

## Submission to Criminal Justice Consultation Paper

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**To:** MB\_CriminalJustice <criminaljustice@childabuseroyalcommission.gov.au>  
**Cc:** Terese Henning [REDACTED]  
**Date:** Mon, 31 Oct 2016 21:31:10 +1100  
**Attachments:** Intermediaries\_IP\_05\_A4print.pdf (974.82 kB)

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Dear Commissioners,

Your Consultation Paper (September 2016) makes several references to the expert evidence of Ms Terese Henning, TLRI Director and covers many of the issues also discussed in a Tasmania Law Reform Institute Issues Paper released in May 2016. A copy is attached for your reference with Part 3 and Part 5 most relevant to the discussion points raised in your Paper.

The TLRI are still in the process of writing the final report and recommendations on that Paper, however our position is that a best-practice response in relation to child witnesses utilises all of the following special measures:

- Specialist Police Investigative Interviewing;
- Pre-trial Directions/Ground Rules Hearings;
- The pre-recording of the entirety of the child's testimony pre-trial, including cross-examination; and
- The use of an intermediary or expert communication assistant throughout the child's interactions in the criminal justice system

It is also worth noting the short section in Part 4 of the attached paper, particularly at 4.3.6 which notes the approach in Norway in relation to child witnesses where they are interviewed in a specialist 'children's house'. The TLRI received positive feedback about the introduction of such a facility in Tasmania with the combination of measures outlined above.

We can make a copy of our Final Report and Recommendations available to the Commission, however we appreciate this may fall outside of the timeframe of your investigation.

Thank you and kind regards,

Ms Rikki Mawad.

Researcher, TLRI

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University of Tasmania Electronic Communications Policy (December, 2014).

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