



# Inquiry into Family, Personal and Sexual Violence Legislation Amendment Bill 2025

## Answer to question on notice

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Asked by: Mr Taimus Werner-Gibbings MLA

Addressed to: Canberra Rape Crisis Centre

Redirected to:

Reference: Legal Affairs

Hearing: 20 March 2026

In relation to: Domestic and family violence

Question received: 20/03/2026

Answer Due: 30/03/2026

Your submission highlights some of the ongoing systemic barriers for victim-survivors, especially in the early stages of intervention. Are there elements of the Bill that you believe will strengthen trauma-informed approaches in these early interactions with the justice system, and is there further supports you are advocating for to reduce these barriers?

Canberra Rape Crisis Centre: The answer to the Member's question is as follows:

### **The bill:**

Victim-survivors of sexual violence in the Australian Capital Territory (ACT) continue to face systemic barriers when seeking protection and justice. These barriers include a complex and costly legal system that can retraumatise victim-survivors. Despite national and jurisdiction-based efforts to strengthen legislative and service responses, practical gaps remain. This affects the ongoing protection of victim-survivors navigating legal processes.

The Canberra Rape Crisis Centre (CRCC) supports the proposed introduction of a new Family Violence Safety Notice (FVSN) scheme to strengthen victim-survivors' early interactions with the justice system. Victim-survivors must have access to adequate emergency response and crisis support when experiencing domestic and family violence, which are circumstances in which sexual violence is often present.

To ensure the FVSN scheme supports without further traumatising victim-survivors, we strongly recommend additional training to police regarding misidentification of victim-survivor experiences and coercive control. Without proper training, oversight and access to victim-survivor informed tools

for police decision-making, there is a real danger that FVSNs will replicate or exacerbate existing issues.

We note the 14-day duration of the FVSN is an improvement to the limited 2-day duration of the current After-Hours Orders. However, our submission recommends flexibility in the duration rather than a fixed 14-day period to ensure victim-survivors safety is not compromised.

We also support calls from other submissions advocating for police consideration of victim-survivors' own views in assessing whether a FVSN is appropriate to not escalate violence.

In relation to protected confidence immunity we recommend, as first suggested by the ACT Supreme Court in *DPP v Sheridan*, that the provisions of the Bill explicitly state that the counselled person has a right of first access to any document produced following a grant of leave. Victim-survivors must have clarity regarding what protected information is being considered before waiving protected confidence immunity.

Further details and recommendations on other elements of the Bill can be found in our submission.

**Further supports advocated for:**

In response to the member's question about further supports for victim-survivors of sexual violence, CRCC would strongly emphasise the need for sufficient and sustained funding for specialist sexual violence support services. In the ACT, Governments express commitment to prioritising action against sexual violence in Australia, yet there are numerous review recommendations that have not been fully implemented. For example, the *Royal Commission into Child Sexual Abuse* was released almost ten years ago and we are yet to see action taken on each recommendation.

The Canberra Rape Crisis Centre (CRCC) has been the ACT's only specialist sexual violence service for 50 years. We provide a full continuum of care including 24/7 crisis response, trauma-informed counselling, legal and medical advocacy. Last year we supported over 5,400 clients and delivered 13,000 crisis contacts. Demand continues to grow as more victim-survivors feel empowered to reach out.

Recommendation 1 of the Australian Law Reform Commission's (ALRC) report, *Safe, Informed, Supported: Reforming Justice Responses to Sexual Violence*, called on governments to fund sexual violence services to deliver safer, informed and supported services.

However, we continue to face critical underfunding. Governments invest in what they value – therefore the reforms in this Bill must be matched with ongoing, sustainable investment in our sector. This should include all four pillars of the *National Plan to End Violence Against Women and Children 2022-2032* from prevention to recovery.

Unfortunately, 94.8% of victim-survivors never engage with the legal system due to systemic barriers. For the 5.2% that choose to proceed with a legal pathway, our crisis team and Independent Sexual Violence Advisors (ISVAs) support victim-survivors to navigate the legal system.

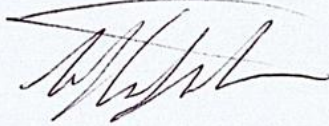
The impacts of sexual violence are severe and can be lifelong, affecting every aspect of a person's life. Research shows that early specialist support reduces trauma and improves outcomes. It reduces PTSD, anxiety and depression, it improves workforce participation and economic stability, and lowers downstream health, justice and child protection costs.

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CRCC received \$247,000 over 2 years to establish Independent Sexual Violence Advocates as a pilot program. The pilot arose from the Sexual Assault (Police) Review and is supporting dozens of clients. The funding will conclude on 30 June 2026, and we strongly advocate continued and expanded funding, recognising the critical role the program plays in improving victim-survivors' access to justice and safety.

Approved for circulation to the Standing Committee on Legal Affairs

Signature:

A handwritten signature in black ink, appearing to be 'M. J. Smith', written over a light blue background.

Date:

30/3/26

Answering Entity