Victorian
Law Reform
Commission

Sexual Offences Final Report
Summary and Recommendations in Plain English

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Sexual Offences Final Report

Summary and Recommendations in Plain English

This is a summary of the Victorian Law Reform Commission's *Sexual Offences Final Report* in plain English. For a more detailed summary, and a full list of the Commission's recommendations about reform of sexual offences, refer to the Executive Summary and Recommendations at the beginning of the Report.

The Report responds to the Attorney-General's request to investigate laws and procedures to ensure the criminal justice system is 'responsive to the needs of complainants in sexual offence cases'.

There are many sexual offences. The main ones include rape (sexual penetration without consent), indecent assault and unlawful sexual penetration of a child or young person aged under 16.

The Commission has already written a Discussion Paper and an Interim Report to which many organisations and people made submissions. The Final Report takes account of these submissions, as well as information from consultations and the Commission's research.

The recommendations in the Final Report aim to make it easier for people to report sexual offences to the police and go to court.

The Final Report was tabled in parliament during the 2004 spring session.

If you would like us to send you a copy of the Final Report, please call the Commission on (03) 8619 8619 or 1300 666 555. You can also read and download the Final Report from the website at <www.lawreform.vic.gov.au>.

WHAT ARE THE PROBLEMS?

People who are sexually assaulted are the least likely of all victims of crime to report to the police.

Low reporting rates are a problem as they mean some offenders may escape punishment.

There are many reasons for the low reporting rate. Sometimes people know their attacker and are reluctant to report the crime. Sometimes they feel ashamed by what has happened and don't want other people to know. Sometimes, fear of the way they will be treated in the criminal justice system stops them reporting the assault or makes them withdraw their complaint.

Of the many incidents of sexual assault which occur in Victoria every year, only a small number are reported to police. An even smaller number are prosecuted (taken to court). Conviction rates for rape are very low and have fallen over recent years. Conviction rates for offences against children are also low.

In the past 13 years, some improvements have been made to the way police and the courts treat sexual offence complainants, but the Commission thinks more needs to be done.

It is in the community's best interests to encourage people to report sexual assaults to ensure a safer environment for everyone.

One of the aims of the Report is to increase reporting rates by improving the way the criminal justice system deals with people who say they have been sexually assaulted. This Report also aims to make it easier for people to give evidence against the person they say has attacked them.

IT'S HARDER FOR SOME

Many people who say they have been sexually assaulted complain about the way they have been treated during the justice process. People find it difficult to tell the police what happened to them and to tell their story and be cross-examined on it in court. Police and court processes do not always treat people sensitively. Making a complaint and seeing it through is particularly difficult for some people.

Children who are sexually assaulted face many barriers to reporting the crime.

The alleged offender is often someone the child knows well, such as a family member. Children often don't tell anyone what has happened because they fear

punishment or they don't want to upset other family members. Sometimes, children do not know that what has happened to them is a crime.

Even when they report the crime, some parents won't let their children go through with a trial because they are worried it will cause more distress.

Less than one in seven allegations of penetrative offences against children, which are reported to the police result in prosecution. People with a cognitive impairment are particularly vulnerable to assault as they often rely on other people to help them with daily life. People with a cognitive impairment include those with an intellectual disability, mental illness or brain injury.

They can have difficulty in reporting assaults and answering questions from police and lawyers. They may not understand sexual assault is a crime, and they face the added problem that people may not always understand their impairment and may not believe them when they say they have been assaulted.

People with a cognitive impairment face so many barriers, both as complainants and accused, that the Commission is recommending the Government review their treatment in the criminal justice system.

Indigenous women and children are reported to suffer a very high rate of sexual assault, but few cases come to court.

Distrust of police, fear of upsetting kinship networks, and a lack of Indigenous support workers all contribute to low reporting rates.

People from non-English speaking backgrounds (NESB) also face added barriers to justice in the areas of cultural understanding and communication. Some immigrants don't want to report assault in case it affects their application for Australian residency or citizenship.

All these groups of people need the system's support to ensure their personal safety is protected to the same extent as others in the community.

WHAT IS THE COMMISSION RECOMMENDING?

The overall aim of the recommendations is to make it easier for complainants to tell their story to police, lawyers and the courts.

When the Commission began writing its final recommendations it kept two goals in mind: making the system fairer for complainants and ensuring the accused received a fair trial.

After our Interim Report, we were criticised by some lawyers and judges for focusing too much on the needs of complainants. We have considered these concerns and are confident the proposed changes will not result in people being wrongly convicted of criminal offences.

The Commission has spent three years working on these reforms. Researchers have looked at laws and reports in other states and countries and have met with many people to discuss their views.

Queensland, New South Wales and Western Australia have already made many of the changes we are recommending in our Final Report.

The Final Report does not make recommendations about sentencing, as the government has recently set up a Sentencing Advisory Council.

THE JUSTICE SYSTEM

POLICE

The police are the first contact for people reporting sexual assault.

The Commission found the specialist Sexual Offence and Child Abuse (SOCA) police units generally do a good job, but some police in other areas lack adequate training and understanding of sexual assault.

Police in the SOCA units are trained about sexual assault and deal with almost all sexual assault cases in metropolitan areas and most cases in regional areas.

Another criticism of the police is poor communication. Complainants say they would like information about the progress of the investigation or a written explanation as to why the police decide not to prosecute.

The police are already working to improve their response to sexual offence complainants by updating their code of practice.

But the Commission still recommends the following changes should occur.

- Training all police officers to improve their responses to all sexual offence complainants.

- Giving people who report sexual offences written information in their own language about police processes and advising them of the reasons why a case is not taken to court.

- Ensuring complainants are contacted immediately by victim support services.
- Investigating why there has been an increase in the number of people withdrawing complaints.
- Improving the collection and quality of sexual assault data.
- Placing detectives in specialist sexual offence units.
- Ensuring decisions about whether to take cases to court are made consistently.
- Developing guidelines and training to help police identify and work with people with cognitive impairment. It is suggested police should always videotape an interview with a person if they are unsure about whether the person is cognitively impaired.

LAWYERS

Many submissions to the Interim Report thought prosecutors and defence lawyers should undertake training to broaden their understanding of the impact of sexual assault on complainants.

The Commission recommends the Office of Public Prosecutions give preference to barristers who have completed this training when choosing barristers for sex offence trials.

JUDGES

Many submissions to the Interim Report also supported ongoing training to broaden judges' understanding of the impact of sexual assault and the difficulties which complainants have in giving evidence and being cross-examined on it.

The Report also makes recommendations about what a judge should tell the jury in a sexual offence trial (jury directions).

At the trial, the judge instructs the jury about the law they must apply to the case and summarises the evidence. The jury then decides if the accused is innocent or guilty, based on the evidence they have heard.

A Commission study of County Court jury directions in 24 sexual offence cases found judges sometimes used language which was complex and could potentially confuse some jury members.

The Commission recommends judges receive professional development training to assist them in communicating clearly with a jury in sexual offence cases.

The Commission recommends that judges should be required to tell juries that if complainants do not say or do anything to let the accused know they were consenting to sex, that is evidence there was no 'free agreement'.

Under current legislation, judges must warn juries it may be 'dangerous or unsafe to convict' the accused on the basis of the complainant's evidence alone if there has been a long delay between the alleged assault taking place and when it is reported. As these delays are typical in many sexual offence cases, the Commission recommends judges only give this warning when the accused has suffered a specific disadvantage because of the delay.

The Commission also recommends judges no longer routinely warn juries that a delay in reporting reflects badly on the credibility of the complainant. A warning of this kind should only be given if there is evidence in the case which justifies doing so.

The other recommendations which will affect judges concern cross-examination. The Commission recommends judges should have a duty to protect children and people with cognitive impairment from misleading, confusing and intimidating questioning.

The Commission recommends judges undergo training in child development and cognitive impairment to help them fulfil this duty.

PROCESS

The experience of appearing in court and recounting the alleged assault/s is painful for complainants.

The Commission has identified ways to lessen the trauma for the complainant, while ensuring the accused still gets a fair trial.

SPECIAL SEX OFFENCE LISTS

One of the major problems experienced by complainants and accused is the long delay that may occur before the case is resolved.

It can sometimes take years to reach a final conviction or acquittal in a sexual offence case. Having to repeat evidence and wait for long periods distresses complainants, especially children.

To reduce delays and ensure people are treated sensitively, the Commission proposes the Magistrates' Court set up a specialist list to deal with sexual offences involving children and people with a cognitive impairment.

To achieve the same aims in the County Court, the Commission recommends a judge be appointed to manage these cases. The judge will have responsibility for managing court procedures so that cases involving children and people with a cognitive impairment can be resolved as quickly as possible.

RECORDED TESTIMONY

Most complainants begin by telling their story to the police, then to lawyers from the Office of Public Prosecutions. Then they are cross-examined at the committal hearing, then again at the trial and possibly at a re-trial if an appeal is successful.

Children and people with a cognitive impairment find it particularly difficult to keep repeating their testimony at each stage of the justice process.

These complainants may forget some of the details of what happened or be influenced by what others say, weakening their testimony once it gets to trial.

To combat this, a videotaped interview conducted by specialist police may be used as evidence in a trial, but the witness must attend court and be available for questioning.

Unfortunately, the videotaped interview is used infrequently. Sometimes this is because of problems with the tape and sometimes it may be because the prosecutor prefers to question the child or person with a cognitive impairment in court.

To improve police techniques in recording interviews and to make it more likely that taped testimony will be used in court, the Commission has recommended a feedback process for prosecutors to let police know if there is something wrong with the tapes.

The Commission also recommends a review of the system for taping testimony to identify possible improvements.

CLOSED-CIRCUIT TELEVISION

The prosecutor can ask a judge for permission for a witness to give their evidence by closed-circuit television (CCTV) from another room or building if they think

the witness will be upset by seeing the accused or by giving their evidence in front of a jury.

In practice, witnesses in sexual offence cases often appear in court. Sometimes this is because prosecutors believe their evidence will have greater impact on the jury than if they appear via CCTV. The Commission recommends CCTV is routinely used for *all* complainants in sexual offence cases. A prosecutor will have to apply to the judge for permission for the witness to give evidence in court and the judge must be satisfied the person is able to and wants to give evidence in court.

The Commission recommends that if CCTV cannot be used (for example because of a technical malfunction), a screen should be set up to shield the witness from the accused.

Hearings for Children and People With Cognitive Impairment

Children involved in sexual offence cases in Western Australia and Queensland can give their evidence and be cross-examined in a special hearing which is videotaped. The videotape is then shown to a jury during a trial.

This reduces delays for children and means they can put events behind them as soon as they have given evidence.

Juries can get a better idea of the age of the child at the time of the alleged assault and receive a 'fresher' version of events.

The Commission recommends Victoria establish a system where children and people with a cognitive impairment give their evidence and are cross-examined at a special taped hearing involving only a judge, the defence and prosecution. The evidence of the child or person with a cognitive impairment would be given by CCTV.

The videotapes can be used in the trial and any appeal, instead of the child or person with a cognitive impairment having to re-attend court. The rights of the accused are protected by giving the court power to call these witnesses back if new evidence arises which they need to be cross-examined on.

Cross-Examinations by the Accused

Anyone charged with a crime has the right to defend themselves in court. They can hire a lawyer, get Legal Aid, or represent themselves.

If the person represents themselves they may want to cross-examine the complainant. This can be extremely distressing and intimidating for the complainant. For example, it may be very traumatic for a child to be cross-examined by a family member who has been charged with sexual offences against the child.

There are only a few instances of this happening in Victoria, but most other states have already changed their laws to prevent it.

Some lawyers and judges oppose such a ban because they believe it overturns one of the founding principles of our criminal justice system. But sexual assault services and other judges and lawyers support better protection of complainants.

The NSW Law Reform Commission has said that allowing the accused to cross-examine the complainant in person is not in the interests of justice as it may discourage complainants from testifying and give the accused an advantage over the complainant.

We recommend the accused should have to use a court-appointed lawyer to question the complainant and other vulnerable witnesses.

Cross-Examinations at Committal Hearings

Cases dealt with by the County or Supreme Courts begin with a committal hearing to see if there is enough evidence for a trial.

The Commission found many complainants were upset at having to give their evidence and be cross-examined on it at both committal and trial. Some parents may refuse to allow their child to give evidence at trial because of the traumatic effect of cross-examination at committal.

Some people have questioned the need for committal hearings in sexual offence cases. Commission research found committals contribute to significant delays in the criminal justice process.

Delays can affect child complainants and people with a cognitive impairment as their memories of events may fade and thus weaken their testimony.

The Commission recommends removing the right to cross-examine children and people with a cognitive impairment at committal hearings.

WITNESS SUPPORT

Witness support services can provide much needed aid to complainants in sexual offence cases but they need more funding.

In Victoria, the Office of Public Prosecutions employs three people in its witness support program. In NSW, 34 people are employed to deliver the same services.

Increased funding would allow support services to provide better care for NESB people, Indigenous people, people with a cognitive impairment, children and people living in rural areas.

The Commission recommends the Government create an independent, specialist child-witness support service which would operate across the state. The service should be able to cater to the special needs of children, including those from NESB and Indigenous communities, and those with a cognitive impairment.

EVIDENCE

Current evidence laws disadvantage some sexual offence complainants, especially children and people with a cognitive impairment.

HEARSAY

Sexual offence victims may tell another person what has happened to them before they go to the police, but the other person cannot usually give evidence of what he or she was told. This sort of evidence is called 'hearsay'.

Sometimes hearsay evidence is allowed to show that a complainant is telling their story honestly. However, the judge must tell the jury that they cannot use the evidence to prove the person was assaulted by the accused. It is doubtful whether juries understand the difference between using hearsay evidence to support the honesty of the complainant and using it as evidence of truth.

The Commission believes hearsay evidence should be able to be used in certain circumstances to prove the truth of the claim of assault. Judges will still have the power to exclude certain hearsay evidence and will warn juries that hearsay evidence may be less reliable than direct evidence. The changes we propose are already in force in New South Wales, Tasmania and the ACT and at the federal level.

This change is especially important for children because it may take years for them to decide to report abuse to the police and their memory of the details of events may have faded. The change will mean that someone they have told beforehand

can give evidence of what they were told. As well as the changes mentioned above we recommend the Court should have the power to allow hearsay evidence to be given of statements made by children aged under 16, in certain situations.

Competence to Give Evidence

If a child aged under 14 or a person with a cognitive impairment is going to give evidence in a sexual offences case, the judge must decide if they are 'competent' to swear an oath or to give evidence without taking an oath. They can only give 'unsworn' evidence (evidence without taking an oath) if they understand they have an obligation to tell the truth.

Unsworn evidence does not carry as much weight as 'sworn' evidence.

Judges find it difficult to test the competency of a child or person with a cognitive impairment and there are no guidelines in place to help them. The questions they ask to determine competency often confuse children and may not be the best method of discovering whether a child is capable of giving truthful evidence.

The Commission proposes a simpler test for determining whether someone can give sworn evidence.

Judges should be able to call on human development experts to help them determine the competency of witnesses they are unsure about.

Sexual History

Lawyers cannot question complainants about whether they have had sex with people other than the accused, or with the accused on previous occasions, unless the court gives permission for these questions. If the defence lawyer wants to ask these questions they can apply to the judge for permission. Usually, they must do so in writing before the person has to appear in court. However, this rule is not always obeyed and many complainants in sexual offence cases are questioned indirectly or directly about their sexual experiences. There is also some doubt about whether the present law requires a judge to give permission before a witness can be questioned about a previous sexual assault. The Commission believes the legislation should be tightened to make it less likely complainants will be questioned about their sexual activities.

The Commission wants judges to consider a number of issues when deciding whether to approve questions including the age of the witness, the distress the answers may cause and the right of the accused to defend themselves fully.

COUNSELLING NOTES

Victorian legislation does not allow confidential notes from counselling sessions to be used in court without the judge's permission. Although the legislation was intended to prevent counsellors being subpoenaed to produce their notes of counselling sessions, it does not do so.

Counselling can play an important role in helping complainants come to terms with what has happened to them, and the Commission thinks the confidentiality of notes should be protected.

The Commission recommends a ban on subpoenaing or using counselling communications in committal hearings. The rules about subpoenas and use of counselling communications at trial should also be tightened.

When deciding whether to allow the notes, the Commission recommends judges consider factors such as the relevance of the information contained in the communication, the public interest in encouraging complainants to seek therapy and the right of the accused to defend themselves fully.

WHAT THE ACCUSED WAS THINKING

For sexual offences such as rape and indecent assault, the prosecution must prove the accused intended to have sex without the other person's consent. If there is a reasonable doubt about this, the accused cannot be convicted of rape or indecent assault.

Consent refers to whether the other person freely agrees to the sexual act. Victorian law says that if the person was drugged, asleep or was frightened they have not freely agreed to have sex.

However even if the other person did not freely agree to sex, an accused who honestly believed the complainant was consenting must be acquitted. This is the case even if that belief was completely unreasonable.

The Commission believes the legislation needs to be changed to better protect women and children.

The current law is a problem because:

- The law says that free agreement cannot exist in certain situations. However, this requirement is undermined because accused can say they honestly believed in consent even when the other person was drugged or asleep, or in a state of fear; and

- a person wanting sex, who does not think at all about what the other person wants, may be acquitted because they did not consciously intend to have sex without the other person's agreement.

The Commission believes it is important for the law to reinforce the idea that the person seeking sex has the responsibility to find out if the other person also wants to have sex. We recommend this should be done by restricting the situations in which an accused can rely on an honest belief in consent as a defence. The jury should only be asked to consider whether the accused had an honest belief if the judge decides there is enough evidence for a jury to consider this defence.

When the jury is asked to consider whether this was the case it must be told that the accused cannot rely on this defence if:

- the accused did not take reasonable steps to find out if the complainant was consenting to sex;

- the accused did not think at all about whether the other person was consenting to have sex; and

- other factors listed in the legislation apply. For example, if the complainant was asleep or unconscious or in a situation of fear when they had sex the accused will not be able to say he had honestly believed she was consenting.

EXPERT EVIDENCE

Juries in sexual offence cases do not get any advice to help them understand the behaviour of people involved. Instead, they are asked to use their 'common sense' to make decisions about what people said and did.

Sexual assault can lead people to act in ways they normally would not and it is important that juries understand typical reactions of complainants.

Juries should be able to hear evidence which helps them understand the common features of sexual assault, such as complainants waiting a long time before reporting assault or trying to hide it.

CHANGES TO THE CRIMES ACT 1958

The Commission has also recommended other changes to the *Crimes Act 1958* to amend existing definitions and introduce new offences.

Carers and Supervisors

The current Crimes Act outlaws sexual relationships between children and people in a position of care or authority over them, but it does not list who these people might be.

The Commission wants to list the types of carers and supervisors the offence might apply to, including teachers, youth workers, employers, sports coaches and religious instructors.

Anti-Grooming Offence

A new offence is recommended to protect children from paedophiles 'grooming' them to participate in sexual activities. Grooming may be done over the Internet or in other ways. The proposed offence will cover situations where a person encourages a child to participate in sexual activities with them or other people.

People With Cognitive Impairment

Under the current Crimes Act, people with an intellectual disability, mental illness or brain injury are referred to as people with 'impaired mental functioning'.

The Commission recommends the term 'impaired mental functioning' be changed to 'cognitive impairment' in line with the term used by disability groups.

It is against the law for a person providing medical or therapeutic services to a person they know has a cognitive impairment to have sex with them.

The Commission wants to make it unnecessary to prove a person providing the therapeutic service knew the person had a cognitive impairment. If the service provider is working for a program or service catering to people with a cognitive impairment then that knowledge should be assumed.

It is also against the law for a person working in a residential facility to have sex with a resident, even though few people with a cognitive impairment still live in such facilities.

The Commission wants to widen the definition of carers who comes under this offence to include people working in non-residential services.

Juvenile Sex Offenders

Sexual assaults of children committed by other children are rarely reported. This may be because the children are related or parents choose not to press charges.

Research has found that more than half of the adults who are found guilty of sexual offences say they committed their first assault when aged under 18.

The Commission believes the justice and child protection systems need to better respond to these young people to stop them re-offending.

The Commission recommends the establishment of a working party to examine potential responses to young sexual offenders, including compulsory treatment programs and conferencing.

KEY RECOMMENDATIONS

The Final Report has 201 recommendations. To see the full list of recommendations visit our website at <www.lawreform.vic.gov.au> or call the Commission on 8619 8619 and we will send you a copy of the Final Report.

The following is a summary of some of the key recommendations.

- Better education and training for police, lawyers and judges.
- Improved police responses to all complainants, but particularly Indigenous and NESB people, children, and people with a cognitive impairment.
- Reducing the time taken to get to trial for children and people with a cognitive impairment.
- Introducing a specialist approach to the listing of sexual offence cases in the Magistrates' Court to improve the speed and sensitivity of the process.
- Reducing the number of times children and people with a cognitive impairment must give the same evidence.
- Tightening cross-examination regulations and barring the accused from questioning the complainant or other vulnerable witnesses in person.
- Making testimony by closed circuit television routine and allowing videotaped testimony for children and people with a cognitive impairment.
- Restricting access to the complainant's counselling records.
- Widening the definition of allowable evidence and who can give it.
- Making it illegal to 'groom' young people for future sexual acts, including through Internet contact.
- The establishment of a working party to examine potential responses to young sexual offenders.

ABOUT THE VICTORIAN LAW REFORM COMMISSION

WHAT IS LAW REFORM?

The Victorian Law Reform Commission was established under the *Victorian Law Reform Commission Act 2000* as the central agency for law reform in Victoria. It is an independent organisation which consults with the community and undertakes research to advise Parliament on how to improve and update Victorian laws.

Law reform is necessary for many reasons. Community attitudes and circumstances are always changing and our laws need to adapt to these changes. The law also changes as a result of decisions made by courts.

WHAT IS THE LAW REFORM PROCESS?

1. The Attorney-General asks the Commission to review an area of the law, or the Commission starts its own project if it is of a minor nature.
2. The Commission's staff undertake research and consult with experts.
3. An Issues, Options or Discussion Paper, which explains the key issues, is published.
4. The public, community organisations, lawyers, legal bodies and any other interested individuals or groups make submissions in response to the published paper.
5. The Commission reads these submissions, meets with people again and undertakes more research.
6. The Commission publishes a report with recommendations to change the law.
7. The Attorney-General tables the report in Parliament.
8. Parliament decides whether to implement the recommendations through legislation.
9. Other groups, such as police or professional organisations, decide whether to adopt recommendations for procedural and administrative changes.

Sometimes the Commission publishes more than one paper and report, especially if the issues are complicated.

How You Can Become Involved

The Commission tries to make it easy for the public to contribute to law reform.

Submissions can be in any form you feel comfortable with: letters, emails, phone calls or speaking at a public forum.

You don't have to pay any money for the discussion papers or reports. Just contact the Commission and ask for a copy, or download it from the website at <www.lawreform.vic.gov.au>.

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GLOSSARY

Accused
The accused person is the person charged with committing a crime.

Acquittal
When a person is acquitted of an offence, this means the person has been found not guilty.

Attorney-General
The Attorney-General is the Government's chief legal officer and is one of the ministers responsible for justice issues.

Barrister
Barristers are lawyers who have been admitted to the Victorian Bar. They are usually the lawyers who appear in court on behalf of a client.

Cognitive impairment
People with a cognitive impairment are those with an intellectual disability, a mental illness or an acquired brain injury.

Committal hearings
A committal proceeding is a preliminary hearing to determine whether there is sufficient evidence for the accused person to be put on trial.

Complainant
A complainant is a person who has reported to the police that she or he is the victim of an offence.

Conviction
The court's finding that the accused is guilty of the offences charged.

Cross-examination
When a witness is questioned by the opposing legal team during a committal hearing or trial.

Defendant
The defendant is someone who has been accused of an offence. They are known as the defendant until the case is committed for trial. If the trial goes ahead then the defendant becomes the accused.

Evidence
Any statements, witnesses, objects or documents used in court to prove the facts of a case.

Hearsay evidence
Statements made by a person or persons outside of the court, also referred to as second-hand evidence.

Jury direction
The judge's explanation to a jury of aspects of the law.

Offender
The term offender is used to refer to a person who has been found guilty of a crime.

Office of Public Prosecutions
This is the office of the Director of Public Prosecutions, who is responsible for preparing and presenting court cases on behalf of the State of Victoria. The Office of Public Prosecutions prepares all criminal cases.

Prosecute
To take a complaint to court.

Prosecutor/prosecution
In a criminal trial, the prosecutor is the person who acts on behalf of the state.

Subpoena
A subpoena is an order from a court requiring a person to provide a document or to appear in court to answer questions.

Testify
What witnesses do when they give their testimony.

Testimony
The statement of evidence given by a witness.

Trial
A hearing to determine guilt or innocence, where the facts of a case and matters of law are presented to a judge.

Victim support services
Services such as CASA that provide counselling and information to complainants in sexual offence cases.

Witness assistance services
These services can provide counselling, support, information, referrals and advocacy for complainants in sexual assault cases.

OTHER VLRC PUBLICATIONS

Disputes Between Co-owners: Discussion Paper (June 2001)

Privacy Law: Options for Reform—Information Paper (July 2001)

Sexual Offences: Law and Procedure—Discussion Paper (September 2001) (Outline also available)

Annual Report 2000–01 (October 2001)

Failure to Appear in Court in Response to Bail: Draft Recommendation Paper (January 2002)

Disputes Between Co-owners: Report (March 2002)

Criminal Liability for Workplace Death and Serious Injury in the Public Sector: Report (May 2002)

Failure to Appear in Court in Response to Bail: Report (June 2002)

People with Intellectual Disabilities at Risk—A Legal Framework for Compulsory Care: Discussion Paper (June 2002)

What Should the Law Say About People with Intellectual Disabilities Who are at Risk of Hurting Themselves or Other People? Discussion Paper in Easy English (June 2002)

Defences to Homicide: Issues Paper (June 2002)

Who Kills Whom and Why: Looking Beyond Legal Categories by Associate Professor Jenny Morgan (June 2002)

Annual Report 2001–02 (October 2002)

Workplace Privacy: Issues Paper (October 2002)

Defining Privacy: Occasional Paper (October 2002)

Sexual Offences: Interim Report (June 2003)

Defences to Homicide: Options Paper (September 2003)

Annual Report 2002-03 (October 2003)

People with Intellectual Disabilities at Risk: A Legal Framework for Compulsory Care (November 2003)

Assisted Reproductive Technology & Adoption: Should the Current Eligibility Criteria in Victoria be Changed? Consultation Paper (December 2003)

People with Intellectual Disabilities at Risk: A Legal Framework for Compulsory Care Report in Easy English (July 2004)

Sexual Offences: Final Report (August 2004)