

ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE

EXPERIENCES OF POLICE AND PROSECUTION RESPONSES

Introduction

There are 15 Centres Against Sexual Assault (CASAs) in Victoria including the after-hours phone service the Victorian Sexual Assault Crisis Line (SACL). The first Government funded Sexual Assault Centre was established at the Queen Victoria Medical Centre in 1979 and later became the South Eastern Centre Against Sexual Assault. By the mid 1990's 15 CASAs were operating.

CASAs are funded by the Victorian Government to provide a range of sexual assault support services and family violence 24 hour response and women's and children's counselling.

CASA services are provided free of charge to:

- Female and male children, young people and adult victim/survivors of sexual assault and family violence
- Their non-offending family members/carers and friends

The CASAs offer several counselling approaches including:

- Family therapy
- Individual counselling
- Group work
- Play therapy

CASAs also take part in and support research about sexual assault and family violence. This produces evidence-based learning which is included in the Standards of Practice, development of policies, programs and services and in our community development work and training and education.

CASAs advocate for reforms to the legal system, policing procedures and judicial matters which impinge on the rights of victim/survivors of sexual assault and family violence. They also take part in regional, state and national planning in areas that impact services for women, children and men.

The CASA Forum was established in 1992 and is the peak body of the Victorian CASAs. Its activities include providing input for the Government on

- Legislative reform

- Policy development
- Rights and needs of victims of sexual assault and family violence

The CASA Forum is a member of the national body for sexual assault services: the National Association of Services Against Sexual Assault (NASASV). Two representatives from the Forum attend meetings and telephone conferences. In addition, the Forum has representatives on a wide range of committees within Victoria.

CASA services include:

- 24 hour crisis care for victims of sexual assault and family violence
- Advocacy
- Counselling and support
- Information and referral
- Therapeutic Treatment Services for young people with sexually abusive behaviours
- Education and training
- State wide Workforce Development training program for the sexual assault field
- Advanced personal safety programs in primary schools
- Respectful relationship programs in secondary schools

Research projects

8. What are your observations of, and suggestions for improvements or reforms to police processes for receiving reports of allegations, and investigating and responding to reports in relation to allegations of child sexual abuse in an institutional context?

We want the Police to be able to respond quickly within 48 hours. They need to listen carefully. They need to believe young people. They need to collect the evidence forensically. They need to investigate in a timely manner. Young people cannot, having disclosed, wait for months for an investigation to be finalised before they can talk about what happened to them.

- Victoria Police need to review their protocols/MOUs with DHHS Child Protection, NGOs who provide residential care, DHHS Disability Services and the Department of Education and Training to ensure that they can achieve the above goals.
- Reports of historical abuse also need to be investigated quickly, victim/survivors kept informed of progress and if the investigation is not to proceed to have the reasons explained in a face to face interview.

- Communication needs to be clear and include an explanation of Police procedures which can be very confusing for the general public and are stressed.
- There is a pilot restorative justice project commencing with SECASA and The Michael Kirby Centre for Public Health and Human Rights, Monash University to explore the use of restorative justice conferences for victim/survivors who want to explore other options than the criminal justice system or for whom the criminal justice system is not an option. Their options can include talking to family members, the alleged offender or the institution.
- Multidisciplinary Centres need to be rolled out across the State to provide better interaction between Victoria Police, CASAs and DHHS Child Protection leading to better and quicker responses for victim/survivors.
- The Making Rights Reality pilot which was intended to make it easier for people with a cognitive impairment and communication difficulties to report sexual assault has not been funded and hence cannot be extended across the State. This should be looked at.

9. What are your observations of, and suggestions for improvements or reforms to, prosecution processes in relation to charges relating to child sexual abuse in an institutional context?

- Adult Witness and Child Witness Programs, who do a fantastic job, need expanding. Victim/survivors find these programs extremely valuable.
- Brokerage funding should be available to provide people with a cognitive impairment with a support person which is tailored to their specific needs. As it is difficult to gauge demand and specific requests brokerage is flexible. For example when the Making Rights Reality pilot was operating brokerage funding was used to provide a woman with support in court for the three weeks of the court case as she had no other supports.
- Communication needs to be very good around courts and the processes and there need to be respectful interactions. Basic concepts such as innocent until proven guilty and a non guilty verdict or an acquittal does not mean the abuse did not occur just that it cannot be proved beyond all reasonable doubt.

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