



Department of Justice
GPO Box 825
Hobart TAS 7001

31st August 2018

Family Violence Bill Reforms Bill 2018 – Service Response

Laurel House continue to be impressed by the Governments commitment to strategies which seek to reduce family violence and the further traumatisation and abuse of survivors.

The justice system has previously provided opportunity for survivors to be blamed and victimised through having to both re-live the experience in the court system as well as being confronted and cross examined by their perpetrator.

Persistent family violence is a systemic issue which the justice system can reduce the impact of by changing the ways in which cases are dealt with in court. The changes to the Criminal Code (Section 125A) will stop perpetrators from further intimating and abusing their victims through the court system by removing their ability to cross examine when unrepresented. We would however welcome a further extension of this change where there is substantial evidence, that the victim of violence not be cross examined by the legal team either or that this is not conducted in front of suspected perpetrator who could gain further pleasure from this experience.

The changes to the act in relation to the jury not having to agree on the unlawful sexual acts, I believe this is a positive move toward ensuring perpetrators are prosecuted and are not released on a technicality. Furthermore, sexual assault varies in degree and severity and everyone is affective differently and therefore it would unfair to assume that a minor act isn't as severe as a major act from one individual to the next. Sexual assault is sexual assault and cannot and should not be measured by a jury. Additionally, the pressure and vicarious trauma that is placed on a jury to decide on specific sexual acts is unnecessary in the prosecution of a perpetrator.

Thank you for the opportunity to respond to this bill and we look forward to its implementation.

Yours sincerely

Fiona Girkin
Service Manager
Laurel House
North and North West Tasmania Sexual Assault Support Service

Office: [REDACTED]
Mobile: [REDACTED]

North

P.O. Box 1062, Launceston, TAS 7250
p. (03) 6334 2740
e. info@laurelhouse.org.au

North West

P.O. Box 499, Burnie, TAS 7320
p. (03) 6431 9711
e. info@laurelhouse.org.au