

# Northern Territory Sexual Violence Prevention and Response Framework

## Discussion paper

### Warning

This discussion paper contains detailed descriptions and definitions of sexual violence including sexual violence experienced by children.

### How you can have your say

Submissions close on **Tuesday 6 August 2019**

You can tell us what you think about how the Northern Territory should prevent and respond to sexual violence by:

- Email - [TF.DomesticViolenceDirectorate@nt.gov.au](mailto:TF.DomesticViolenceDirectorate@nt.gov.au)
- Post - PO Box 37037, WINNELLIE NT 0820
- Deliver it by hand to Floor 6, Darwin Plaza Building, 41 Smith Street, Darwin
- Call - Office of Domestic, Family and Sexual Violence Reduction on (08) 8935 7825

You can make anonymous comments too if you do not want to give your name.

Territorians can provide input into the Framework through the NT Government's [Have Your Say](#) website.

## Purpose of this discussion paper

The purpose of this discussion paper is to give Territorians information about sexual violence and an opportunity to provide feedback, ideas and information to help develop the first NT Sexual Violence Prevention and Response Framework.

This document outlines some of what we know about sexual violence, what we have heard from preliminary consultations and the priority areas we want your views on.

Your responses to the questions raised in this paper will help us develop local and Territory wide solutions to prevent and respond to sexual violence.

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## Support and information for people affected by domestic, family and sexual violence

See information below for services that can assist people that may be at risk of or may have experienced sexual violence.

<p><b>NT Sexual Assault Referral Centres</b> 24/7 help for recent sexual assaults</p>	<ul style="list-style-type: none"> <li>• Darwin (08) 8922 6472</li> <li>• Alice Springs (08) 8955 4500 (business hours) or 0401 114 181 (after hours)</li> <li>• Katherine (08) 8973 8524</li> <li>• Tennant Creek (08) 8962 4361</li> </ul>
<p><b>1800RESPECT</b> 24 hour national sexual assault, family and domestic violence counselling line.</p>	<p>Phone 1800 737 732 or <a href="#">online chat</a>, <a href="#">website</a></p> <p>Information in a range of <a href="#">languages</a> spoken in Australia about domestic, family and sexual violence - <i>except Aboriginal languages</i></p> <p>Information for <a href="#">people with disability</a> about domestic, family and sexual violence</p>
<p><b>MensLine Australia</b> MensLine Australia is a telephone and online counselling service for men with family and relationship concerns.</p>	<p>Phone 1300 78 9978, <a href="#">online chat</a>, <a href="#">website</a></p>
<p><b>Lifeline</b> Lifeline is a national charity providing all Australians experiencing a personal crisis with access to 24 hour crisis support and suicide prevention services.</p>	<p>Phone 13 11 14, <a href="#">online chat</a>, <a href="#">website</a></p>
<p><b>Kids Helpline</b> Kids Helpline is Australia's only free, private and confidential 24/7 phone and online counselling service for young people aged 5 to 25.</p>	<p>Phone 1800 55 1800, <a href="#">online chat</a>, <a href="#">website</a></p>
<p><b>QLife</b> QLife provides anonymous and free LGBTI peer support and referral for people in Australia wanting to talk about sexuality, identity, gender, bodies, feelings or relationships.</p>	<p>Phone 1800 184 527, <a href="#">online chat</a>, <a href="#">website</a></p>
<p><b>Family Violence Law Help</b> A national service directory that provide legal advice, support, emergency housing and more.</p>	<p>24/7 Crisis line: 1800 737 732</p>
<p><b>Daisy app</b></p> <ul style="list-style-type: none"> <li>• Daisy is an app that provides information about support services in your local area</li> <li>• Daisy was developed by 1800RESPECT and is free to use and download</li> <li>• Daisy includes safety features to help protect the privacy of people using it</li> </ul>	<p><a href="#">Download Daisy for Android devices</a></p> <p><a href="#">Download Daisy for iOS devices</a></p>

## Introduction

The NT Government is developing a Sexual Violence Prevention and Response Framework (the Framework) that will, for the first time, set out the NT Government's progress and priorities for action to guide future efforts in responding to sexual violence.

The Framework will also take into account national commitments such as the National Plan to Reduce Violence Against Women and their Children 2010-2022, the National Framework for Protecting Australia's Children 2009–2020 and Australia's international commitments including to the United Nations Declaration on the Elimination of Violence Against Women.

The Framework will complement existing NT Government frameworks and strategies including those responding to Aboriginal Cultural Security in Territory Families policy and practice; as well as work in the areas of early childhood, suicide prevention, Foetal Alcohol Spectrum Disorder (FASD), minimising the harm of alcohol, education in schools about respectful relationships, preventing sexually transmissible infections and blood borne viruses, homelessness, youth services and youth justice.

The Framework will also respond to relevant recommendations from the Royal Commission into Institutional Responses to Child Sexual Assault and the Royal Commission into the Protection and Detention of Children in the Northern Territory.

For many years, Territorians have shared their experiences and knowledge of sexual and other forms of violence to inquiries and Royal Commissions. Recently, Territorians shared their experience of sexual violence with the Royal Commission into Institutional Responses to Child Sexual Assault and the Royal Commission into the Protection and Detention of Children in the Northern Territory.

## Language

This discussion generally paper uses the terms 'people who have experienced sexual violence' and 'people who commit sexual violence' instead of commonly used terms such as victims, survivors, perpetrators and offenders. We would like to hear your preferred choice of words in question 3 on page 10.

Some information in this document does use the terms victim, survivor, perpetrator and offender. In those sections, the language of the referenced author has been retained.

This discussion paper uses the phrases sexual assault and sexual violence interchangeably.

## Community Consultations

To inform the development of this discussion paper, more than 40 preliminary consultations have been held in Alice Springs, Tennant Creek, Katherine, Darwin and Nhulunbuy. Key stakeholders included Aboriginal people in the NT Government, Aboriginal Community Controlled Organisations, government agencies and specialist domestic, family and sexual violence service providers.

### What have people told us about preventing and responding to sexual violence in the NT?

In the preliminary consultations, we asked people about five areas for action including preventing sexual violence and promoting community safety, responding to child sexual abuse, responding to adults who have experienced sexual violence, responding to adults who have committed sexual violence, and strengthening the systems that respond to sexual violence.

In response, we were told that healing, safety, access to immediate help, treatment and recovery, prevention, justice, accountability and reconnection are important considerations. Other feedback included:

- Sexual violence is a whole of community issue and a community responsibility to address;
- Responsibility for preventing and responding to sexual violence includes police, courts, corrections, child protection, health services, support services, and non-government agencies;
- People who have cultural authority and relationships within their communities need to be engaged;
- Existing non-government and government agencies and services such as police, health, courts, education, child protection and youth justice need to work better together;
- Local, regional and Territory wide responses are required; and,
- Language used in the Framework should not label people.

### Who is being consulted on the Framework and how?

It is important that we hear the views of communities, people who have experienced or are experiencing sexual violence, people who have committed sexual violence, service providers and experts.

You can tell us what you think through the NT Government Have Your Say website – this can be anonymous - and at our public consultations.

Consultations on this discussion paper will be held in our major regional centres with the community and key stakeholders.

It is important that consultations are respectful and safe for people who have experienced sexual violence, their families and communities, and the broader community. Information in this discussion paper can be provided in plain English where required to assist people to provide feedback.

People with disability will be supported to provide their feedback using interpreters and adjusting written information where recommended.

## What is sexual violence?

Sexual violence refers to behaviours of a sexual nature and covers a wide range of criminal and other behaviours committed against children and adults. This includes child sexual abuse; problem sexual behaviours; sexual harassment; sexualised bullying; unwanted kissing and sexual touching; sexual pressure and coercion; and sexual assault including rape.

Sexual violence can be very difficult to talk about and is often covered up or excused making it hard for people who have experienced sexual violence to report it to the Police or tell family and friends.

Sexual violence affects people of all ages and in all communities. However, sexual violence is a 'gendered' crime, which means that around the world, in Australia and in the NT, more women experience sexual violence than men do, and more men commit sexual violence than women do.<sup>1</sup>

## What is the difference between sexual violence and domestic and family violence?

Sexual violence can overlap with, and be a part of, domestic and family violence. It can also be committed by strangers and within intimate and family relationships. Statistics show that sexual violence is mostly committed by someone known to the person experiencing it.

Under NT law, sexual offences are prosecuted under the Criminal Code including sexual offences against children, within a domestic or intimate relationship, and those committed by strangers or people outside the family.

## What are the impacts of sexual violence?

Sexual violence damages a person's sense of privacy, safety and well-being. Sexual violence has immediate and lifelong effects on the physical and mental health and wellbeing of children and adults who experience it. Impacts include physical injury and health problems, sexual transmitted infections, unwanted pregnancy, depression, self-esteem, body image, and relationship issues. These effects are made worse when people are not believed or blamed for what happened to them.

Child sexual abuse can have a profound and lasting effect on the child's life, and the effects of child sexual abuse are not the same for all children and young people that experience it. There is a complex association between a person's experiences of sexual abuse in childhood, their reaction to the abuse and their wellbeing throughout their life.

Issues such as family relationships, the desire to protect other family members from harm or knowledge of the sexual violence, relationships with children of a pregnancy by rape, future reproductive capacity, and the ability for girls and women to maintain education, employment, and family duties are all impacted by sexual violence.

Sexual violence has financial as well as human costs for the whole Australian community. A study in 2015 estimated that violence against women, including sexual violence, cost \$21.7 billion a year. This includes the cost of pain, suffering and premature death, and costs to governments to deliver health services, criminal justice and social welfare to people who have experienced sexual violence.<sup>2</sup>

## What is being done about sexual violence in the NT?

The NT Government provides and funds services to prevent and respond to sexual violence:

- police investigate and collect evidence in relation to sexual offences;
- courts hear and decide sexual offence cases;
- the Department of the Public Prosecutor provides lawyers to prosecute sexual offence cases in court;
- legal services for people accused of sexual offences;
- therapeutic and forensic medical services for children and adults who have experienced sexual violence;
- multi agency responses to sexual violence experienced by children, young people and adults involving police, health, child protection and other agencies;
- responses for children with problem and harmful sexual behaviours;
- support and accommodation for people to heal and recover from domestic, family and sexual violence;
- services for victims of crime going through the justice system;
- programs for adults convicted of sexual offences; and,
- monitoring registered sex offenders in the community.

## Discussion questions

- 1. What are the problems related to sexual violence in your community and in the NT that the Framework should consider?**

## What do we know about sexual violence?

Some of the most recent data on sexual violence tells us that some groups are more vulnerable to sexual violence than others are. It also tells us that reported sexual harassment and assault is rising but most people are still not reporting.

The following table overviews data from national data collection (unless stated they are for the NT), noting that comprehensive statistics about sexual violence in the NT are difficult to obtain, and national surveys do not always include NT data.

The number of sexual assault victims is rising	According to the Australian Institute of Health and Welfare, there were 25,000 victims of sexual assault recorded by police in 2017 — 8% more than the 23,000 victims in 2016—the highest number of victims since the data series began in 2010. In 2017, 8 in 10 of victims were female. <sup>3</sup>
Reporting	According to the Australian Institute of Health and Welfare, most people did not contact the police following violence from a partner — 82% of women and 97% of men who experienced physical and/or sexual violence from a current partner never contacted the police. <sup>4</sup>
Sexual harassment at work	According to the Australian Institute of Health and Welfare, 33% have experienced sexual harassment at work in the last 5 years — 39% of women and 26% of men. <sup>5</sup>
Children	According to the Australian Institute of Health and Welfare, around 418,000 women and 92,200 men who experienced violence from a previous partner said the children in their care had witnessed the violence. <sup>6</sup> The most common perpetrator of sexual abuse of children was a known person (not a family member). <sup>7</sup>
Women and girls	<p>According to the Australian Institute of Health and Welfare, since the age of 15, 1 in 5 women have experienced sexual violence.<sup>8</sup></p> <p>According to the Australian Bureau of Statistics, in 2017<sup>9</sup> and 2018<sup>10</sup>, young women aged 15–34 accounted for more than half of all police-recorded female sexual assault victims in Australia.</p> <p>According to the Australian Bureau of Statistics, in 2018 girls aged 10-14 years had the highest rates of reported sexual assault of any age and sex group in the NT (878 victims per 100,000 girls in this age group)<sup>11</sup>.</p> <p>According to the Australian Bureau of Statistics young women aged 15-19 years had the second highest rate of reported sexual assault of any age and sex group in the NT (793 victims per 100,000 victims in this age group).<sup>12</sup></p>
Men and boys	<p>According to the Australian Institute of Health and Welfare, since the age of 15, 1 in 20 men have experienced sexual violence.<sup>13</sup></p> <p>According to the Australian Bureau of Statistics, in 2018, boys aged 0-9 years had the highest rate of sexual assault victimisation of males in the NT at 63 victims per 100,000 victims in this age group.<sup>14</sup></p> <p>According to the Australian Bureau of Statistics, the second highest rate of sexual assault victimisation of males in the NT was 15-19 years (38 victims per 100,000 in this age group).<sup>15</sup></p>
Aboriginal people	<p>According to the Australian Institute of Health and Welfare, between 2010 and 2017, the sexual assault victimisation rate for Aboriginal people rose in the NT. Aboriginal women were 8.3 times as likely as Aboriginal men to be victims in NT.<sup>16</sup></p> <p>According to the Australian Institute of Health and Welfare, 84% of Aboriginal victims of sexual assault knew their perpetrators in the NT.<sup>17</sup></p>
People with disability	According to the Australian Institute of Health and Welfare, people with disability are 1.7 times as likely to have experienced sexual violence since the age of 15 that people without disability, with 1 in 4 women and 1 in 20 men with disability. <sup>18</sup>

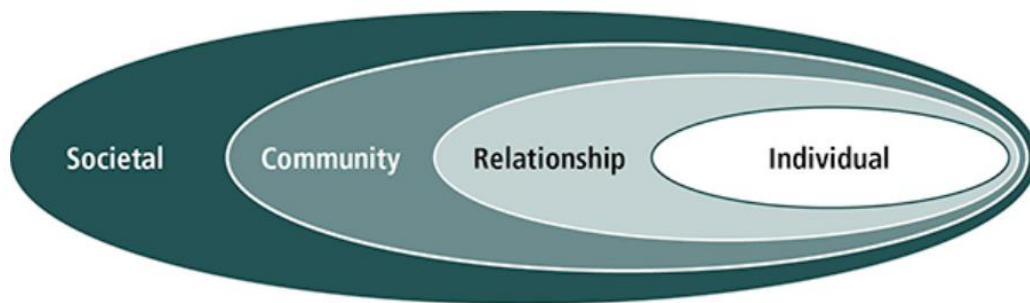


People from refugee and migrant backgrounds	According to the Australian Institute of Health and Welfare, between March 2013 and June 2016, the Australian Federal Police received 116 case referrals for forced marriage involving young females. <sup>19</sup>
LGBTIQ+ people	According to the Australian Institute of Health and Welfare, in the last 5 years, workplace sexual harassment was higher among those identifying with diverse sexual orientation (52%) than among those identifying as straight or heterosexual (31%). <sup>20</sup>
People in regional and remote Australia	According to the Australian Institute of Health and Welfare, people living in regional and remote Australia (outside major cities) may be at more risk of family, domestic or sexual violence, partly due to the increased presence of risk factors like risky alcohol use and gun ownership. <sup>21</sup>

## ACTION AREA 1: Preventing sexual violence

The most effective way to prevent sexual violence is to stop it from happening in the first place. Available research tells us that we can reduce sexual violence by addressing it across the whole community. Some ways we can reduce sexual violence across the community include providing support for people who experience sexual violence, providing education and support for people who commit sexual violence, and addressing community views about gender inequality.

One way to address social problems like sexual violence is from the 'social - ecological' perspective shown in the figure below. The social - ecological model suggests there is no single cause of social problems - they are a range of issues interacting together and creating risk factors at a personal, community and social level.



**Image 1: Social-ecological model (Bronfenbrenner, 1977)**<sup>22</sup>

The social - ecological model provides a way to address social problems by addressing the attitudes, influences and behaviours that individuals and groups of people have - and how they affect each other.<sup>23</sup>

These attitudes, influences and behaviours related to sexual violence include norms about the value placed on masculine power, tolerance of violence, views about gender roles and stereotypes, and pressures to maintain family privacy.<sup>24</sup>

Preventing sexual violence can be approached similarly to the way other social and health concerns in the community are prevented, especially social and health concerns that require social behaviour change, and where there may be social stigma about the issue like bullying, domestic violence, and substance abuse, HIV.<sup>25</sup>

Research also tells us that tailored prevention responses are needed for specific groups of people in the community. For example, sexual violence prevention activities will be different for children aged under 10, compared with young people – boy, girls and gender diverse young people - who are aged 14 – 18 years, and different again for adults.

Providing the community with information about sexual violence can enhance efforts to change behaviour that leads to sexual violence, and reduce stigma for people experiencing and committing sexual violence.

### What have we already heard?

In our preliminary consultations we heard that:

- It is important for NT children and young people have information about what sexual violence is, what consent is and how to negotiate it, what their rights are to live free of sexual violence, and where to get help for themselves, their friends or family members;

- Everyone in the NT needs to understand what sexual violence is and what we can all do to prevent it;
- Community groups; workplaces; sporting clubs; the media; universities and schools; pubs and clubs and places of worship have an important role to play in preventing sexual violence;
- In the NT, there is no clear and shared definition and understanding of sexual violence between the community, government, and other agencies;
- Education about sexual violence should include information about protective behaviours; consent; how to have safe and respectful intimate relationships; how to manage conflict in relationships, sexual health; bystander interventions; pornography, power and control in relationships; domestic and family violence; online safety; and sexual violence and the law; and
- It is important to use neutral language.

### WHAT DOES THE EVIDENCE TELL US: The National Community Attitudes towards Violence against Women Survey

The 2017 National Community Attitudes towards Violence against Women Survey (NCAS) collected information through mobile and landline telephone interviews with a representative sample of 17,500 Australians aged 16 years and over.

In addition to the broader report, an NCAS report was published on the attitudes of 1,761 young Australians aged 16 – 24 years, including 794 young women and 964 young men. The report on young people’s attitudes towards violence against women was released in May 2019 and found that:

- Young people were confused about the sharing of nude images, with over 25% blaming the women for sending the image instead of her partner for sharing it without her consent.
- Around 14% of young Australians believe a man would be justified to force sex if the women initiated it, but then changed her mind and pushed him away.
- Around 25% of young men think women find it flattering to be persistently pursued, even if they are not interested.
- 22% of young men think men should take control of relationships and be the head of the household.
- 43% of young people agree that ‘I think it’s natural for a man to want to appear in control of his partner in front of his male friends’.
- Young people are more likely to support gender equality in public life (e.g. workplaces or politics) than in their intimate relationships.

**Box 1:** Young Australians’ attitudes to violence against women and gender equality: Findings from the 2017 National Community Attitudes towards Violence against Women Survey.<sup>26</sup>

## Discussion questions

2. **What can be done to prevent sexual violence in your community and across the NT?**
3. **What are the key elements of a successful sexual violence prevention program?**
4. **Where should sexual violence prevention program be delivered e.g. youth detention centres, schools,**
5. **Who should deliver sexual violence prevention program?**

6. **What words should be used when we talk about people who have experienced sexual violence and people who commit sexual violence?**

## ACTION AREA 2: Responding to children and young people who have experienced sexual violence

Child sexual abuse is any incident where an adult, young person or child engages a child or young person in a sexual act or exposes the child or young person to inappropriate sexual behaviour or material. This can include threats, manipulation and physical force.

People who commit sexual violence against children can come from inside the family or outside the family, from inside a community or from outside a community.

Child sexual abuse without physical contact can include:

- encouraging a child to watch or listen to sexual acts, including direct exposure to consensual or non-consensual sexual behaviour;
- grooming a child with the intention to sexually abuse or exploit them online; and,
- asking a child to provide sexual pictures or videos of themselves, and supplying or encouraging a child to watch or listen to pornography.

Child sexual abuse remains largely a hidden crime. This is due in part to under-reporting, which is linked to shame, stigma, fear of being punished, or being told they have to keep the violence a secret. Children may be told that the sexual act is an expression of love, or that they are responsible for the abuse. Other reasons children do not tell someone about sexual violence include:

- fear of not being believed;
- not having the words to communicate what happened;
- thinking they have to keep the family together, or being worried about their siblings safety; and,
- fear for their own safety.

Research tells us that boys who experience sexual violence are less likely to come forward about sexual violence than girls who experience sexual violence, this can be due to the impact of community assumptions that have often labelled boys as current or future perpetrators: as homosexual; or because they fear being treated as social outcasts, liars, or as emotionally weak.<sup>27</sup>

There is a lack of data about sexual violence experienced by children and young people, including data by age and gender. Child protection statistics are the best indicator of the extent of the problem but do not tell us how many children in the community have experienced sexual violence.

Every year, the Office of the Children's Commissioner Northern Territory publishes rates of proven child sexual assault cases. In their 2017–2018 Annual Report, the Office of the Children's Commissioner found that 9% of the 10,877 Territory Families child protection investigations were for sexual exploitation; and, that sexual exploitation represented 13% of the 52 proven cases of harm and exploitation in out-of-home care.<sup>28</sup>

Children and young people require tailored prevention; and healing, recovery and therapeutic responses based on their age, gender, ethnicity and disability status, as well as the form of sexual violence they experienced. Children and young people are subject to different legislation depending on their age, for example, at 10 years of age, children in the NT become responsible for their behaviour under NT law – this is also called the age of criminal responsibility.

## What we have already heard?

In our preliminary consultations we heard that:

- Teenagers need support to understand consent and the skills to have respectful relationships;
- Resources need to be created that assist parents and carers to talk to kids about protective behaviours;
- The specific barriers for children and young people reporting sexual violence in remote communities needs to be addressed, such as fear of the perpetrator and being blamed for what happened;
- Mapping safe and unsafe areas of the community with kids is a good way to understand what is really going on in the community;
- Young people buy into the myths of sexual assault as they don't understand the sexual assault wasn't their fault - even if they were using drugs or alcohol at the time;
- We always have an opportunity to change a child's life – the NT should focus resources on responses to the sexual assault of children;
- It is still difficult for people to talk about sexual violence in the NT; and
- There is a growing number of children and young people with problem or harmful sexual behaviours.

### FOCUS AREA: Children with problem and harmful behaviours

Problem or harmful sexual behaviours by children and young people under the age of 18, to themselves or against other children or young people can include:

- **Between 0-4 years of age** - constant curiosity about sexual behaviour that does not stop after repeated guidance from adults, and re-enactment of adult sexual activity, showing advanced sexual knowledge.
- **Between 5-9 years of age** - continually rubbing/touching own genitals in public, to the exclusion of normal childhood activities, and forcing other children to play sexual games.
- **Between 10-12 years of age** - using power to force other young people or children into sexual play. Forms of power used can include being older, bigger, having greater intellectual capacity, being more popular or having the protection of powerful adults.
- **Between 13-18 years of age** - compulsive and or public masturbation that can result in social isolation, sexual contact and/or coercion of younger children, and taking sexual pictures of other children or young people to use against them, or to force or pressure them into doing things they don't want to do.

Children with harmful sexual behaviours have often experienced multiple types of harm in their lives. They are more likely to have been sexually abused and to have experienced other forms of abuse. If these behaviours are not treated, they can lead to behavioural problems and disrupted cognitive and emotional patterns later in life.

**Box 2:** Problem sexual behaviours and sexually abusive behaviours in Australian children and young people.<sup>29</sup>

## Discussion questions

- 7. What can be done to support and respond to children who have experienced sexual violence in your community and across the NT?**
- 8. What can be done to support and respond to young people who have experienced sexual violence in your community and across the NT?**
- 9. What can be done to support and respond to children with problem and harmful sexual behaviours in your community and across the NT?**
- 10. What can be done to support and respond to young people with problem and harmful sexual behaviours in your community and across the NT?**

## ACTION AREA 3: Responding to adults who have experienced sexual violence

Sexual violence experienced by adults includes that which happened recently, in the past or when they were children. It includes sexual harassment in the workplace, female genital mutilation / cutting and sexual violence as part of domestic and family violence and intimate relationships.

Across Australia in 2017, the number of female victims of domestic and family violence related sexual assault was more than six times higher than the number of male victims. Approximately 89% of those domestic and family violence related sexual assaults occurred at a residential location.<sup>30</sup>

NT data from 2017 shows that:<sup>31</sup>

- The number of victims of sexual assault recorded in the NT increased by 6% from 2016;
- About 90% of people who reported sexual violence in the NT were female;
- More than 60% of people who experienced sexual violence knew the offender; and
- Less than 50% of sexual offenders were family members.

National and international research shows that sexual offending against adults and children is significantly under-reported, under-prosecuted and under-convicted. People who have experienced sexual violence come forward, seek support and report sexual violence in different ways. It is common for people who have experienced sexual violence to delay telling someone what happened. Often the first person to hear about the sexual violence is a trusted friend or family member.

Many factors affect the length of time it takes to tell someone about sexual violence, and some people never tell anyone due to a lack of privacy, or feelings of shame, trauma and stigma. Some things people who have experienced sexual violence may take into account when deciding whether to come forward are:<sup>32</sup>

- The relationship that they have to the person who committed the sexual violence;
- Fear of the person who committed the sexual violence and potential consequences of coming forward;
- The kind of sexual violence they experienced;
- Lack of confidence in the criminal justice system to assist them;
- Fear that they won't be believed; and
- Previous experiences with reporting sexual violence.

When sexual violence occurs in the family, there are additional reasons that people may not come forward for help or make a report to the Police. Reasons for not making a report may include an ongoing relationship with the person who committed the sexual violence, financial dependence, risk of homelessness and having children with the person who committed the sexual violence.

Many adults who experienced sexual violence as children may not report the abuse until they are adults. Some people may not report until later on because the impact of the violence does not show until later in life, including when they have their own children.

This is evident through the more than 6,800 people who told their stories in private hearings to the Royal Commission into Institutional Responses to Child Sexual Abuse:<sup>33</sup>

- more than half of the people who told their story to the Royal Commission were aged between *10 and 14* years when they were first sexually abused;



- the largest proportion of people who told their story to the Royal Commission were aged between 50 and 59 years old; and,
- Men represented 64% of people who their story to the Royal Commission.

### What have we already heard?

In our preliminary consultations we heard that:

- We need to bring Aboriginal women together to get insights into their different experiences;
- It is difficult for women to form a bond and attachment with a child conceived through rape, including rape by a male relative;
- Initially women just want to talk about the physical violence, then after time disclose the sexual assault;
- Counselling does not work for everyone. Expand available options to include healing centres in each community and that employ Aboriginal people so that it is friendly and accessible, and establish a range of support groups including for gay Aboriginal people and Sistergirls;
- We should use the words *sexual violence* instead of referring to sexual violence as ‘it’;
- We need to avoid language and responses that minimise the harm of sexual violence;
- Different words and phrases are used in different NT regions and communities to talk about sexual violence; and
- Instead of saying ‘I was raped’, a woman might say things like ‘he kept me up all night’, ‘he was being cheeky’, and ‘I’ve had my kids now I want my body for myself’.

#### FOCUS AREA: Everyone’s business: Fourth national survey on sexual harassment in Australian workplaces

The 2018 Fourth national survey on sexual harassment in Australian workplaces provides data on the sexual harassment experiences of Australians aged 15 to 65, using a sample that is representative of the Australian population in terms of gender, age and geographic location. Key findings are:

- 72% of Australians have been sexually harassed at some point in their lives.
- In the last 12 months, 23% of women and 16% of men have experienced sexual harassment at work.
- In the last five years, 39% of women and 26% of men have experienced sexual harassment at work.
- People aged 18-29 are more likely than people in other age groups to have experienced sexual harassment at work.
- 85% of Australian women and 57% of Australian men over the age of 15 have been sexually harassed at some point in their lives.
- 20% of 15-17 year olds have been sexually harassed at work.

**Box 3:** Everyone’s business: Fourth national survey on sexual harassment in Australian workplaces.<sup>34</sup>

## Discussion questions

- 11. What can be done to support and respond to adults who have experienced sexual violence in your community and across the NT?**

## ACTION AREA 4: Responding to adults who commit sexual violence

Adults who commit sexual violence come from all types of social, income, racial, ethnic and religious groups. They can be married or unmarried, employed or unemployed, have children and partners or not. The only generalisation that can be safely made about adults who commit sexual violence is that they are usually male and are usually known to their victims.<sup>35</sup> The estimates for sexual assault involving female perpetrators are relatively small and are considered too unreliable for general use.<sup>36</sup>

Recorded statistics on the number of sex offenders in the community only represent perpetrators that come to the attention of the justice system. As the majority of sexual violence is unreported, the majority of sex offenders remain undetected.<sup>37</sup>

There is evidence to suggest that the voluntary participation of convicted, male sex offenders in Sex Offender Treatment Programs (SOTP) within prisons are effective in reducing re-offending. If they volunteer, offenders are individually assessed, and a SOTP tailored to respond to their individual risk, needs and responsibility issues underpinning their offending is provided. It is expected that the SOTP in NT correctional facilities will be evaluated in 2019 - 2020.

Due to low victim reporting rates, varying conviction rates and the requirement that offenders must volunteer to participate in a SOTP, only a small number of people who commit sexual violence participate in treatment programs.

Each Australian state and territory is required to report on the National Outcome Standards for Perpetrator Interventions (NOSPI). The NOSPI is reported against nationally and annually. The NOSPI includes efforts to improve perpetrator interventions, including data collection, consistent with the agreed performance indicators and national reporting framework.

All Australian states and territories have legislation where sex offenders are generally required to report similar types of information to police. This includes addresses and other contact details, and information on motor vehicles, employment, club memberships and any children with whom the offender has contact. This information is not made available to the public.<sup>38</sup>

The general aims of sex offender legislation are to reduce the likelihood that sex offenders will reoffend; and to facilitate the investigation and prosecution of any future offences they may commit.<sup>39</sup>

Although each Australian state and territory registration scheme is based on the same model, differences do exist between the schemes. Some models focus only on sexual offenders against children, others register those who sexually offend against adults. Differences also exist in the offences included as criteria for mandatory registration, as well as the reporting obligations for offenders.<sup>40</sup>

Sex offender registration represents one part of an overall response to sex offending. Registration needs to be considered alongside other methods for reducing sexual re-offending.<sup>41</sup>

### What have we already heard?

In our preliminary consultations we heard that:

- We need to keep women and children's safety at the centre of our work when we talk about responding to perpetrators;
- We need to talk about monitoring and having greater awareness and visibility of perpetrators in the community;

- It is good that we are talking about adult perpetrators so that we can help them to change their behaviour and prevent future violence;
- Responses to perpetrators need to balance listening and holding them to account;
- It is important to work with perpetrators and offenders in a healing context. This could include reframing distorted thinking and behaviour especially in cases where the perpetrator is also a victim of sexual violence;
- There are currently no relapse prevention programs or dedicated residential rehabilitation places in the community for convicted perpetrators; and
- There is a need for more perpetrators to attend programs to help them change their behaviour.

**FOCUS AREA: The use and effectiveness of restorative justice in criminal justice systems following child sexual abuse or comparable harms**

The Royal Commission into Institutional Responses to Child Sexual Abuse commissioned a report on the use and effectiveness of restorative justice in criminal justice systems following child sexual abuse or comparable harms.

The report reviewed the evidence available from research projects and found that restorative justice can be practised to good effect following sexual abuse; however, outcomes were highly dependent on certain conditions being met. These conditions are:

- vigilant use of screening (relating to suitability, not just eligibility);
- the use of experts (in sexual offending and the dynamics of violence) throughout the process, including in program facilitation;
- flexibility and responsiveness to participant needs;
- timing of the meeting appropriate to *victim-survivor* readiness; and for offenders, participation in a targeted sex offender treatment program.

**Box 4:** The use and effectiveness of restorative justice in criminal justice systems following child sexual abuse or comparable harms.<sup>42</sup>

## Discussion question

**12. What can be done to respond to adults who commit sexual violence in your community and across the NT?**

## ACTION AREA 5: Strengthening the systems that respond to sexual violence

Children and adults who experience sexual violence, children and young people with harmful sexual behaviours and adults who commit sexual violence come into contact with community members, service providers and government agencies every day.

A well-coordinated service system offers the best response to people who have experienced sexual violence and people who have committed sexual violence.

It is important that all parts of the sexual violence response system are coordinated – from prevention to education, therapeutic services and justice responses. Clear entry points and pathways for people who have experienced sexual violence to access the support they need and to make informed choices about safety, recovery and justice, as required, are needed.

Effective coordination and clear governance across the system that responds to sexual violence can include:

- Building the expertise of the workforce who support people who have experienced sexual violence;
- Investigating how public places, work places, universities and the online environment can be safe from sexual violence;
- Government data and surveys provide the right information on people who experience and commit sexual violence; and
- Reviewing laws that respond to sexual violence.

### What have we already heard?

In our preliminary consultations we heard that:

- Some solutions need to be done universally, not everything needs a specialist.
- There are many services but not enough happening on the ground for clients.
- If we do not have someone there the whole way through, we lose the victim in the system.
- Why do mandatory reporting when there is no service system?
- We need Aboriginal Liaison Officers in schools to develop relationships with kids and be there for support if things are happening at home.
- She should only have to tell her story once and have services be coordinated to meet her needs.
- Implement the recommendations from the National Sexual Harassment Report.
- Look into the laws that stop survivors speaking up after they have been through Court.

## FOCUS AREA: Workforce skill development and worker support and safety

Developing workforce capacity to respond to sexual violence, including how to manage a disclosure of sexual violence in a professional setting, allowing workers in both specialist and universal services to have the skills and support required to identify and respond to sexual violence.

People who experience or commit sexual violence should have access to a skilled and informed workforce so that they receive a consistent, culturally secure and effective response across the service system including from police, courts, health, education, child protection and youth justice.

Access to quality, consistent, evidence-based, trauma informed training is required especially in regional and remote areas. It is desirable that training is delivered by local services with the appropriate specialist skills, and that it includes information about the link between community attitudes supporting sexual violence and the existence of sexual violence in the community.

Professional development, supervision and support is required for individual workers, and for organisations at the management and governance levels, so that they enact their obligations to provide a safe workplace. Areas of identified need for workers' skill development include vicarious trauma, culturally secure practice, risk management and safety planning, appropriate referrals, and screening tools.

### Discussion questions

- 13. How can we strengthen the systems that respond to sexual violence in your community and across the NT?**
- 14. What kind of changes does the justice system need to make to respond better to sexual violence?**

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