

**SPEAKING NOTES FOR THE MINISTER FOR WOMEN
THE HON VERITY FIRTH MP**

NSW RAPE CRISIS CENTRE AGM

TUESDAY 2 OCTOBER 2007

6:00 PM

- check against delivery -

Ms Karen Willis, Manager, NSW Rape Crisis Centre; members of the Association and Management Committee; Centre staff; distinguished guests; friends.

It gives me great pleasure to be able to join you at the NSW Rape Crisis Centre's Annual General Meeting, and I thank Ms Karen Willis for the invitation.

To begin, I would like to acknowledge the traditional owners of this land, and to pay my respects to their elders past and present.

Tonight I would like to speak about issues with which many of you in the room are, sadly, all too familiar – sexual assault and domestic violence.

The statistics paint a very bleak picture indeed.

The 2005 National Personal Safety Survey, released by the Australian Bureau of Statistics in August 2006, found that in the 12 months prior to the survey 126,100 women, and 46,700 men, experienced sexual violence, including being threatened or assaulted. Of the women who experienced sexual violence, 81% experienced an incident of sexual assault and 28% experienced a threat of sexual assault.

In the survey, only 19% of women who had experienced sexual violence by a male perpetrator reported the incident to police.

Looking beyond 12 months, the National Personal Safety Survey reported that, since the age of 15, and compared to 5.5% of men, 19% of women reported experiencing sexual assault. That is almost one in five women.

In NSW in 2005, 4,016 sexual assaults and 3,456 indecent assaults were reported. Of the incidences that went to court, 821 sexual assault charges were finalised in the Local Courts and 1,174 in the Higher Courts.

We all know that sexual assault is the most under-reported of all crimes and has extremely low conviction and imprisonment rates. A recent report in The Daily Telegraph, which commissioned the NSW Bureau of Crime Statistics and Research to produce figures on conviction and sentencing rates in proceedings for sexual offences, found that conviction rates in sexual assault proceedings are at an all time high, with almost half of all accused sexual offenders found guilty.

However, the low rates of reporting these serious crimes remain a concern for the NSW Government and the community at large.

The Government is committed to continuing to provide support for victims of sexual assault and to do all it can to minimise the trauma that they face in criminal proceedings, and to help them seek justice in our courts.

The NSW Rape Crisis Centre has helped inform Government about the best ways to support sexual assault victims, and the role of the Rape Crisis Centre in driving reforms cannot be underestimated.

The Government has made significant progress in the last three years with the introduction of widespread reforms which place the victim's needs at the centre of the legal process.

As you would be aware, in March 2007 the NSW Government announced a suite of new or enhanced domestic and family violence initiatives, which assist victims of sexual assault. These initiatives are to be rolled out by the NSW Police Force, criminal justice departments and human service agencies.

The measures include implementing many of the recommendations of the Criminal Justice Sexual Offence Taskforce. In 2004, the Government established the Criminal Justice Sexual Offences Taskforce to examine issues of sexual assault and how it is prosecuted. This represented the most comprehensive review of these laws in 20 years. I must point out that the Taskforce was established, in part, as a result of representations by the NSW Rape Crisis Centre and Dr Anne Cossins from the Law Faculty of the University of NSW.

The Government has been implementing the recommendations of the Taskforce. To date, around two thirds of the 70 recommendations have now been, or are in the process of, being implemented. These include:

- Reforming warnings given to juries and expanding and improving non-publication provisions to protect victims, that is, preventing circulation and unauthorised copying of sensitive evidence;
- Working to address delays in relation to sexual assault matters. The District Court has already introduced mandatory timetables for sexual assault matters meaning trials are listed within four months of the date of committal and no later than six months (to make allowances for regional sittings). The Attorney General's Department is now undertaking further work with the Court of Criminal Appeal to streamline appeals in rape cases;
- Closing courts when victims give evidence, but allowing a support person to remain;

- make it clear that a complainant is entitled to use alternative methods, such as closed circuit television, video link or segregated seating, for giving evidence so they don't have to face their assailant. There are currently 78 remote witness facilities in NSW metropolitan and regional courts;
- Allowing a transcript or recording of a complainant's evidence to be used in a retrial ordered following an appeal, so that the complainant can't be forced to give her evidence again, unless she chooses to;
- Requiring judges to disallow improper questions in cross-examination;
- Prohibiting unrepresented accused directly cross-examining victims in court;
- Exempt child complainants in sexual assault matters from attending committal hearings to give oral evidence; and
- Further training for criminal justice personnel in dealing with victims, especially children and other vulnerable victims.

The NSW Government has also introduced standard minimum sentences for a range of sexual offences, and increased the maximum penalties for sexual assault to 25 years and for sexual assault in company to imprisonment for life. Importantly, the Government has also provided continuing education for members of the judiciary on sexual assault matters and pursued initiatives to ensure that judicial officers are aware of social context issues involving children, women, sexual offences, domestic and family violence and ethnic minorities.

My colleague, the Attorney-General has carriage of most of these issues, and I understand further reforms to the legislation are being considered.

Recently, the Attorney, announced Labor's latest reforms of sexual assault law with the release of a discussion paper and exposure draft of a Bill to define 'consent' and introduce an 'objective fault test' into the law. This is an excellent new initiative which will address recommendations made by the Taskforce and provide an opportunity for members of the public as well as the legal profession to have input into the changes to the law.

The Attorney has also asked the NSW Judicial Commission to put together an education package for District Court judges to assist them to support victims by getting tough on defence lawyers and preventing hostile questioning of victims.

Further reforms have also been recently introduced via the *Criminal Procedure Amendment (Vulnerable Persons) Bill 2007*, to provide greater protection for children and victims with an intellectual disability in relation to giving evidence.

The NSW Government understands the difficulties still faced by victims of sexual assault, which is reflected in the large number of rapes – estimated at around 80% - which still go unreported. It is however, encouraging to note that recent statistics indicate that there have been steady increases since 2004 in the number of offenders being imprisoned for sexual offences.

The NSW Government continues to work hard at providing greater assistance to victims of sexual assault, especially in their dealings with the legal system, and is committed to a continued program of reform in this area.

In addition, the Office for Women funds programs aimed at educating young women about potentially violent relationships. These include an educational program for high school students to assist young people to develop safer relationships and a short DVD for young women about early warning signs of abusive relationships.

The Office for Women has partnered with a number of agencies to provide specific resources to assist women to develop and maintain healthy, personal relationships.

In 2005/06 the Office for Women, in partnership with Tresillian, produced a DVD for first-time parents to better support their children's development by improving their relationship and communication skills. 35,000 DVDs have been distributed through all public hospitals in NSW.

In 2006/07 three new partnership projects received funding. These include:

A grant to Relationships Australia to produce an interactive skills building CD_ROM program covering the essentials of relationships to help women and their partners develop skills in building and maintaining healthy relationships and effective parenting.

Funding Streetwise Communications to produce *Stand Up 4 U*, a DVD aimed at young women to help them read the early warning signs of potentially abusive relationships.

The *Y-Isse Up*- Project which is an educative program for students in high school aimed at preventing violence against women and girls and assisting young people to develop safe relationships. Scheduled to commence in 2007/08 under the auspice of the YWCA NSW, the project will initially be delivered in Campbelltown, Lismore, Shoalhaven and Wingecarribee, before being delivered more widely across NSW.

Recognising the complexity of the issues of domestic violence and sexual assault, and the diversity of programs and initiatives to address them, the Government has given a commitment to develop and implement a state-wide strategy to deal with the causes and consequences of domestic violence.

In March this year the Premier announced the Government's commitment to establish a central co-ordination function for policies, programs and services

aimed at reducing violence against women and tackling domestic and family violence. This will ensure strong, centralised control over programs and policies dealing with violence against women, including sexual assault.

Prior to implementing this commitment, the Government is undertaking a review of existing structures for co-ordinating action against domestic and family violence.

The objective of the review is to provide advice to Government on:
Current approaches in NSW to reduce violence against women, including domestic and family violence, and the strengths and gaps in those approaches;
Options for achieving better results, including value for money considerations;
and Governance arrangements to support the preferred option.

To inform the review process, the Government has asked for community consultation. Interested individuals and organisations are invited to lodge written submissions on these issues by 12th October 2007. I strongly urge anybody present interested in providing comment on the review to certainly do so. *(I have brought copies of the review format with me tonight.)*

The Review is being overseen by a Steering Committee of NSW Government Chief Executive Officers and convened by the Chair of the Human Service and Criminal Justice CEOs cluster. The Steering Committee will report to the Premier on the findings of the review in early November 2007.

Finally, lets remember that it is organisations like the NSW Rape Crisis Centre that every day work with women that have experienced sexual violence. I would like to take this opportunity to thank the staff of the NSW Rape Crisis Centre for your incredibly important work. Thank you for treating these women with dignity, compassion and respect and for providing them with much needed assistance and support. It does not go unnoticed.

Once again, thank you to Karen and the NSW Rape Crisis Centre for inviting me to speak at your Annual General Meeting tonight, and thank you all for your attention.

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