

GATEHOUSE CENTRE

- WHAT DO WE KNOW ABOUT SEXUAL ASSAULT?
- THE TRENDS AND REFORMS
- CASAs IN VICTORIA
- SERVICE PROVISION AND ADVOCACY

Karen Hogan, August 2010

CASAs: Victorian Centres Against Sexual Assault

There are 16 CASAs throughout Victoria including the Victorian Sexual Assault Crisis Line (SACL) after hours telephone service 1800 806 292

Integral to the philosophy of services and programs provided by CASAs is the right of the victim/survivors to be believed and be treated with respect, dignity and sensitivity.

CASAs work to ensure:

Women, children, young people and men who are
victim/survivors of sexual assault have access to

Comprehensive and timely services

A range of interventions to address their needs

CASAs works towards the elimination of sexual violence through:

- Community education
- Professional education
- Informing government policy
- Advocating for law reform
- Facilitating research

to increase the understanding of the nature and incidence of sexual assault

Gatehouse Centre RCH

- The Centre offers a range of services to children, young people and their family members and professionals in the community
- The Centres multi-disciplinary team includes: social workers, psychologists, psychotherapists.



Royal Children's Hospital
Melbourne

Gatehouse Centre RCH

Services include:

- 24 hour crisis service
- Short and long term counselling
- Specialised assessments of abuse
- Group therapy and family therapy
- Sexualised behaviours program
- Crisis telephone counselling
- Outreach program in 5 locations in outer metropolitan western suburbs

Gatehouse Centre RCH

- Evidence and Reports for Court
- Consultations to hospital and community
- Professional education programs and community training programmes including student tertiary training
- Research
- Advocacy
- Working collaboratively with out colleagues in education, DHS, Department of Justice, family violence, community agencies etc.

Gatehouse Centre RCH

Who refers

- 26% Families – do not require referral, including young people
- 25% DHS
- 22% Police
- 18% Doctors
- 6% Nurses
- 3% Other

Gatehouse Centre RCH

In Victoria today:

Why new Legislation?

Current Situation DHS

- 0-4 year olds
higher levels of environmental neglect
exposure to domestic violence
exposure to psychiatric illness, and
significant physical harm than other age groups
- 5-9 year olds
more likely to suffer significant hard due to
sexual assault
- 10-14 year olds
and 15+
high risk self harm activity
homelessness and suicide risk

Gatehouse Centre RCH

Why new Legislation?

Current Situation DHS

Concerning Characteristics of Parents:

- 40% of cases parents experienced domestic violence
- 25% of cases parents had problems with substance abuse
- 21% of cases parents had problems with alcohol abuse
- 15% of cases parents had a mental illness

Gatehouse Centre RCH

New Legislation

Children Youth And Families Act 2005

Child Wellbeing and Safety Act 2005

Principles to guide practice and decision making

Gatehouse Centre RCH

Mandatory Reporting: Victoria 2010

Children Youth And Families Act 2005

requires that designated gazetted professionals report to Child Protection and Family Services DHS when they form the belief that a young person is in need of protection due to harm from physical and sexual abuse and neglect. This belief must be based on reasonable grounds.

Under current Victorian legislation a child is anyone under the age of 17 years.

Mandated professionals include Medical Practitioners, Registered Nurses, Police and Teachers.

Gatehouse Centre RCH

Best Interest Principles:

- ❖ Protect from harm
- ❖ Promote child protection
- ❖ Relationships with other key significant adults
- ❖ Reunification planning if in care
- ❖ Kinship care
- ❖ Capacity of parents
- ❖ Cumulative harm
- ❖ Support young people
- ❖ protect child's rights
- ❖ support and maintain families
- ❖ child's views and wishes
- ❖ stability and continuity
- ❖ harm if delays in decision making
- ❖ siblings in care together

Gatehouse Centre RCH

Some facts about Sexual Assault:

- Sexual Assaults are widely recognised as the lowest reported of criminal offences. Approximately 4 out of 5 incidents of sexual assault are not reported to the Police (ABS, 2006)
- The notion of “real rape” leaves injuries and ‘real’ victims fight off the attacker, or attempts to, and reports the attack immediately. (Jordan, 2008).
- A recent study of jurors ‘attitude’ found that many held strong pre-conceptions about real victims (Taylor, 2007)
 - report immediately
 - scream or shout for help
 - there is evidence of injury or DNA proving what happened
- Good girls don’t get raped. The assault must have had something to do with what she was wearing the wrong clothes, flirting too much or was in the wrong place.

Gatehouse Centre RCH

Some facts about Sexual Assault:

- One study showed that police do not lay charges in 85% of cases reported and are more likely to decline to pursue a case if it involves a young person who knew their offender, or those who have used drugs or alcohol (Heenan and Murray, 2006).
- 80% of cases the offender is known to the victim
 - 39% family member or friend
 - 32% other known person eg neighbour, colleague
 - 21% previous partner
 - 7% Current partner
 - 21% stranger
- 16.8% or 1 in 6 of surveyed women in Australia have experienced sexual assault since the age of 15 (ABS, 2006).

Gatehouse Centre RCH

Sexual Assault Reform in Victoria

2004 Victorian Law Reform Commission published its Final Report on “Sexual Offences: Law and Procedure”.

The report indicated:

- lack of confidence of victims in reporting sexual assault
- lack of satisfaction with outcomes in criminal justice system
- decline in reporting rates of sexual assault in Victoria
- approximately 17% of victims of sexual assault report to the police
- attrition between incidents of sexual assault, reported to police, and charges laid
- The attrition rate for children and young people is significantly higher.

Gatehouse Centre RCH

Victorian Law Reform Commission Recommendations:

-legislation

-procedural

-service delivery

= reform across entire criminal justice process

and

-alternate responses to juvenile sexual offenders.

Gatehouse Centre RCH

Aim of Outcomes:

- Reduce incidence of sexual assault
- Improve the health outcomes for sexual assault victims
- Increasing the reporting rate of sexual assault
- Increasing the number of prosecutions in proportion to complaints made
- Reduce the number of appeals/re-trials
- Improve the criminal justice experience for complainants of sexual assault
- Improve the effectiveness of the system response to sexual offenders

Gatehouse Centre RCH

Outcomes:

Police: new Code of Practice for investigation of sexual assault and child abuse.

Specialist sexual offences list: in Magistrates and County court

Office of Public Prosecution Specialist Sexual Offences Unit: in Melbourne and Geelong a dedicated team

OUTCOMES

Multidisciplinary Centres: (MDC)

Reforms funded:

2 Sexual Offences and Child Abuse Investigation Teams (SOCITS) and 2 CASAs at Mildura and Frankston

Colocate to provide a “one stop shop” for services
DHS Child Protection is also now colocated

OUTCOMES

Child Witness Program

- Prepares young person to give evidence
- Familiarises the young person with Court proceedings
- Support through criminal proceedings
- Support principal caregiver
- The largest age group currently using the Child Witness Service are 15 – 19 year olds 44%
- Followed by 10 – 14 year olds 32%

Gatehouse Centre RCH

- Therapeutic treatment programs for children: under 10 years displaying problem sexual behaviours (PSB) and specific treatment program for young people age 10-14 years and 15-18 years who exhibit sexually abusive behaviours (SAB)
- Enhanced Management of Serious Sex Offenders
Forensic nurses: to improve access and timely forensic medical services
- Enhanced counselling for victims of sexual assault: and expanded crisis care responses
- Training for judges and other legal professionals.

SPECIAL HEARINGS

For children, young people and those with cognitive impairments.

- Within a shorter time frame
- Often just prior to the trial
- Without a jury present
- Played back to the Court

OUTCOMES

Remote Witness Facility

- A positively viewed initiative by witness
- Some legal practitioners question whether video link evidence is more effective than being in Court.

Sexual Assault Clinical Services:

CASAs provide high quality services responses to children, young people and adults who are victims of sexual assault

- Specialist sexual assault counselling, Assessment and Treatment
- Crisis care for recent sexual assaults or recent disclosures
- Advocacy
- Community and professional training and education
- Consultation

- Young people are referred if they are a victim of sexual abuse or where there are significant indicators suggestive of sexual abuse.
- Siblings, family members and caregivers can also be provided with services.
- Services are also provided to the young person's community, such as their school

Gatehouse Centre RCH

Why we need these services for young people.

What might young people believe?

- That it is their fault
- That they could have stopped the abuse
- That they are a bad person so deserved to be sexually abused
- That they are better off dead
- That no one will believe them

Gatehouse Centre RCH

What might young people fear?

- That those who they love will reject them
- That they will be removed from their home
- That their father/other perpetrator will go to jail
- That they have destroyed their family
- That they will lose their family home
- That they will have to move schools

Gatehouse Centre RCH

What might be the impact of sexual assault on a young person?

- That the young person could have been threatened by the perpetrator eg. that they will go to jail or their animals will die.
- That the young person is “groomed” by the perpetrator being given gifts and “special treats” to develop a relationship with the child/young person so that the perpetrator is a respected and trusted, even loved adult.
- That the young person is confused as they like the “special relationship” but they do not like or want the sexual abuse. They do not know how to keep the special relationship without the abusive behaviour of the perpetrator.

Gatehouse Centre RCH

Some possible effects of sexual abuse of young people:

- Low self-esteem, describing themselves as stupid, ugly or bad
- Ongoing learning problems – learning becomes difficult to focus on when children and young people have experienced the trauma of sexual assault
- Difficulty forming trusting and positive relationships – they trusted once and were abused for it
- Lack of self-respect
- Confusion about their own role within the family
- Ongoing anger that is difficult to resolve – this is one of the most common feelings children/young people experience.
- Guilt
- Self-destructive behaviour
- Anxiety and depression

Gatehouse Centre RCH

**One of the main ways of
Stopping abuse is by naming
that it is happening**

Karen Hogan Director, Gatehouse Centre



Royal Children's Hospital
Melbourne