

Subject: Submission in relation to NTG Sexual Violence Prevention and Response Framework

Dear Territory Families

This is a personal submission outlining some things I think the NTG could do to reduce the prevalence of sexual violence and better support survivors in the NT. Some of the ideas in this submission come from friends and colleagues with whom I've discussed the topic. My comments draw on my work in a sexual assault centre for almost 10 years, my own experiences and observations of sexual violence over a life time.

Sexual violence is a community wide problem that needs to be addressed by social change and policy and legislative change working together. Everyone has a responsibility to work towards the reduction of sexual violence, however offenders must be held responsible. This does not mean the perpetrator of the behaviour is not to blame. No matter how bad systems and circumstances are, the person who participates in offending behaviour is ultimately responsible.

Any framework must provide guidance to how governments and other institutions can work alongside individual community members in challenging views and behaviours that condone sexual violence. Ideally, there should be consequences for people and institutions that participate in behaviours that condone sexual violence as well as for failing to challenge them.

there should also be law reform to ensure a better response from the justice system. We need to change how consent is defined and dealt with in criminal law, and all judicial officers should be required to participate in training about sexual violence.

Friends and colleagues – know I'm interested in the issue - have raised some issues with me in the context of consultation around development of NT Framework to reduce sexual violence in the NT.

Whatever happens, successive NT governments are going to have to agree to continue whatever action starts now. It would be good to get bi-partisan agreement on this.

Law Reform

If someone charged with sexual assault is relying on the defence that the act/behaviour was consensual, they should have to demonstrate how the consent occurred. This may need updating of the definition of consent under NT law.

Jury selection for sexual assault trials shouldn't allow jurors to be rejected or there should be some specific limits on rejection of potential jury members. This idea is from a colleague who had just been on jury duty for a serious sexual assault who noticed that young women and nurses were all rejected in the jury selection process. She was amazed and horrified by what happened during the trial, including people (jury members and court officials alike) "believing things that are unbelievable" around consent.

Another idea is for ongoing judicial education – anyone involved in court cases relating to sexual violence should be required to attend regular training so that they know about the dynamics of sexual violence and are aware of current research and trends.

Survivors of sexual assault should be able to speak about their experiences if they choose.

Consistent response from police in relation to young people and sexual assault – including removal of the defence of traditional marriage. The marriage can stand, but no marriage is equal to consent to sexual activity.

The legal system needs to take violence against women more seriously. For example, a number of previous charges and/or convictions relating to domestic or sexual violence should not be discounted as "not serious" crimes (something I've heard in the media as well as directly from people involved in the criminal justice system)

Government and Community Action

More public messages that challenge pro-rape attitudes and behaviours that many people unthinkingly participate in.

Survivors' voices and experiences need to inform all NTG initiatives in relation to the development and implementation of the Framework.

Ensure every town and region in the NT has a service or at least a worker or team that can provide support to survivors and does community education around sexual violence.

Long term commitment to on-going education programs that challenge attitudes and behaviours that allow or downplay sexual violence. Education should be delivered through schools as well as uni and other post school training, workplace training, professional development etc.

NTG to ensure it avoids gender stereotyping and sexualised images of women and children in all it's publicity and on any material it uses.

NTG to develop and implement clear policy around supporting staff who have experienced sexual violence.

All NTG staff to have training about reducing sexual harassment in the workplace, and about appropriate workplace behaviours.

Laws, policies and information programs about sexual violence should be evaluated and reviewed regularly, and the NTG should be required to report back (to Ministers, CEOs, staff and the community) about the effectiveness of it's response to SV.

Thank you for the opportunity to comment about this topic. The NTG can provide crucial leadership by leading courageous conversations throughout the NT.

Caitlin Perry