

Question

Answer

Asset ID

709327

Page 1

Title

Mrs

Please specify your title

Given name

Family name

I do not wish to provide my name

Contact number

I do not wish to provide a telephone number

I do not wish to provide a telephone number

Email address

I do not wish to provide an email address

Street address

Suburb

State

Postcode

I do not wish to provide a postal address

I do not wish to provide a postal address

What type of submission are you making?

I am responding to Discussion Paper 3 and making a general submission

Who are you making the submission for?

I am making this submission for myself

What is the name of the organisation?

What is the core work of the organisation?

What is your position in the organisation?

Question

Answer

Do you have authority from the organisation to make a submission on its behalf?

Please specify who you are making this submission for

Please select at least one from below

Please specify (if **Others** was selected)

Are you able to advise a timeframe for when most of the lived experience/observations in your submission occurred?

Prefer not to say

I will be speaking in general terms and not referring to a specific timeframe

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How would you like us to use your information?

Anonymous – published on website

Page 3

What is your age range?

I am between 36 – 45 years old

What is your gender?

Female

Please specify other gender

What is your current postcode?

What is your main language other than English spoken at home?

In which country were you born?

Australia

Do you identify as a member of any of the following groups?
(Please tick all that apply)

Page 4

Question

Your knowledge and experiences

Upload file

Answer

In criminal trials the defendant is not allowed to have any of their history produced before the court as it can be considered prejudicial. While this is fair to the defendant, it is not the same for the victim or witness. Both can have countless amounts of personal history disclosed to develop 'a reasonable doubt' within the jury's mind. This leads to trauma of the victim, unnecessary doubting of their own experience and an inability to defend themselves. They can often feel like they were on trial as a victim of an offence. I propose that in criminal trials, defense have to, up front, put forward what their defense will be and only witnesses or evidence to be presented, can only be done so if it provides accounts for their defense. For example, a victim who is deceased cannot defend themselves against statements about their behaviour which may have nothing to do with the offense that has been committed. For example, history regarding text message conversations that paint the victim in a negative light, but the defendant doesn't have to answer questions about their involvement in the messages. There's just enough to discredit the victim and plant reasonable doubt in the mind of the jury. Secondly, I think the employment of the Barnahus framework for child victims is much needed in Queensland. Yes there is the QIS, however, all the services for the child are provided in the one place. There is no need to re-tell the story to multiple people as all those who need to hear the 'story' are under one roof. Law enforcement, child protection, mental health all work together to provide the assessment and response for the child and family. It also acts as an opportunity to support the family and the child through referrals to services connected to Barnahus. Importantly it provides a child-friendly justice approach. Instead of demanding children give testimony in court, in front of defendants, as a victim, their testimony can be a audio-visual forensic interview. Minimising exposure to defendants, retraumatizing through re-telling the story and minimising the need for cross-examination where the victim can feel like they are on trial.