We Can** is a victim-led charity empowering victim-survivors of sexual assault through knowledge, connection and advocacy. With a hub of resources to demystify the reporting of sexual violence and any process that follows, victim-survivors and their allies are informed and prepared should they choose to formally hold perpetrators to account. Information is uniquely informed by lived experience and written alongside sector experts. With You We Can also advocates for reform in various aspects of the sector in line with best practice.

## #LetHerSpeak / #LetUsSpeak Campaign

The **#LetHerSpeak / #LetUsSpeak Campaign** was created by Nina Funnell in partnership with End Rape On Campus (EROC) Australia, Marque Lawyers and Rape & Sexual Assault Research & Advocacy (RASARA). The campaign aims to abolish sexual assault victim gag-laws where they exist in Australian states and territories. They believe that all sexual assault victim-survivors should have the right to tell their own stories without risk of prosecution to themselves or others. They combine legal advocacy, media advocacy and systems based advocacy to support the victim-survivor community and secure tangible outcomes and policy reform, as well as providing direct legal assistance for affected victim-survivors.

# What Activism and Advocacy Can Look Like

Anyone can get involved with activism and advocacy. You do not need to be part of a wider group or movement, share your identity or sacrifice any part of your identity for a cause. Your style of activism and advocacy can reflect your own personality and be aligned to your desired form of expression.

Activism and advocacy can be done in many different shapes and forms, from joining public marches to expressing your views through art. Below are some reflections from activists and advocates from within the sexual violence space that detail a range of ways to get engaged with the sexual violence movement.

## Reflections of Activists and Advocates

This chapter comes to a close with six reflections of young activists and advocates working to end sexual violence.



## Bianca Nicotra (she/her)

Activist, Victim-Survivor, Deputy Director of the Safe Response Toolkit Subcommittee, former member of The STOP Campaign's leadership team.

“You are still making a difference by taking the step to educate yourself and educating those around you.”

For many years, I didn't talk about what happened to me. Although I knew it was never my fault, I couldn't help but feel ashamed – **no one talked about sexual violence** (especially at a Catholic school). I had the overwhelming feeling that I would get in trouble or be blamed for what happened if anyone found out. It was the biggest secret I kept and I was constantly terrified that it would slip.

In 2018, I moved to Canberra and started living in an on-campus residential hall at university. I thought that moving cities would make it easier to forget, but instead I became painfully more aware that the reality of what happened to me couldn't be avoided. **I was uncomfortable with these conversations and ashamed that my instinctual reaction was to end the conversation or change the subject.** It was still too 'inappropriate' to talk about.

Mid-way through 2018, things started to change. Because of The STOP Campaign, phrases like *we believe you*, *stand with survivors* and *it's not your fault* started being placed around my residential hall. Many people walked by these without a second glance, but it stopped me. For the first time, I felt relief from the weight I was carrying around. No one had said that to me before. No one talked about sexual violence.

This experience started my passion for activism and is why I will never stop advocating for victim-survivors. **It became very clear to me that sexual violence is an epidemic.**

My own feelings of shame and silence over many years were due to a dangerous practice of society 'brushing things under the rug'. Ignoring this issue will mean that it will never disappear, and has extremely hazardous effects on those impacted by sexual violence.

My activism started because of the other like-minded people within my community who made me feel heard and strong. It's how I know activism makes a significant difference and why I have decided that **I will never be silent again** about sexual violence (thank you STOP Campaign).

I want to highlight that advocacy and activism is different for everyone. You don't always have to do BIG THINGS to make a difference. Gender-based violence is fuelled by sexism and misogyny that is unfortunately ingrained in our society.

The biggest support I have received is from other activists, like-minded individuals and organisations. There are some amazing, strong people and organisations already working to make a significant difference and impact.

**I am proud of my part in creating the Safe Response Toolkit – from first noticing gaps in the information available in the ACT, to coming up with this project idea and turning it into what it is today.**

## Amanda Morgan (she/her)

Trauma-informed Survivor Advocate and Activist.



“ **Don't wait for permission, stand in power, be assertive, make a seat.** ”

My activism in this space began in 2018 when I shared part of my story in a Q+A episode to refute the distressing claims made by Bettina Arndt during her 'Fake Rape Crisis Campus Tour'.

My activism is driven by the rights of underrepresented victim-survivors. **My mission is important because the First Nations mob have been fighting against violence since colonisation and we do not receive the same level of recognition as white, cis-gendered and advocates.** Gendered violence is intersectional, and to be truly trauma-informed, we must recognise and platform all forms of oppression and sexual violence in our community.

I founded a campaign called, **Make A Seat**, with the mission to ensure that the intersectionality of gendered violence is platformed. We encourage the media, politicians, event organisers and advocacy groups to wield their power and provide underrepresented victim-survivors with the opportunity to speak up. Our website is designed to eliminate excuses, ignorance and inaction, while also providing a culturally safe resource for victim-survivors to learn and engage with members of the community about how to share stories in an inclusive and trauma-informed manner.

**The purpose of this resource is to empower and embolden victim-survivors to assert their boundaries.**

It urges you to ask yourself:

- Do you recognise your privilege?
- Can you identify unconscious bias, tokenism and racism?
- Are you aware of what cultural safety looks like?

**If we are going to engage, we need to do it much better than it has been done in the past.**

Victim-survivors who are people of colour, people with disabilities and part of the queer community are all underrepresented. We need to hear their stories, recognise how racism, sexism, ableism, transphobia, homophobia, unconscious bias and questions of morality impact our responses to sexual violence advocacy. **It is a community issue as well as an individual issue.**

People are scared that other victim-survivors are not ready. To this, I say: it is not anyone else's right or responsibility to decide when a victim-survivor is ready to share their story. **A survivor is the expert of their own life, and they should be able to determine what justice looks like for them.** We can only provide opportunities for self-reflection in our resources, information about defamation and media training.

Be kind, and always offer victim-survivors and advocates your support first. Don't be a gatekeeper of someone's else's form of justice.



## Carla Bennett (she/her)

Activist and former member of The STOP Campaign's leadership team.

“ ***The Safe Response Toolkit is one step closer to a world which accepts, supports, advocates for and believes victim-survivors.*** ”

My activism in this space took off when I joined The STOP Campaign in 2020. I was incredibly privileged to have had an upbringing free from violence. I didn't truly understand what sexual violence in an everyday context looked like until I lived on campus at university. It was a big wake up call for me to directly experience the lack of open conversations being had surrounding sex and consent, and the negative impacts this was having within the community. I was appalled to learn that sexual violence was occurring at such high rates within learning environments, and how little those in positions of power were doing about it. I learned about The STOP Campaign through a close friend and immediately joined. For me, it was inspiring to see young people making meaningful change through openly addressing issues that are often avoided and overlooked. I knew instantly it was something I wanted to be a part of.

**My activism superpower is my compassion for other people.** It can be really intimidating and at times overwhelming to advocate in the sexual violence space. Through supporting and being kind to others, I hope to ensure the sustainability of our movement and provide a safe and inclusive environment for everyone. Sexual violence doesn't discriminate and neither should we.

My friends are the biggest drivers of my activism. **The Safe Response Toolkit is a resource that I wish we had access to when growing up and navigating new relationships and environments.**

I think I would have been more educated about the resources and different pathways available to victim-survivors of sexual violence, which would have helped me to better access available supports. It is never too late to educate yourself and those around you.

Too often, I have seen men excluded from conversations surrounding sexual violence. There is undoubtedly a negative narrative that portrays men as the sole perpetrators of sexual violence. Taking this standpoint devalues the diverse experiences of sexual violence victim-survivors and deters men from joining in on advocacy initiatives, preventing us from making meaningful change for everyone. In future, **I hope to see the audience for sexual violence advocacy become more intersectional, and particularly see more diverse male representation within this space.**

I would like people reading this resource to know that they are not alone. We stand in solidarity with you. Everyone deserves to live free from sexual violence. Until then, I will continue to advocate for my friends and for those affected by sexual violence to make a lasting impact on the way our community addresses these issues.

I want you to remember that change is coming and that in taking the time to read and share this resource, you have brought us one step closer to creating a safer community for everyone.

## Lydia Jupp (they/them)

Journalist and Advocate with End Rape on Campus Australia and runs an instagram account @Lesbihonestsexed.



**“I’m determined to make sure that the work university student activists do does not go unacknowledged because that’s how power is maintained and institutions win.”**

In Semester Two of 2017, my first year of university, I got involved with my university’s Women’s Collective, just as the *Change the Course Report* was released. I was a gender studies major and had been an outspoken feminist throughout high school, so I connected instantly with people in the Collective. I eventually became an executive member of the Women’s Collective myself and part of my role involved advocating for safer campuses.

I saw universities prioritise money and image over the wellbeing of their students time and time again, even when they knew the harm they were causing. End Rape On Campus Australia supported dozens of other student advocates and me through this time and I wanted to do the same, so I began working with them in an official capacity. **Everyone deserves access to an education free from sexual violence and we’re one of the only Australian organisations working to make this happen.**

University students have been advocating for safer campuses for years. They’ve contributed enormously to the movement against sexual violence but have been completely ignored.

When I was in my university Women’s Collective and receiving a lot of disclosures, the University gave me virtually zero support. We were teenagers and completely unequipped to handle disclosures. I had to rely on the other students working in the same space for resources and support.

It taught me pretty early on that you can’t trust institutions to keep you safe and that fellow advocates are the best source of support possible, two things that are still very much true today. Regular therapy is also vital, as is being your own advocate and knowing what you need to do the work.

There are so many topics and communities that go unacknowledged regarding sexual violence advocacy. People of colour, especially Aboriginal and Torres Strait Islander peoples, are largely ignored despite facing higher rates of violence, as are queer, trans and disabled people.

**I’m especially sick of hearing the phrase ‘violence against women’ because it completely erases the experiences of gendered violence as a non-binary person.**

I feel as though the higher education sector has been very much ignored, especially over the last year as the conversation around sexual violence has increased.

**Sixty students are being sexually assaulted each day of the semester, but for some reason, that’s not newsworthy.**

**It’s exhausting.**



## Sophie Aboud (she/her)

Activist, Board Director of The STOP Campaign, ACT Young Woman of the Year 2023

“**Listening to and supporting victim-survivors with empathy and care is one positive step. Challenging stigmatising and discriminatory behaviours when we see or hear them is another.**”

I did not understand how pervasive and insidious sexual and gender-based violence was until I moved away for university and began living at college. As a supporter of friends that had been directly impacted by sexual violence at university, I know how valuable the Safe Response Toolkit would have been during those first few years out of high school. I had no idea what support avenues existed for me and my friends, especially as young people in a new city navigating the aftermath of sexual violence and the ensuing stigmatisation and institutional betrayal.

I'm often asked why I advocate for victim-survivors of sexual violence when I haven't experienced sexual assault myself. This question reflects a narrow understanding of the nature and impact of sexual violence, and is a clear example of how we live in a culture that does not support victim-survivors. It should not be strange for people who haven't experienced sexual assault personally to care about preventing it.

The onus should not fall on the shoulders of victim-survivors to change the violent institutions and structures that harmed them. **The onus must be on the people who perpetrated the violence, who work to maintain the structures allowing violence to occur, and who benefit passively from the status quo.** It's our responsibility to listen to victim-survivors, learn from those with lived experience of

violence, and work towards change.

Sexual violence discourse is dominated by white and cisgender women and I'm cognisant of this in my own advocacy. **Listening to and learning from other activists in this space is at the core of my own advocacy, and I am constantly inspired and driven by their tireless efforts.**

Self-reflection and accountability are core elements of advocacy. Without critical self-reflection of our roles in upholding the structures that allow sexual violence to occur, there can never be widespread sociocultural change.

If you are someone who sees sexual violence as a 'woman's issue', have no empathy for victim-survivors unless you imagine your wife or daughter in their place, or feel as though sexual violence does not affect you - I challenge you to examine where those beliefs stem from. They are rooted in misogyny, patriarchy and stigma.

I encourage you to have open and honest conversations with people in your life about sexual violence and stigmatisation. You may be surprised at how many have been impacted. Listen to and support victim-survivors of violence with empathy, and learn to recognise and challenge the drivers of gender-based violence around you. These are achievable and essential steps towards a future without sexual violence.

## Emily Koivisto (she/her)

Advocate, Leader and Chairperson of SHFPACT's (former) Youth Advisory Group.



**“For any survivors reading this, I hear you. None of our stories are the same but they all matter.”**

I am the leader and chairperson of Sexual Health and Family Planning ACT's (SHFPACT) Youth Advisory Group (ended December 2022). Together, we find creative and progressive solutions to promote sexual health literacy in Canberra. I also run my own Instagram account @wannabesexpertemily where I spread my advocacy for the sex positive movement through a feminist lens.

I did not grow up with the best sex education. The education I received was more about implementing abstinence and fear. Consent, relationships, the diversity of bodies or pleasure were never mentioned in my education.

Unfortunately, this meant I had to figure a lot out for myself. My education was so minimal that I did not even realise that I had been sexually assaulted when I was a teenager until I was an adult. If I had been more educated about sex and relationships in my upbringing, these things could have been avoided. My story and many people I know with similar stories are a big part of my drive to advocate for sexual violence prevention and sexual wellbeing promotion.

Growing up with such poor education around sex and relationships created damaging viewpoints about myself and others. I did not know what was normal, safe or healthy. My mission is to break this cycle. The more education and conversations around sex and relationships become normalised, the fewer people will grow up with damaging perceptions around sex and relationships.

By creating a platform to voice these viewpoints, I start a conversation and promote others to do the same.

Being an advocate for promoting sexual wellbeing can also have many challenges. The biggest challenge is deconditioning all the false ideas and misconceptions that have been ingrained into you. Being an advocate for sex positivity requires a deep dive into your past and psychology. How do you advocate for comprehensive sexuality and relationships education when the sex education you received taught you problematic and conservative ideas? How do you promote sex positivity when, as a woman, you were taught that being sexual meant you lost worth? While there is still a long journey ahead of me, having open discussions about these ingrained ideas helps me to look at them at every angle - where they came from, their effect, where else it is seen. By dissecting these ideas, I can overcome them and grow as an activist.

**For any survivors reading this, I hear you. None of our stories are the same but they all matter. I would like to urge people to join in on the movement. Challenge yourself by voicing your opinion and starting conversations. If you are passionate about something and believe in change, do not stop yourself from acting on it. You might just meet some interesting people along the way.**



repeat these  
*affirmations*

I am worthy, I matter and how I  
feel matters.

I am loved.

I am braver than I think,  
stronger than I seem and  
smarter than I know.

My presence on this earth  
makes a difference whether I  
see it or not.

*Provided by Adamas Nexus*



write your own  
*affirmation*



A white sheet of paper with a perforated top edge, a yellow sticky note, and horizontal lines for writing.

# 12

## Conclusion

This chapter includes a message to readers, acknowledgements to those who contributed to the development of the SRT and an organisation masterlist.

# What's in this chapter?

## **Content warning:**

This chapter mentions sexual violence.

## **Key organisations mentioned:**

- A masterlist of organisations included in this resource is on pages 181-182.

# Organisation Masterlist

## #

- 1800RESPECT
- 13YARN
- #LetHerSpeak / #LetUsSpeak Campaign

## A

- A Gender Agenda (AGA)
- Aboriginal Legal Service (NSW/ACT)
- ACT Access Mental Health
- ACT Children and Young People Commissioner
- ACT Civil and Administrative Tribunal (ACAT)
- ACT Office of the Director of Public Prosecutions (DPP)
- ACT Disability, Aged and Carer Advocacy Service (ADACAS)
- ACT Human Rights Commission
- ACT Law Society
- ACT Magistrates Court
- ACT Ombudsman
- ACT Policing
- ACT Public Advocate
- ACT Restorative Justice Unit (RJU)
- ACT Supreme Court
- ACT Youth Advisory Council (YAC)
- Adamas Nexus
- Advocacy for Inclusion
- Australian Centre to Counter Child Exploitation (ACCCE)
- Australian Human Rights Commission (AHRC)
- Australian Red Cross
- Australian Unions Support Centre

## B

- Beryl Women Inc.
- Beyond Blue
- Blue Knot Foundation
- Bravehearts

## C

- Canberra Community Law

- Canberra Hospital
- Canberra Sexual Health Centre
- Canberra Rape Crisis Centre (CRCC)
- Centenary Hospital for Women and Children
- Child and Youth Protection Services (CYPS)
- Children At Risk Health Unit (CARHU)
- Community Services Directorate (ACT Government)
- Companion House

## D

- Department of Home Affairs
- Domestic Violence Crisis Service (DVCS)
- Doris Women's Refuge

## E

- EveryMan
- End Rape on Campus (EROC) Australia

## F

- Fair Work Commission (FWC)
- Forcibly Displaced People Network (FDPN)
- Forensic and Medical Sexual Assault Care (FAMSAC)
- Full Stop Australia

## G

- Gunghalin Joint Emergency Service Centre
- Gonyah Women's Housing
- Gynaecology Centres Australia

## H

- Headspace
- Home Assessment and Acute Response Team (HAART)

## I

- Initiatives for Women in Need (IWIn)

## J

- John James Foundation

## K

- Karinya House for Mothers and Babies
- Kids Helpline
- knowmore

## L

- Legal Aid ACT
- Lifeline
- Living Well
- Louisa Domestic Violence Service

## M

- Menslink
- Men's Referral Service
- Mensline Australia
- Meridian
- MSI Australia

## N

- National Aboriginal and Torres Strait Islander Legal Services (NATSILS)
- National Legal Aid
- National Redress Scheme
- National Relay Service
- North Canberra Hospital

## O

- Office of the eSafety Commissioner (eSafety)
- OneLink ACT

## Q

- QLife

## R

- ReachOut Australia
- Reclaim Me Podcast
- Relationships Australia Canberra & Region
- Relationships and Sexuality Education Alliance

## S

- Service Assisting Male Survivors of Sexual Assault (SAMSSA)

- Sexual Assault and Child Abuse Team (SACAT)
- Sexual Health and Family Planning ACT (SHFPACT)
- Stride Mental Health
- Suicide Call Back Service

## T

- The Junction Youth Health Service
- The Salvation Army: Oasis Youth Services
- The STOP Campaign
- This Is My Brave Australia (TIMBA)
- Toora Women Inc.
- Translating and Interpreting Service National (TIS National)

## U

- UnionsACT
- Universities Australia

## V

- Victim Support ACT

## W

- With You We Can
- Women's Health Matters
- Women's Health Service
- Women's Legal Centre ACT
- Women's Services Network (WESNET)
- Women With Disabilities ACT (WWDACT)
- WorkSafe ACT

## Y

- YWCA Canberra
- Young Workers Centre ACT
- Youth Law Australia (YLA)

# A Message to Readers

We acknowledge that everyone will navigate this resource differently. Some of you may feel more informed about your options and prepared to pursue some of the different avenues listed throughout this resource. Conversely, some of you may not feel ready to pursue any of the options we have outlined and that is okay. You are on your own journey and we acknowledge how difficult it can be to take the first step. Ultimately, you get to choose what you want to do.

The content discussed in this resource can be triggering and re-traumatising. Please reach out for support, whether it is to one of the services listed in the Safe Response Toolkit or with someone you trust. We encourage you to practise regular self-care by doing something that you enjoy and by taking regular breaks. Most importantly, look after yourself and prioritise your wellbeing, however that may look for you.

We'd like to finish by saying that we will continue to advocate for victim-survivors' rights and the prevention of sexual violence. We hope that this resource will be a call to action for organisations to maintain and improve their current services and resources, as well as ensure that victim-survivors feel safe to reach out for support. Lastly, we want you to know that you are never alone.

**You are loved, believed, supported and we stand in solidarity with you.**



# Acknowledgements

The Safe Response Toolkit (SRT) was first developed by a team of passionate volunteers, led by members of The STOP Campaign. Thank you to all volunteers who contributed to the research, writing, design and distribution of the SRT, especially those community members who came on board to help The STOP Campaign with this project. Your support is incredibly meaningful to The STOP Campaign and the victim-survivors and their supporters who will use this resource on their healing journey.

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The STOP Campaign would also like to thank all those who contributed information and feedback during the development of this resource. Your insights were invaluable and we hope this resource accurately reflects what options are available to victim-survivors of sexual violence and their supporters within the ACT.

Special thanks to every activist and advocate we interviewed to highlight their important work in the sexual violence prevention and response space in Chapter 11. Most notably, The STOP Campaign would like to express its deepest gratitude to all the victim-survivors who provided their reflections on sharing their experiences publicly. These personal reflections are incredibly powerful and serve as a timely reminder of the strength and courage of those who choose to disclose.

# Consultation

The STOP Campaign contacted more than 80 organisations and individuals to be a part of the development and review of the first edition of the SRT to ensure it is a trauma-informed, inclusive and fit-for-purpose resource relevant to the needs of our community in the ACT. We gratefully received input and/or feedback from just over 60 organisations and individuals.

We want to especially thank the following individuals and organisations for their contributions. Some were involved in the early stages, others reviewed specific chapters relevant to their expertise and some provided feedback and input at various stages of the SRT's development. We are especially grateful to those who took the time to holistically review this resource from cover to cover.

- ACT Disability, Aged and Carer Advocacy Service (ADACAS)
- ACT Restorative Justice Unit (RJU)
- ACT Youth Advisory Council (YAC)
- ANU Student Safety and Wellbeing Team
- Detective Sergeant Mick Woodburn, Criminal Investigations - Sexual Assault and Child Abuse Team (SACAT), ACT Policing
- Katrina Marson, (former) Senior Prosecutor, Sexual Offences Unit - ACT Office of the Director of Public Prosecutions (DPP)
- Sarah Rosenberg, Executive Director, With You We Can
- Savannah Ruppert, (former) Program Coordinator, Canberra Rape Crisis Centre (CRCC)
- Sexual Assault Prevention and Response Team, Office of the Coordinator General for Family Safety
- Victim Support ACT
- Youth Law Australia (YLA)
- YWCA Canberra



# NOTES

# NOTES

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# listen



**STRONGER.**

**SAFER.**

**BETTER.**

**take**

**action**



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