

## Introduction

My name is [REDACTED] and I've been privileged to work in domestic and family violence services in Queensland for over 8 years. I've worked with women and girls who've experienced domestic, family and sexual violence since 2013 in Queensland. I've worked at community legal centers and specialist domestic, family and sexual violence services. I've provided frontline services and support, advocated in court rooms, coordinated multi-agency response teams, and now lead a team providing crisis support to support to survivors of domestic, family and sexual violence. This is my personal submission; this submission reflects my personal and professional framework and does not represent the views of any organisation I currently or previously work in.

In making this submission I want to acknowledge the privilege I hold as a white, tertiary educated, cis, able-bodied woman. I am fortunate to be housed and am not experiencing poverty. In making this submission I do not aim to speak for survivors themselves but wish to provide constructive feedback on how our response for women and girls as survivors of sexual violence and also within the criminal justice system can be improved in Queensland.

## Women and Girls Experiences Across the Criminal Justice System as Victim-Survivors of Sexual Violence

Most women I know have experienced sexual violence. Most have never reported their experiences to police. I believe its crucial that the taskforce understand that most survivors of sexual violence will not engage with the criminal justice system. For those that do there are significant practical, emotional and legal barriers to them fully participating in the criminal processes. Victim/survivors voices are not centred within our legal processes, their rights are often not upheld, ignored or the alleged perpetrator's rights are given priority. I understand that the legal system is complex and their must be protections for innocent people within all legal processes. I am concerned however that there is no legal support for victims of sexual violence, they are not provided with independent legal representation or allocated a social worker to support them through the entirety of the court process (please note some organisations do currently provide court support but many sexual violence services and organisations do not have capacity to provide this service to all of their clients due to the overwhelming number of clients seeking this support and limitations of their funding/resources).

### *Shame*

Brene Brown defines shame as an "intensely painful feeling or experience of believing that we are flawed and therefore unworthy of love and belonging." Shame profoundly impacts on how we interact with the world around us. For most women and girls who experience sexual violence there is an experience of shame. In our Queensland community sexual violence is still taboo, something not spoken of openly, mentioned in whispers. Our community still believes many myths about rape and sexual violence. Many blame victims for their own assaults. Many excuse perpetrators of rape saying that they couldn't help themselves. Our communities' values and beliefs about sexual violence create and reinforce shame for survivors. It is on every single one of us to challenge these inaccurate beliefs, in our homes, families, communities and workplaces. Shame prevents survivors coming forward, they feel responsible, ashamed, disgusted in what has happened. We need community education that tells all survivors there is no shame in coming forward.

## *Safety*

Safety is a key factor for many survivors of sexual violence, particularly when considering whether or not to report their experiences either to a health or support service or to the police. Many women and girls are related to or have frequent contact with the perpetrators of violence. They are their boyfriends, husbands, fathers, brothers, cousins, friends, peers, colleagues, teachers, acquaintances or employers. Overwhelmingly they are male. For women experiencing sexual violence as part of domestic violence the risk to their safety is significant. Sexual violence is an indicator of high-risk violence, that is violence that poses a risk of serious injury or lethality. Sexual violence often co-occurs with coercive control and strangulation, which are also indicators of high-risk domestic violence. For survivors experiencing violence from family members there are also significant safety concerns in reporting due to the impacts on relationships with other family members, risk of homelessness if they were to report. It is worth noting that there are very few emergencies accommodation options for survivors of sexual violence. Many women I have worked with have reported experiencing sexual harassment and violence in settings such as schools, hostels, motels, rehabilitation facilities and hospital mental health units, for these women they often have little choice or options to leave the setting the violence has occurred in, escalating the risks to them if they were to report it, as there is no guarantee the perpetrator would be removed from that setting. It is important that women and girls are provided with safe accommodation options where they are not at risk of further violence and that women and girls safety is centred in all decision making in response of disclosures of sexual violence.

## **Women and Girls Experiences Across the Criminal Justice System as Accused Persons and “Offenders”**

I am not and have never been incarcerated. I do not wish to speak for those who have. My reflections are based on my professional work with women who have had experiences in the criminal justice system and some who have been imprisoned. I will reflect on their experiences. All of the women I worked with had experienced domestic and family violence. Most had experienced sexual violence as a child, or adult, or both. Being imprisoned took them away from their families, their communities and often their children. They lost their homes and possessions and most had to “start from scratch” once released. They reported having no faith in the Police, Courts or Corrections and could not trust the criminal justice system. They reported being treated poorly, called names, and treated like an animal. Most were never given the support they needed, many were homeless with no fixed address, many used alcohol and drugs as a coping strategy due to their experiences of gendered violence.

Crimes they'd been convicted of were mostly poverty related, related to their homelessness or the ways they were trying to survive the trauma they'd endured throughout their life.

The criminal justice system discriminates against women, girls, Aboriginal and Torres Strait Islander women and girls, women of colour, migrant and refugee women, disabled women, LGBTIQ+ women and poor women. These women are criminalized and imprisoned when they should be housed and given financial and therapeutic support. These women have their freedom taken off them, their attachments to their family disrupted and then experience further violence in prisons.

To stop this harm, we must reimagine our criminal justice system and imagine a future without prisons. I envision a future where the millions of dollars spent on imprisoning women and girls is

reinvested into safe, long-term social housing, rehabilitation, education programs, long-term trauma informed counselling, health care and direct financial assistance for those most in need. Prisons do not reduce crime, they do not “rehabilitate offenders” and we need to embrace a prison-free future. One where those in need are supported, not demonized, by our community.

Where addiction is seen as a health issue, not a crime. Where women are not abused or assaulted by police or corrections officers. Where they are treated with respect and their human rights are upheld.

### **Proposed Solutions;**

- **Increased funding to existing specialist sexual violence services and programs including;**
  - **Funding for 24/7 Sexual Assault Response Teams in every Queensland region (some HHS have defunded these)**
  - **Specific funding to all existing sexual violence services to provide long term (including counselling, outreach & court-based) support to survivors**
  - **Specific funding to all existing sexual violence services to meet the demand for support in their region which considers population growth and demand**
- **Re-directing justice funding to provide**
  - **Social housing for all women and girls who have been released from prison or detention or are engaged with Community Corrections and Youth Justice to address housing issues which impact their ability to engage with interventions as directed by Youth Justice and Community Corrections**
    - **No one should be released from prison into homelessness, our government has a responsibility to provide housing for those most in need**
  - **Access to free education for women and girls in prison/youth detention including high school, TAFE, and University courses**
    - **Education is an incredibly powerful tool and women and girls in prison should be given access to computers, the internet to facilitate their education whilst in prison**
  - **Free toiletries (including shampoo, conditioner, body wash, sanitary items etc.) for all women and girls in prison and detention centres**
    - **It is disgusting and inhumane that we do not provide women and girls with the basic items to care for themselves whilst they have been incarcerated. This must be provided as a minimum.**
  - **Immediate access to healthcare (including psychiatric and counselling) within all prisons and youth detention centres**
    - **It is not good enough for women to be waiting 8 months to see a doctor or not be supported to take medication they've been prescribed by their doctors prior to their incarceration.**
    - **Women deserve better than this and we must provide them with their prescribed medications and to immediate access to medical care**
  - **Fair wages for all imprisoned women working in prisons and youth detention centres whilst incarcerated**
    - **It is not just or fair for imprisoned women to not receive minimum wage for their labor whilst incarcerated**
  - **Immediate cessation of strip searching of women and girls in prisons and custody**

- **Most imprisoned women are survivors of sexual assault and it's disgusting that this practice continues**
- **Increased funding to Sisters Inside to allow them to work with and support more women and girls in prison**