

NSW Rape Crisis Centre
Annual General Meeting 2007
Manager's Report

Minister Firth, Senator Nettle, members of the management committee, colleagues, friends and supporters of NSW Rape Crisis Centre, thank you for coming this evening.

Before I present my annual report I would like to acknowledge the elders and members of the Eora nation who are the traditional owners of the land on which we meet.

In the past 12 months there has been a number of significant changes to the NSW criminal justice system in relation to sexual assault and in the next few weeks further legislative reform will be presented to NSW parliament.

The changes so far include better protection for vulnerable witnesses, that is children, people with mental illness and people with intellectual disabilities. There has been continuing work to establish remote location witness facilities for all NSW Courts and NSW Judges have participated in sexual assault training.

Of considerable impact was the issuing of Criminal Court Practice Note 6 in April of this year. This rather laboriously named document stated that:

- sexual assault matters must move from committal to trial within four months with a two month extension possible only in areas where there is a circuit court,
- sexual assault trials are to be given priority access to court space,
- the opportunities for the defense to delay a trial has been considerably curtailed,
- defendants who leave it to the last minute to plead guilty will have this tactic taken into account when sentencing, and
- child sexual assault matters are to take absolute priority.

In conversations last week the NSW Attorney General indicated that he has identified why it takes so long to move from trial to appeal. It appears that a simple administrative change in relation to the release of transcripts will easily remedy the problem. NSW Rape Crisis Centre has been advocating for a 3 month time frame. So... watch this space.

The NSW Attorney General John Hatzistergos has also indicated that Cabinet is considering legislative reform in relation to consent and subjective/objective fault. He is planning for this reform to be introduced into the October sitting of Parliament. In NSW we do not have a definition of consent as it relates to sexual assault, a bit of a problem when most sexual assault matters are decided with reference to whether or not consent was given. The definition the Attorney General is proposing is one which includes three key words. That is: that consent was given freely and voluntarily and that the person had the capacity to give that consent. This will make a very clear statement to juries, and the community in

general, that if a person uses trickery, deceit, drugs, alcohol or any other means, other than mutual agreement, to achieve sexual intimacy that consent has not been given.

These reforms will also include a change in the fault test. Currently we have subjective fault which means that the defendant is only required to say 'I thought she was up for it' and the onus of proof falls totally to the complainant. NSW Rape Crisis Centre is supporting a move to a subjective fault test which will require the defendant to show what steps he took to ensure consent was given. This position is reflective of community standards which are that both parties to any sexual intimacy are responsible for ensuring that the other is consenting. As far as we are currently aware the reform proposed is better than 'I thought she was up for it', but not as strong as 'requiring him to show what steps he took'. We will continue to advocate for a strengthening of this section of the legislation.

There has been little movement in relation to the establishment of one stop shops for victims of sexual assault. Legal representation for complainants and specialist sexual assault courts continue to be points for advocacy rather than current potential outcomes.

While criminal justice law reform will continue to be a focus of NSW Rape Crisis Centre the simple fact is that the vast majority of sexual assault do not enter the Criminal justice system. In fact 85% of sexual assaults are never reported, and of the 15% which are only about 35% end up in Court. So while law and systematic reform is important it is at the small end of sexual assault work. I of course hope that systematic improvement will encourage more reporting but because of the impact of the crime and the fact that in most sexual assaults the offender is a family member or friend reporting will always be much lower than for other crimes. This by necessity leads us to one of the other areas of our work at NSW Rape Crisis Centre and that is prevention.

Attitudinal change is key to the prevention of sexual assault. This change must be lead by an understanding of the inequitable position of women and girls in our patriarchal society. It is inevitable that where there is a power imbalance those at the extreme end of that power continuum will use this inequity to excuse the shocking acts of violence including sexual assault.

Over the past 12 months NSW Rape Crisis Centre has offered training to over 200 people on responding with compassion to someone who has been sexually assaulted. The Centre has presented at a range of venues from workplace debates to academic presentations and community events. NSW Rape Crisis Centre continues to be sought by the full range of media to comment on sexual assault matters. This work always includes provision of facts which aim to better inform and change attitudes and perceptions. It was very heartening to see a report from the NSW Bureau of Crime Statistics a few weeks ago which showed a 20% increase in sexual assault conviction rates in NSW Courts in the past two years. This increase is directly related to an increased willingness by juries to convict. This indicates a considerable change in community attitudes and this is a great result.

NSW Rape Crisis Centre continues to work with Associate Professor Moira Carmody of the University of Western Sydney on the Ethical Sexual Lives project. In December 2006 we released the report of the

first stage of the project which involved speaking with young people across NSW on their experiences, attitudes and ideas. This year we trained Youth Workers who then ran the program with young people across the state. Shortly we will begin the process of the six month follow up with participants to identify if the program has impacted on their sexual behaviour in an ethical way. So again.... watch this space.

We have also entered into a further research partnership with the University of NSW and the NRL This work will look at models of mentoring in sport to achieve behavioral change using sexual assault as the tool. This is also very exciting and cutting edge research.

The one area of work I have not spoken of is the core work of NSW Rape Crisis Centre. That is the 24/7 telephone and online counselling service.

In the last financial year counsellors responded to 6,695 telephone and online contacts. A third were aged 16 to 25 years and 30% had been assaulted in the last 7 days. 24% of callers had experienced childhood sexual assault and 3% were gang raped. 22% of callers were from family and friends of people who had been sexually assaulted and while the impact of sexual assault on the victim has no comparison the ripple effect of this crime on family and friends is intense and acute. I draw your attention to the Centre's annual report for a brief explanation of the crisis intervention and case management work centre counsellors undertake. The demand the Centre is under means that on most days Counsellors begin their shift by answering a telephone or online contact, responding to the client, writing up the notes and then picking up the phone or computer contact again. Counsellors do this for eight hours straight. Then they come to team and clinical meetings and work with the Counselling Co-ordinator with commitment and passion. They continually challenge themselves: how can we do this better, what is the latest research, what ideas do others have for working with a particular client. For most people the intensity of sexual assault crisis work would sap strength and vision. The Counsellors at NSW Rape Crisis Centre are not most people and they are super women who won't give up.

The leader of this dynamic pack is Jackie Burke the Centre's Counselling Co-ordinator. Jackie's in-depth of understanding of sexual assault and its impacts, her complete unwillingness to accept anything other than perfection and her analytical capacity has lead the team in directions and toward practices which are demonstrably best practice. It is my view, and I have been fortunate to review practices in a number of locations, that the work Jackie is directing at NSW Rape Crisis Centre and the methods she is developing to identify variants and their impacts on outcomes will lead to a new and highly improved understanding of what is possible when working with crisis in a telephone and online environment. We are very excited by the possibility of research funding to continue this work.

I think I may have mentioned at the last AGM there are two women who are the engine room of NSW Rape Crisis Centre. Without their considerable skills, insight, big picture views and small picture attention to detail and obvious commitment to NSW Rape Crisis Centre and its work the Centre would cease to function in a very short period of time. Especially I must mention Donna's work to continue to grow the NSW Rape Crisis Centre's website which will easily attract 1.5 million hits this year and her

work to maintain, develop and finely tune the highly technical telephone and computerised call management system we have in place at the Centre. Equally Dana's work to support the Centre's training and presentation work is unrivaled. The day before a presentation is due a box arrives at my desk with everything included and I arrive at a venue where all has been organised. I used to ask the odd question but the answer was always 'Dana has fix, or sorted or organised.'

It is a rare privilege to work with three such talented people. To Jackie, Donna and Dana. Thank you.

It is also a rare privilege to work in the community sector with a management committee for whom I have trust and respect and from whom I can draw on a considerable body of knowledge and skills. The group of women you will elect tonight are tireless in their work for the Centre, each doing what they can in many and varied ways. I can clearly say that the association can rest assured that they have entrusted the governance of NSW Rape Crisis Centre to a group of women who will use every resource they have at their disposal, and possibly a few which are not necessarily directly completely their disposal, to achieve the Centre's goals and outcomes.

The most prominent of those being that it is every person's human right to live a life free of violence and when violence does occur it is their rights to receive compassionate, professional assistance in their recovery and full redress for the crime through the criminal justice system.

Thank you