knowmore
free legal help for survivors

Women's and girls' experiences across the criminal justice system as victims and survivors of child sexual abuse

Submission to the Women's Safety and Justice Taskforce

6 April 2022

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About knowmore

Our service

knowmore legal service (knowmore) is a nation-wide, free and independent community legal centre providing legal information, advice, representation and referrals, education and systemic advocacy for victims and survivors of child abuse. Our vision is a community that is accountable to survivors and free of child abuse. Our purpose is to facilitate access to justice for victims and survivors of child abuse and to work with survivors and their supporters to stop child abuse.

Our service was established in 2013 to assist people who were engaging with or considering engaging with the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission). From 1 July 2018, knowmore has been funded to deliver legal support services to assist survivors of institutional child sexual abuse to access their redress options, including under the National Redress Scheme (NRS). knowmore also receives funding to deliver financial counselling services to people participating in the NRS, and to work with other services in the NRS support network to support and build their capability. From 1 January 2022, our services were expanded to assist survivors who experienced child sexual abuse in non-institutional settings. From 1 March 2022, we have also been funded to provide legal and financial counselling support to people engaging with the Territories Stolen Generations Redress Scheme (Territories Redress Scheme).

knowmore uses a multidisciplinary model to provide trauma-informed, client-centred and culturally safe legal assistance to clients. knowmore has offices in Sydney, Melbourne, Brisbane, Perth and Adelaide, and will be establishing an office in Darwin later this year. Our service model brings together lawyers, social workers and counsellors, Aboriginal and Torres Strait Islander engagement advisors and financial counsellors to provide coordinated support to clients.

knowmore is funded by the Commonwealth Government, represented by the Departments of Attorney-General and Social Services and the National Indigenous Australians Agency.

Our clients

In our Royal Commission-related work, from July 2013 to the end of March 2018, knowmore assisted 8,954 individual clients. The majority of those clients were survivors of institutional child sexual abuse. Almost a quarter (24%) of the clients assisted during our Royal Commission work identified as Aboriginal and/or Torres Strait Islander peoples.

Since the commencement of the National Redress Scheme for survivors of institutional child sexual abuse on 1 July 2018 to 31 March 2022, knowmore has received 63,238 calls to its 1800 telephone line and has completed intake processes for, and has assisted or is currently assisting, 11,168 clients. A third (33%) of knowmore's clients identify as Aboriginal and/or Torres Strait Islander peoples. A fifth (20%) of clients are classified as priority clients due to

advanced age and/or immediate and serious health concerns including terminal cancer or other life-limiting illness.

Our clients in Queensland

knowmore has a significant client base in Queensland — 30 per cent of our current clients reside in the state. This includes more than 1,160 clients who identify as female. We therefore have a strong interest in work to improve the Queensland criminal justice system for victims and survivors of sexual violence, including women and girls.

knowmore's submission

This section outlines knowmore's approach to this submission, and details our comments in two key areas identified in the Women's Safety and Justice Taskforce's Discussion Paper 3.

In addressing topics raised in the discussion paper, knowmore has particularly reflected on the findings and recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse, as well as our own work with victims and survivors of child sexual abuse.

knowmore's approach to this submission

As a service dedicated to assisting victims and survivors of child sexual abuse, particularly in institutional settings, our submission addresses those issues that are most significant for our client group. It particularly draws on the findings of the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) and focuses on flagging key recommendations from the Royal Commission's Criminal Justice Report that remain outstanding in Queensland.[1] Five years of work by the Royal Commission produced a significant body of evidence demonstrating the need for reform in the criminal justice system, and we continue to support meaningful and ongoing work in Queensland to fully implement the intent of the Royal Commission's recommendations.

In taking this approach this to our submission, we acknowledge that much of our commentary refers generally to victims and survivors. Given that the majority of victims and survivors of child sexual abuse are female,[2] we consider that reforms to improve all victims' and survivors' experiences of the criminal justice system will have a particularly significant impact for women and girls.

1 We note that our understanding of the Queensland Government's progress in implementing recommendations from the Royal Commission is limited by the level of detail in the government's annual progress reports, which are relatively brief and do not identify the implementation status of individual recommendations. We also note that the Queensland Government's latest annual progress report is from more than 12 months ago (see *Queensland Government Third Annual Progress Report — Royal Commission into Institutional Responses to Child Sexual Abuse*, December 2020, <www.cyjma.qld.gov.au/resources/dcsyw/about-us/reviews-inquiries/qld-gov-response/gov-annual-progress-report-child-abuse-2020.pdf>), with the fourth annual progress report (due in December 2021) yet to be published.

2 Between 2014 and 2019, almost 80 per cent of all sexual assault victims under the age of 18 recorded by police were female (59% of 119,589 female victims versus 80% of 24,541 male victims). In the 2016 Personal Safety Survey, over 70 per cent of adults who reported being sexually abused by an adult before the age of 15 were female (reported by an estimated 1 million women versus 412,000 men). See Australian Bureau of Statistics, 'Sexual Violence – Victimisation', released 24 August 2021, <www.abs.gov.au/articles/sexual-violence-victimisation#key-statistics>.

Community understanding of sexual offending and barriers to reporting

Community attitudes and understanding

Q20. Do community attitudes and rape myths impact women and girls' experience of the criminal justice system? If so, how?

In knowmore's experience, myths and misconceptions about the nature of child sexual abuse and the behaviour of victims persist. Common misconceptions include that:

- False allegations of child sexual abuse are common.
- 'Real' victims will disclose their abuse straight away.
- 'Real' victims will avoid their abuser.
- Victims will have clear memories of their abuse.[3, 4]

Such beliefs, readily accepted as misconceptions in contemporary research,[5] can impact victims' and survivors' experiences of the criminal justice system in multiple ways. Significantly, they can act as a major barrier to victims and survivors ever reporting their abuse to police by making victims and survivors feel that they will not be believed. Where a report is made, such beliefs can adversely affect victims' and survivors' experiences of the criminal justice system at every key stage. For example:

- When held by police officers and prosecution staff, these beliefs can prevent investigations and prosecutions from progressing.
- When held by judges and legal practitioners, these beliefs can impact the experience of victims and survivors in court proceedings.

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3 Royal Commission, *Criminal Justice Report: Executive Summary and Parts I–II*, 2017, <www.childabuseroyalcommission.gov.au/sites/default/files/file-list/final_report_-_criminal_justice_report_-_executive_summary_and_parts_i_to_ii.pdf>.

4 The Royal Commission also identified a number of specific misconceptions about victims and survivors with disability, including that people with disability lie or exaggerate or are unable to give reliable accounts of their own experiences (*Final Report: Volume 4, Identifying and Disclosing Child Sexual Abuse*, 2017, <www.childabuseroyalcommission.gov.au/sites/default/files/final_report_-_volume_4_identifying_and_disclosing_child_sexual_abuse.pdf>).

5 See, for example, the Royal Commission's findings regarding disclosure (Royal Commission, *Final Report: Volume 4*) and research on the effects of child sexual abuse on memory (J Goodman-Delahunty, MA Nolan and EL Van Gijn-Grosvenor, *Empirical Guidance on the Effects of Child Sexual Abuse on Memory and Complainants' Evidence*, July 2017, <www.childabuseroyalcommission.gov.au/sites/default/files/file-list/research_report_-_empirical_guidance_on_the_effects_of_child_sexual_abuse_on_memory_and_complainants_evidence.pdf>).

- When held more broadly in the community or aired in the media, these beliefs can influence how jurors perceive a complainant's credibility and, ultimately, a jury's decision about an accused person's guilt.

We consider that there needs to be ongoing work to ensure participants in the criminal justice system have a sound understanding of child sexual abuse consistent with contemporary research evidence. In our view, this is fundamental to embedding a trauma-informed approach throughout the criminal justice system and encouraging victims and survivors to come forward and report their abuse to police. To this end, knowmore particularly supports the Royal Commission's recommendations (see Table A.1 in the Appendix) that:

- All police who provide an investigative response to child sexual offences receive at least basic training in understanding sexual offending, including the nature of child sexual abuse (Criminal Justice Recommendation 9, part a).
- Police who interview children and other vulnerable witnesses have a specialist understanding of child sexual abuse that is kept up to date and consistent with current research through regular refresher training (Criminal Justice Recommendation 9, parts d and e).
- All prosecution staff who liaise with victims of child sexual abuse be trained to have a basic understanding of the nature and impact of child sexual abuse (Criminal Justice Recommendation 37, part a).
- Members of the judiciary and broader legal profession receive regular training and education to ensure they have an up to date understanding of current research on child sexual abuse (Criminal Justice Recommendations 67 and 68).

We note improvements that have already been made in response to some of these recommendations, particularly in terms of training for Queensland Police Service (QPS) officers as outlined in the discussion paper. We nevertheless consider it important for the implementation of all of these recommendations to be seen as ongoing actions, with the ultimate aim of ensuring that there is continual improvement in attitudes towards victims and survivors that reflects future developments in research and understanding of child sexual abuse.

We also support the Royal Commission's recommendations regarding jury directions to help improve the attitudes and knowledge of jurors. We discuss this on pages 22 to 26.

Barriers to reporting sexual violence

Q27. What factors do victims of sexual offences consider when deciding whether to report to police in Queensland?

Q29. What can be done to reduce the barriers to women and girls reporting sexual violence to police, and to other support services?

Q30. What can be done to make women and girls feel more confident that they will be believed by mainstream services and police when they report sexual violence?

Q31. What can be done to reduce the feelings of shame and the stigma that surrounds sexual violence in our community?

In our experience, and consistent with the Royal Commission's findings,[6] victims and survivors of child sexual offences face a number of significant barriers in reporting their abuse to police. These include:

- A fear of not being believed. This can particularly arise for victims and survivors who have previously had negative disclosure or reporting experiences.
- A lack of understanding that the abuse they experienced was a crime.
- A mistrust of or aversion to the police. This can be a particular problem for Aboriginal and Torres Strait Islander survivors, given negative intergenerational experiences with police, and for survivors who have a criminal history.
- A fear of being re-traumatised by the criminal justice process. This can particularly arise from an expectation of being involved in a long and complex investigation and trial, which many victims and survivors feel ill-equipped to cope with, and/or simply wish to avoid in order to reduce their trauma.
- A fear that relatives, friends and others in their community will find out they were sexually abused. This can be a particular concern for victims and survivors living in small communities.

Even if these barriers can be overcome, there can be a lack of appropriate and accessible avenues for victims and survivors to make a police report. For example:

- The prospect of making a report at the local police station can be very intimidating for victims and survivors. This can be a particular problem in rural, regional and remote communities where specialist police services are less widely available.
- For Aboriginal and Torres Strait Islander survivors, reporting options are often not culturally safe.
- Survivors in prison face significant practical difficulties in making complaints about their child sexual abuse.

6 Royal Commission, *Criminal Justice Report: Executive Summary and Parts I–II*; Royal Commission, *Final Report: Volume 4*.

- Some victims and survivors may be unable to report their abuse because of language barriers, literacy issues or other communication difficulties (as in the case of some victims and survivors with disability, for example).[7]

The nature of the barriers above reinforces the importance of reforms in a number of areas discussed elsewhere in our submission. These particularly include:

- Ensuring participants in the criminal justice system have a sound understanding of child sexual abuse, as discussed on page 7.
- Ensuring victims and survivors are able to speak publicly about their abuse as a way of raising awareness and improving community understanding, as discussed on pages 11 to 14.
- Changing the language used in legislation to properly convey the serious criminality of sexual violence, as discussed on pages 14 and 15.

These barriers also highlight the importance of other reforms recommended by the Royal Commission, including ensuring victims and survivors are well supported to consider their reporting options and make a report to police, and improving the investigation and prosecution of child sexual offences (see Recommendations 7 to 43 in Table A.1 in the Appendix). In these ways, victims and survivors can be better encouraged and supported to report their abuse to police.

In our view, the above barriers also highlight the need for a range of tailored, appropriate and supportive reporting options. We particularly support:

- Victims and survivors having the choice of a variety of reporting methods, including in person, by phone, in writing and online. This is consistent with Criminal Justice Recommendation 4 (part c) from the Royal Commission, and enables victims and survivors to report in the way they feel most comfortable with, while also helping to address practical barriers to reporting.
- Victims and survivors having access to a safe and supportive environment when they make a report to police, regardless of their reporting method. We especially support

7 For example, the Royal Commission found that police frequently failed to ensure people with disability had adequate and appropriate communication supports in their early engagements with police. This included some deaf survivors being interviewed without an AUSLAN interpreter, and survivors with other disabilities not having these accommodated for in a way that would have given them the best opportunity to tell their story to police (see, for example, the stories of Finlay John, Carly, and Summer and Peter in Royal Commission, *Narratives,* <www.childabuseroyalcommission.gov.au/narratives/>). Some knowmore clients have reported similar experiences in Queensland.

victims and survivors being able to make all reports directly to specialist police officers, and ideally outside of the normal police station environment.[8]

- Victims and survivors having access to reporting avenues that respect their need for privacy and confidentiality. This especially includes ensuring appropriately private and confidential reporting options are available for Aboriginal and Torres Strait Islander survivors and survivors who are or have been in prison, consistent with Criminal Justice Recommendations 5 and 6.

We also note a range of broader strategies the Royal Commission recommended to encourage reporting of, and improve initial police responses to, child sexual offences in Criminal Justice Recommendations 3 and 4. These include ensuring victims and survivors receive detailed information about their reporting options and what to expect from these.

We acknowledge and support reforms in Queensland that have already been progressed in response to the Royal Commission's recommendations. We note, for example, the QPS's fully online reporting system, Alternative Reporting Options. Other stakeholders will have detailed insights into the practical operation of such reforms and their impacts on victims and survivors to date, but we suspect there is still much room for further improvements. As one immediate example, we note that it is currently very difficult to locate information on the QPS website about reporting child sexual offences, and online reporting options appear to be limited:

- Under 'Report', there is only an option for 'Adult sexual assault'.[9]
- Under 'Victims of crime', 'Sexual assault' leads to the same page relating to adult sexual assault only.
- The 'Child protection' page[10] includes only limited information about reporting child abuse to police (via Policelink). Information about historical offences is limited to information about the National Redress Scheme and a link to the Victim Assist Queensland website.

Such observations suggest that while important improvements have been made, more needs to be done to ensure the full and effective implementation of the Royal Commission's recommendations.

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8 Relevant to this, we note research into all-female police stations in South America. This highlights the importance of environmental design and multi-disciplinary approaches in encouraging and supporting women specifically to report sexual and domestic violence. See K Carrington et al., *The Role of Women's Police Stations in Widening Access to Justice and Eliminating Gender Violence*, Presentation to United Nations 63rd Commission on the Status of Women, NGO Sessions, New York, 21 March 2019, <eprints.qut.edu.au/127632/13/UN%2BCSW%2Bwomen%27s%2Bpolice%2Bstations%2B16%2BMarch.pdf>.

9 <www.police.qld.gov.au/units/victims-of-crime/support-for-victims-of-crime/adult-sexual-assault>, accessed 1 April 2022.

10 <www.police.qld.gov.au/units/victims-of-crime/child-protection>, accessed 1 April 2022.

Public reporting on sexual offending

Q32. Do the current restrictions in Queensland on the publication of information about victims or accused persons relating to sexual offences and domestic and family violence adversely impact either victims or defendants/respondents? If so, how?

Q33. If Queensland were to relax restrictions on reporting of sexual violence and/or domestic violence cases, for example by adopting legislation similar to New South Wales and Victoria, what would be the risks and benefits?

Q34. If restrictions on publication of information about sexual assault or domestic and family violence cases were relaxed, what measures (if any) should be put in place to protect and promote the rights of victims?

Q36. Are there other issues relating to public reporting of sexual offences that impact women and girls' experience of the criminal justice system?

knowmore strongly supports the provisions in sections 6 and 10 of the *Criminal Law (Sexual Offences) Act 1978* (Qld) (the CLSO Act) to the extent that they a) generally prohibit the publication of a complainant's identity and b) enable adult complainants to consent to being publicly identified if they so choose. These provisions are consistent with comparable provisions in all other states and territories,[11] and strike an appropriate balance between protecting the anonymity of complainants in sexual offence proceedings and ensuring victims and survivors are able to speak out about their abuse. We have made comprehensive submissions in relation to other jurisdictions' recent reforms in this area, and reproduce the following commentary from those submissions here:

> *While we support laws that protect the anonymity of complainants in sexual offence proceedings by generally prohibiting the publication of identifying material, our experience is that it is essential for victims and survivors to have the right to be identified and tell their stories publicly if they choose to do so. For some survivors, telling their story and being heard is an integral part of the healing process.*
>
> *As an example of this, knowmore helped many clients to share their stories with the Royal Commission… Whether this was by giving evidence in public hearings or private sessions or by providing written statements, survivors of child sexual abuse were given the opportunity to be heard and believed. For some clients, the Royal Commission's work helped to lift, at least to some extent, the stigma they had experienced as a result of their sexual abuse. This has inspired some survivors to want to continue to share their stories, not only to heal themselves, but also to raise awareness, influence reform and prevent the future abuse of children.*

11 See section 74, *Evidence (Miscellaneous Provisions) Act 1991* (ACT); section 578A, *Crimes Act 1900* (NSW); section 6, *Sexual Offences (Evidence and Procedure) Act 1983* (NT); section 71A(4), *Evidence Act 1929* (SA); section 194K, *Evidence Act 2001* (Tas); section 4, *Judicial Proceedings Reports Act 1958* (Vic); section 36C, *Evidence Act 1906* (WA).

Similarly, we are aware of some clients in other jurisdictions who have been permitted to tell their story after participating in the criminal justice process. These survivors have expressed that being able to exercise their right to be named was transformative to their recovery, especially after the gruelling experience of criminal proceedings. Conversely, some survivors who have not been able to publicly discuss their abuse because of suppression orders have described that experience as re-traumatising. Having been silenced as children, which often led to them being silent about their abuse for decades out of shame, embarrassment and the fear of not being believed, they feel they have again been silenced by the criminal justice system.[12]

Given the above, we consider it essential that the provisions in the CLSO Act properly allow victims and survivors of sexual offences to speak publicly about their abuse. We note in this regard the concerns outlined on page 42 of the discussion paper that the existing provisions may prevent victims of sexual offences from consenting to the publication of their identity in a report about an examination of a witness or a trial.[13] While noting the Taskforce's view that this criticism may be unjustified, any confusion or misunderstanding about when a victim or survivor can consent to the publication of their identity suggests that the law in this area would benefit from clarification.

Since Queensland's consent provisions were introduced in 2008,[14] other Australian jurisdictions have progressed significant reform work in this area. In particular, in the last three years:

- The Tasmanian Government has conducted extensive public consultations in introducing laws to allow victims and survivors of sexual offences to consent to being publicly identified.[15]

12 knowmore, *Submission on the Northern Territory's Sexual Offences (Evidence and Procedure) Amendment Bill 2019*, 29 January 2020, p. 3, <knowmore.org.au/wp-content/uploads/2020/11/submission-sexual-offences-evidence-and-procedure-amendment-bill-2019-nt.pdf>; knowmore, *Submission on Tasmania's Evidence Amendment Bill 2020*, 10 February 2020, p. 3, <knowmore.org.au/wp-content/uploads/2020/11/submission-evidence-amendment-bill-2020-tas.pdf>.

13 We note these concerns have also been raised in the media. See F Ripper, "Trauma of court 'all for nothing'", *Courier Mail*, Brisbane, 19 March 2021, p. 13.

14 Section 132, *Criminal Code and Other Acts Amendment Act 2008* (Qld).

15 Department of Justice (Tasmania), 'Section 194K *Evidence Act 2001* — Have your say', <www.justice.tas.gov.au/community-consultation/closed-community-consultations2/discussion-paper-section-194K-evidence-act-2001>; Department of Justice (Tasmania), 'Evidence Amendment Bill 2020: Section 194K Publication of certain identifying particulars published — Have your say', <www.justice.tas.gov.au/community-consultation/closed-community-consultations2/evidence-amendment-bill-2020>.

- Victoria has amended legislative provisions relating to the identification of victims and survivors of sexual offences in response to recommendations from the Open Courts Act Review[16] and the Victorian Law Reform Commission (VLRC).[17]
- The New South Wales Law Reform Commission (NSWLRC) has been conducting a comprehensive review of the operation of suppression and non-publication orders and access to information in New South Wales courts and tribunals.[18]

We therefore suggest that it would be timely for the provisions in the CLSO Act to be reviewed and for relevant reforms to be implemented. In addition to ensuring there are no unintended restrictions on when complainants in sexual offence proceedings can consent to being publicly identified, we recommend that specific reforms we have advocated for in other jurisdictions should also be considered in Queensland.[19] These include:

- Ensuring a complainant's wishes are considered by the court in deciding whether to make an order permitting publication of their identifying information. In Victoria, for example, there are provisions a) prohibiting the court from making an order permitting publication that would likely identify a complainant if the complainant has not given their consent[20] and b) specifically requiring the court to take into account the complainant's views in deciding whether to make an order.[21]
- Strengthening protections for deceased complainants, including in ensuring that anonymity persists beyond the death of a complainant and that any known wishes of the complainant and their family members are considered by the court in deciding whether to make an order permitting publication of the complainant's identifying

16 *Open Courts and Other Acts Amendment Act 2019* (Vic). See the Hon. F Vincent AO QC, *Open Courts Act Review*, September 2017, <files.justice.vic.gov.au/2021-11/Open%20Courts%20Act%20Review%20-%20March%202018.pdf>.

17 *Judicial Proceedings Reports Amendment Act 2021* (Vic). See VLRC, *Contempt of Court: Report*, VLRC, Melbourne, February 2020, <www.lawreform.vic.gov.au/wp-content/uploads/2021/07/VLRC_Contempt_of_Court_report_forWeb.pdf>.

18 NSWLRC, 'Open justice review', <www.lawreform.justice.nsw.gov.au/Pages/lrc/lrc_current_projects/Open-justice/Project_update.aspx>.

19 For more details, see knowmore, *Submission on the Northern Territory's Sexual Offences (Evidence and Procedure) Amendment Bill 2019*; knowmore, *Submission on Tasmania's Evidence Amendment Bill 2020*; knowmore, *Submission on the NSWLRC's Open Justice Review Consultation Paper*, 18 February 2021, pp. 5–10, <knowmore.org.au/wp-content/uploads/2021/03/submission-open-justice-review-court-and-tribunal-information-access-dis....pdf>; knowmore, *Submission on the NSWLRC's Open Justice Draft Proposals Paper*, 2 August 2021, pp. 14–22, <knowmore.org.au/wp-content/uploads/2021/08/submission-open-justice-review-court-and-tribunal-information-access-disclosure-and-publication-draft-proposal-paper-nsw.pdf>.

20 Section 4(1BG)(b), *Judicial Proceedings Reports Act 1958* (Vic).

21 Section 4(1BF)(a), *Judicial Proceedings Reports Act 1958* (Vic).

information. This is consistent with recent proposals from the NSWLRC,[22] and is especially important in cases involving Aboriginal and/or Torres Strait Islander people given the importance of privacy, and the particular significance of the identification of deceased persons, in Aboriginal and Torres Strait Islander communities.

In addition to legislative protections, we also consider it essential for complainants to have access to independent, free, culturally appropriate and trauma-informed support and legal advice when considering whether to consent to having their identity published. For example, counsellors can talk complainants through the potential mental health and well-being implications of telling their story, while lawyers can help complainants to understand the potential legal implications (see also the further discussion on pages 17 and 18 regarding independent legal representation). Tailored assistance can also be provided to ensure that particularly vulnerable complainants are supported to exercise their decision-making authority and make informed choices.[23]

Legal and court processes for sexual offences

Adequacy of current sexual offences in Queensland

An important issue not canvassed in the discussion paper is the language used to describe sexual offences in Queensland's *Criminal Code Act 1899* (the Criminal Code). As discussed above, many myths and misconceptions about child sexual abuse continue to affect the criminal justice system's response to these types of offences. Language is a powerful tool for challenging these myths and misconceptions. In our view, the language used to describe child (and other) sexual offences in the Criminal Code should properly reflect the serious and violent nature of the abuse inflicted, while also respecting the dignity of victims and survivors and recognising the impact of the abuse on their lives.

Unfortunately, Queensland's Criminal Code continues to use language that does not reflect a contemporary understanding of the nature and impact of sexual violence, especially sexual violence against children. For example:

- A number of sexual offences, including all sexual offences against children, are contained in 'Chapter 22 Offences against morality'. Traditionally, offences against

22 NSWLRC, *Open Justice: Court and Tribunal Information: Access, Disclosure and Publication — Draft Proposals*, NSWLRC, Sydney, June 2021, Proposals 5.6 and 5.13, pp. 49 and 54, <www.lawreform.justice.nsw.gov.au/Documents/Publications/Other-Publications/Draft-proposals/Open%20Justice%20Draft%20Proposals.pdf>. Requiring the court to consider the wishes of the complainant's family members is also consistent with the approach in Victoria with respect to victim privacy orders for deceased victims. That is, in determining whether to make such an order, the court must take into account any known views of the deceased person, and must not take into account the views of the offender or alleged offender; see section 4F, *Judicial Proceedings Reports Act 1958* (Vic).

23 See knowmore, *Submission on the Northern Territory's Sexual Offences (Evidence and Procedure) Amendment Bill 2019*, pp. 6–7 for further discussion.

morality have been used to describe a category of victimless crimes committed between consenting adults, and have been intended to protect societal values about what is right and wrong. Using 'morality' to describe any sexual offence, especially sexual offences against children, does not reflect current community standards and is not appropriate in a modern criminal justice system.

- A number of sexual offences against children are named with reference to 'carnal knowledge' (for example, 'Carnal knowledge with or of children under 16' in section 215). The use of such an outdated and euphemistic term to describe the penetrative sexual abuse of a child completely obscures the gravity of the offending dealt with by these sections.
- The name of the offence in section 229B, which describes the most serious type of repeated sexual offending against children, is 'Maintaining a sexual relationship with a child'. Victims and survivors have expressed strong objections to this offence name in other jurisdictions, noting in particular that it normalises the sexual abuse of children and wrongly suggests that the child was "a willing participant in an equal relationship".[24] Minimising the seriousness of their abuse in this way causes further distress and psychological harm to victims and survivors who seek a criminal justice response.

Similar problems were identified with Tasmania's Criminal Code[25] in 2019, prompting the Tasmanian Government to conduct extensive community consultation about the language and terminology used in the naming of chapters and crimes related to sexual matters.[26] This led to a raft of changes to the language used in the Criminal Code with the passing of the *Criminal Code Amendment (Sexual Abuse Terminology) Act 2020* (Tas).

knowmore recommends that a similar review be conducted in Queensland, with the aim of identifying how the language used in the Criminal Code should be updated to ensure that the names of sexual offences properly reflect the nature and impact of sexual violence and contemporary community expectations.

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24 See, for example, E Bevin, "Overhaul of sex abuse laws needed to remedy community confusion, advocates say", ABC News, 15 August 2019, <www.abc.net.au/news/2019-08-15/call-for-sexual-assault-laws-overhaul-in-tasmania/11414982>; End Rape on Campus Australia, *Submission to the Tasmanian Government — Renaming Sexual Offences: Removing Outdated Language in Chapter XIV of the Criminal Code Act 1924*, 7 February 2020, <www.justice.tas.gov.au/__data/assets/pdf_file/0003/561162/Submission-EROC-Renaming-sexual-offences.PDF>.

25 *Criminal Code Act 1924* (Tas).

26 Department of Justice (Tasmania), *Proposal Paper — Renaming Sexual Offences: Removing Outdated Language in Chapter XIV of the Criminal Code Act 1924*, 2019, <www.justice.tas.gov.au/__data/assets/pdf_file/0008/554840/Proposal-Paper-for-Renaming-of-Chapter-XIV-Sexual-Offences-FINAL.pdf>. See also Department of Justice (Tasmania), 'Renaming sexual offences — Have your say', <www.justice.tas.gov.au/community-consultation/closed-community-consultations2/renaming-sexual-offences>.

Victims' experiences of the court process

Q55. How are victims supported and their needs met during court processes for sexual offences? Should more be done and if so, what?

Legislative measures for witnesses giving evidence

Recording evidence given at trial

The discussion paper highlights provisions in New South Wales that require the evidence of all witnesses in criminal proceedings to be recorded and, in the case of complainants and special witnesses in sexual offence proceedings, enable these recordings to be used in any subsequent trial or retrial.[27] This is consistent with Recommendation 56 from the Royal Commission's Criminal Justice Report (see Table A.1 in the Appendix) and is an important measure for helping victims and survivors to avoid the trauma of having to repeatedly give evidence.

Currently in Queensland, there are similar provisions enabling the recorded evidence of children and special witnesses to be used in any subsequent rehearing, retrial or appeal (unless the relevant court orders otherwise).[28] However, there remain significant gaps with respect to special witnesses who give direct testimony (either live in court or remotely by audio visual link), with no requirement for the evidence of these witnesses to be recorded. We strongly support reforms being progressed in Queensland to fully implement Recommendation 56, ensuring consideration is also given to Recommendations 57 and 58 (see Table A.1).

Admissibility of evidence about a victim's sexual activities

We strongly support the provisions in section 4 of the *Criminal Law (Sexual Offences) Act 1978* (Qld) that:

1. Prevent witnesses in sexual offence proceedings being questioned about, and prevent evidence being received about, the complainant's sexual reputation (or 'chastity').
2. Prevent complainants in sexual offence proceedings being cross-examined about, and prevent evidence being received about, the complainant's sexual activities unless the court has granted leave.

In our view, these provisions serve an important public purpose in helping to ensure that victims and survivors are supported in seeking a criminal justice response to their abuse and are protected from experiencing further harm or trauma in criminal proceedings. These provisions also play an important role in challenging harmful myths and misconceptions as to the relevance of a person's sexual experience to the offences committed against them.

27 Section 39 and Chapter 6, Part 5, Divisions 3 and 4, *Criminal Procedure Act 1986* (NSW).

28 Sections 21A(6), 21AM and 21AQ(6), *Evidence Act 1977* (Qld).

One way in which we suggest these provisions could be strengthened to promote better criminal justice outcomes for victims and survivors is to amend the test for granting leave. Currently, the court cannot grant leave "unless it is satisfied that the evidence sought to be elicited or led has substantial relevance to the facts in issue or is [a] proper matter for cross-examination as to credit".[29] We suggest that leave should not be granted unless the court is satisfied that the probative value of any evidence about a complainant's sexual activities outweighs any distress, humiliation or embarrassment that the complainant may suffer as a result of its admission. This is consistent with the comparable provisions in most other jurisdictions, namely New South Wales, Tasmania, Victoria and Western Australia,[30] and is also consistent with a 2010 recommendation from the Australian Law Reform Commission (ALRC).[31] Most importantly, such a requirement places a greater emphasis on the interests of victims and survivors and reflects a more trauma-informed approach for dealing with sexual offences.

Other measures to support victims

Independent legal representation for victims

We strongly support complainants in child sexual offence proceedings being given access to independent legal assistance and representation throughout the court process as a way of further improving victims' and survivors' experiences of the criminal justice system. This reflects a number of criticisms and concerns commonly raised by victims and survivors about the criminal justice system's response to child sexual offences and their participation as complainants in criminal proceedings. For example, many knowmore clients have previously raised concerns about their inability to meaningfully participate in proceedings, noting the difficulties they have understanding procedural matters in court, engaging in discussions about prosecution decisions, and knowing what questions to ask to resolve their concerns. These difficulties contribute to what the Royal Commission found was a perception among many victims and survivors that they are marginalised by or excluded from the criminal justice system.[32] While many of our clients have been very grateful for the information and assistance provided by services like Victim Assist Queensland's Victim Coordination Program, they often remain frustrated by their inability to access truly independent support and have their individual interests represented in proceedings.

We submitted to the Royal Commission that, to help victims and survivors of child sexual abuse overcome the challenges they face in meaningfully participating in criminal proceedings, it would be very beneficial for complainants to be given access to independent

29 Section 4, *Criminal Law (Sexual Offences) Act 1978* (Qld).

30 Section 293(4), *Criminal Procedure Act 1986* (NSW); section 194M(2), *Evidence Act 2001* (Tas); section 349, *Criminal Procedure Act 2009* (Vic); section 36BC(2), *Evidence Act 1906* (WA).

31 ALRC, *Family Violence — A National Legal Response: Final Report*, ALRC Report 114, ALRC, Canberra, October 2010, Recommendation 27–3 and pp. 1250–1253, <www.alrc.gov.au/wp-content/uploads/2019/08/ALRC114_WholeReport.pdf>.

32 Royal Commission, *Criminal Justice Report: Executive Summary and Parts I–II*.

legal advice and, where needed for specific issues, legal representation.[33] We continue to hold this view, and note that a number of other parties also expressed to the Royal Commission their support for providing complainants with independent legal assistance.[34] We further note a recent recommendation from the VLRC that a pilot scheme of separate lawyers for complainants in sexual offence proceedings be established in that state.[35]

While we acknowledge the existing service delivered by Legal Aid Queensland and Women's Legal Service in relation to the protection of counselling communications,[36] we would ultimately like to see victims and survivors of child sexual abuse given access to free, specialist, trauma-informed assistance in relation to a broader range of issues throughout the prosecution process. The VLRC's recommendation includes some relevant examples.[37] We also consider it important for any service delivering this assistance to be free from conflicts arising from the concurrent representation of alleged perpetrators, to ensure victims and survivors have confidence in the service. Based on the insights we have gained from our clients about the challenges they face in criminal proceedings, we believe these reforms would be strongly supported by victims and survivors of child sexual abuse and may encourage more victims and survivors to seek a criminal justice response and maintain their engagement in criminal proceedings.

33 knowmore, *Submission to the Royal Commission into Institutional Responses to Child Sexual Abuse's Criminal Justice Consultation Paper*, 31 October 2016, <knowmore.org.au/wp-content/uploads/2018/06/Consultation-Paper-Criminal-Justice-Submission-32-knowmore.pdf>.

34 Royal Commission, *Criminal Justice Report: Executive Summary and Parts I–II*.

35 VLRC, *Improving the Justice System Response to Sexual Offences: Report*, VLRC, Melbourne, September 2021, Recommendation 46, p. 268, <www.lawreform.vic.gov.au/wp-content/uploads/2021/11/VLRC_Improving_Justice_System_Response_to_Sex_Offences_Report_web.pdf>.

36 Legal Aid Queensland, 'Protecting sexual assault counselling records', last updated 7 September 2020, <www.legalaid.qld.gov.au/Find-legal-information/Factsheets-and-guides/Factsheets/Counselling-Notes-Protect-Service#toc-what-is-the-counselling-notes-protect-service--2>.

37 The VLRC recommended legal advice and representation for victims and survivors with respect to "their rights and privileges in relation to evidence (for example…, alternative arrangements and special protections, access to intermediaries)" and "their rights to privacy in relation to disclosures of personal information (for example, information about their sexual history, the nature of cross-examination, or suppression orders)", among other matters. VLRC, *Improving the Justice System Response to Sexual Offences: Report*, Recommendation 46, p. 268.

The admissibility of evidence in trials involving sexual offences

Similar fact and propensity evidence

Q60. Have you been a victim (or supported a victim) where the perpetrator committed sexual offences against you and/or other victims? Did this impact on how your complaint was handled or the court process? How do victims feel the application of the rules on similar fact and propensity evidence impacts on their rights in a fair trial of the accused person?

Q61. How is similar fact and propensity evidence being considered in Queensland? Could the law in Queensland be improved to ensure that a fair trial for the accused takes into account the 'triangulation of interests' of the accused, the victim and the public? If so, how?

Q62. What impact, if any, does the present law about similar fact and propensity evidence have on the experience of victims of sexual offences?

The Royal Commission found that tendency and coincidence evidence — referred to as propensity and similar fact evidence in Queensland — is critically important for securing convictions in many child sexual abuse cases. It highlighted a number of instances where significant injustices had resulted from these types of evidence being excluded from criminal proceedings, preventing juries from getting a true picture of the perpetrator's alleged offending.[38] The one Queensland prosecution detailed in the Royal Commission's Criminal Justice Report — that of Graham Noyes, who was a volunteer at the Enoggera Boys' Home in Brisbane in the 1960s — is starkly illustrative of these problems.

Failed and discontinued prosecutions against Graham Noyes

In 1999, Noyes was charged with 53 child sexual abuse offences against 10 different victims. The trial judge determined that the evidence of the complainants could not be admitted as propensity and similar fact evidence, and ordered that 10 separate trials be held.

The first three trials were held between 2000 and 2002. Noyes was acquitted each time.

During the fourth trial, in August 2002, the prosecution was able to call two witnesses to give similar fact evidence. Noyes was subsequently convicted of three counts of indecent dealing with a child under 14 and three counts of sodomy, and was sentenced to seven years' imprisonment.

After Noyes's conviction, the Crown decided to discontinue the remaining

38 Royal Commission, *Criminal Justice Report: Parts III–VI*, 2017, <www.childabuseroyalcommission.gov.au/sites/default/files/file-list/final_report_-_criminal_justice_report_-_parts_iii_to_vi.pdf>.

prosecutions. One of the complainants in those matters, Mr Dennis Dodt, spoke to the Royal Commission about how the decision to hold separate trials had adversely impacted him:

> *Upon hearing that the trials were to be split, Mr Dodt was shocked and disappointed. He said, 'In my mind the splitting up into separate trials made it very hard to achieve a guilty verdict against Noyes. I was right'.*
>
> *Mr Dodt gave evidence that he feels no jury ever got to hear the full picture about Noyes's offending and that splitting the trials significantly weakened the prospect of Noyes being convicted. As his charges were discontinued, Mr Dodt never had the chance to tell a jury what Noyes did to him.*

The Royal Commission further noted that:

> *…while Noyes was ultimately convicted of six counts in respect of one complainant in the fourth trial, these convictions do not reflect the full extent of his alleged criminality. A jury that was allowed to hear a more complete account of the offending alleged against Noyes may have convicted on more counts in relation to other complainants. Noyes was not necessarily convicted of the most serious counts he was facing (although the counts for which he was convicted were undoubtedly very serious). If a jury that was allowed to hear a more complete account of the alleged offending had convicted on other counts, the convictions and sentence following his fourth trial would not reflect the full criminality of his conduct.*

Source: Royal Commission, *Criminal Justice Report: Parts III–VI*, pp. 443–444, 631.

Clearly, these types of outcomes are not only deeply disappointing and distressing for victims and survivors, but also result in perpetrators continuing to pose a threat to the safety of children. As the Royal Commission concluded, the laws relating to the admissibility of propensity and similar fact evidence have become "unfairly protective of the accused", to the detriment of complainants and the community.[39] Notably, and as highlighted in the discussion paper, Queensland's laws are the most restrictive of all.

In light of these problems, knowmore strongly supports reforms in Queensland to facilitate the increased admissibility of propensity and similar fact evidence in proceedings for child sexual offences. We believe these should align with the reforms being progressed in the Uniform Evidence Law (UEL) jurisdictions in response to Criminal Justice Recommendations 44 to 51 (see Table A.1 in the Appendix), which comprise:

- Amendments to the UEL to reform the test for admissibility of tendency and coincidence evidence, in the form of:
  - A new, targeted provision to supplement the first limb of the test, providing that tendency evidence about a defendant in a child sexual offence proceeding that shows the defendant's tendency to have a sexual interest in

39 Royal Commission, *Criminal Justice Report: Parts III–VI*, p. 591.

children or to act on such an interest must be taken to have significant probative value.

  - An amended second limb of the test, requiring that tendency or coincidence evidence have probative value that "outweighs", rather than "substantially outweighs", any prejudicial effect on the defendant.

- Supplementary reforms to further facilitate the admissibility of tendency and coincidence evidence, including:

  - A provision to explicitly exclude the application of any principle or rule of the common law or equity that prevents or restricts the admission of propensity or similar fact evidence about a defendant in a proceeding on the basis of its inherent unfairness or unreliability, consistent with Criminal Justice Recommendation 46.

  - A provision to explicitly provide that the possibility of concoction, collusion or contamination should not be considered in the application of either limb of the test for admissibility of tendency or coincidence evidence, consistent with Criminal Justice Recommendation 47.

  - A provision to clearly recognise improbability of similar lies evidence as a form of coincidence evidence.[40]

These reforms are reflected in the Uniform Evidence Law (Tendency and Coincidence) Model Provisions 2019[41] that all UEL jurisdictions have agreed to implement.[42, 43] Given the great importance of these reforms for ensuring that the criminal justice system responds more effectively to child sexual offences, we support comparable amendments to the *Evidence Act 1977* (Qld) being progressed as a matter of priority. This will also help ensure that there is greater consistency between Queensland and the UEL jurisdictions. In this regard, we concur with the Royal Commission that:

> *We do not consider it acceptable that the prospects of a complainant obtaining criminal justice can depend so significantly on the jurisdiction in which the child sexual abuse offences are prosecuted.*[44]

Victims and survivors of child sexual abuse in Queensland deserve to have an equal chance.

In adopting the above position, we do note that the Queensland Government has previously heard concerns from some stakeholders about aspects of the UEL provisions and may be

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40 Council of Attorneys-General Working Group, 'Proposal paper: Proposed reform to facilitate greater admissibility of tendency and coincidence evidence in criminal proceedings', 2019.

41 Available at <pcc.gov.au/uniform/2019/29%20November%202019%20amendments.pdf>.

42 Council of Attorneys-General, *Communique*, 29 November 2019, <www.ag.gov.au/sites/default/files/2020-03/Council-of-Attorneys-General-communique-November-2019.pdf>.

43 Relevant amendments commenced in New South Wales and the ACT in 2020 and amendments are currently being progressed in Victoria.

44 Royal Commission, *Criminal Justice Report: Parts III–VI*, p. 634.

reluctant to adopt an approach based on these. We further note that the government has previously put forward for consultation draft provisions for the admissibility of propensity and similar fact evidence[45] that were modelled on the current provisions in Western Australia.[46]

While our preferred approach to reform remains the introduction of provisions that are consistent with those in the UEL jurisdictions, we consider that the introduction of provisions based on those in Western Australia might be an acceptable alternative if the Queensland Government ultimately rejects the Royal Commission's recommendations for more significant reform. As noted in the discussion paper, the test in Western Australia is less restrictive than the test in Queensland; the Royal Commission in fact recognised Western Australia as having "probably the most liberal test for admitting tendency and coincidence evidence in Australia" (although it did not recommend adopting it).[47] Importantly, the Royal Commission also reported that it had "seen no evidence and heard no suggestion of injustices arising as a result of these [provisions]".[48] It will nevertheless be important to consider the findings of the current review of Western Australia's laws[49] before reaching a definitive conclusion about the appropriateness of adopting them in Queensland.

Evidence to counter rape myths — jury directions and expert evidence

Q63. Are there misconceptions about sexual offending in Queensland and do jury directions currently effectively address them?

Q64. What are the risks and benefits in introducing: • legislation for jury directions based on those in Victoria and NSW and as recommended by the VLRC • legislative amendments to enable expert evidence to be admitted about sexual offending as in Victoria?

The Royal Commission made six key recommendations to improve the operation of jury directions in child sexual offence proceedings and the information and education available to jurors (see Recommendations 64 to 66 and 69 to 71 in Table A.1 in the Appendix). Most of these recommendations remain unimplemented in Queensland, to the detriment of victims and survivors.

45 Clause 21, Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Bill 2019 (Qld) — Consultation Draft.

46 Section 31A, *Evidence Act 1906* (WA).

47 Royal Commission, *Criminal Justice Report: Parts III–VI*, p. 430.

48 Royal Commission, *Criminal Justice Report: Parts III–VI*, p. 503.

49 Law Reform Commission of Western Australia, 'Admissibility of propensity and relationship evidence in WA: Project 112 Issues Paper', last updated 23 December 2021, <www.wa.gov.au/government/announcements/issues-paper-admissibility-of-propensity-and-relationship-evidence-wa>.

Existing jury directions

A number of the Royal Commission's key recommendations in this area sought to abolish or reform existing jury directions.

One such recommendation related to existing jury directions about uncorroborated evidence. Specifically, the Royal Commission recommended that:

> *Legislation should provide that the judge must not direct, warn or suggest to the jury that it is 'dangerous or unsafe to convict' on the uncorroborated evidence of the complainant or that the uncorroborated evidence of the complainant should be 'scrutinised with great care'.* (Criminal Justice Recommendation 65, part c)

This is a particularly important reform for victims of child sexual abuse. It reflects an understanding of the typically hidden, private nature of these offences, where corroboration of a victim's evidence is usually not possible. It is unfortunately common that many survivors of child sexual abuse, including many of knowmore's clients, have not been believed by those to whom they disclosed their abuse. Without legislative amendments to implement this recommendation, there remains a risk that jury directions repeat and compound these negative experiences by suggesting that a victim's evidence is questionable simply because it is uncorroborated.

The Queensland Government had proposed legislative amendments to implement this recommendation in 2019,[50] but ultimately removed these from the Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Bill 2019 (Qld)[51] "in response to feedback and *[having] regard to the approach in other jurisdictions*" [emphasis added].[52] In this particular area, however, we note that New South Wales and Victoria both have legislative provisions in place that reflect the intent of the Royal Commission in ensuring that jury directions based on out-of-date and incorrect assumptions about complainants do not unnecessarily hinder prosecutions in child sexual abuse cases. Specifically:

- Section 294AA(2) of the *Criminal Procedure Act 1986* (NSW) prohibits judges from warning a jury "of the danger of convicting on the uncorroborated evidence of any complainant".
- Section 164(4) of the *Evidence Act 2008* (Vic) prohibits judges from warning a jury "that it is dangerous to act on uncorroborated evidence" or giving a warning to the same or similar effect.

50 Clause 11, Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Bill 2019 (Qld) — Consultation Draft.

51 Introduced on 27 November 2019 and passed on 8 September 2020. The *Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020* (Qld) was assented to on 14 September 2020.

52 Queensland Legislative Assembly (Hon. YM D'Ath), *Record of Proceedings (Hansard): First Session of the Fifty-Sixth Parliament*, Introduction of the Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Bill 2019, 27 November 2019, p. 3874.

These provisions are consistent with a previous recommendation from the Queensland Law Reform Commission (QLRC).[53] Without similar provisions in Queensland, we submit that Queensland's criminal justice system is not as responsive to child sexual offending and its victims as systems elsewhere in Australia. We strongly support legislative reforms to address this.

Other outstanding recommendations regarding existing jury directions include:

- Recommendation 65(a) in relation to directions about delay and credibility (Kilby/Crofts directions), specifically that the judge must not direct, warn or suggest to the jury that delay affects the complainant's credibility unless the direction, warning or suggestion is requested by the accused and is warranted on the evidence in the particular circumstances of the trial.
- Recommendation 65(d)(iii) in relation to directions about the reliability of children's evidence, specifically that the judge must not give a direction or warning about, or comment on, the reliability of a child's evidence solely on account of the child's age.
- Recommendation 66 in relation to Markuleski directions, specifically calling on the Queensland Government to consider introducing legislation to abolish any requirement for these directions.

In our view, legislative amendments to implement these recommendations should be progressed as a matter of priority. Comparable provisions in Victoria and New South Wales provide suitable models for this.[54]

Educative jury directions

The legislative reforms identified above are important for ensuring jury directions do not perpetuate misconceptions about the nature and impacts of child sexual abuse and the behaviour of victims. However, to actively counter these misconceptions and further improve the experience of victims and survivors in Queensland's criminal justice system, we strongly support the introduction of educative jury directions, consistent with the findings and recommendations of the Royal Commission and existing[55] and proposed[56] provisions in

53 "Section 632 of the Criminal Code (Qld) should be amended to state that warnings to a jury about the unreliability of evidence must not use expressions such as 'scrutinise with great care', 'dangerous to convict' or 'unsafe to convict'". See QLRC, *A Review of Jury Directions: Report Volume 2*, QLRC, Brisbane, December 2009, Recommendation 16-1, p. 524, <www.qlrc.qld.gov.au/__data/assets/pdf_file/0011/372539/r66_vol_2_Web.PDF>.

54 In relation to directions about delay and credibility, see section 51 of the *Jury Directions Act 2015* (Vic); in relation to directions about the reliability of children's evidence, see section 33 of the *Jury Directions Act 2015* (Vic) and section 165A of the *Evidence Act 1995* (NSW); in relation to Markuleski directions, see section 44F of the *Jury Directions Act 2015* (Vic).

55 Sections 52 and 53 and Part 5, Division 3, *Jury Directions Act 2015* (Vic); sections 293A and 294, *Criminal Procedure Act 1986* (NSW).

56 See Recommendation 78, VLRC, *Improving the Justice System Response to Sexual Offences: Report* and Schedule 2, *Crimes Legislation Amendment (Sexual Consent Reforms) Act 2021* (NSW).

Victoria and New South Wales. We consider these reforms particularly important in light of the negative impacts misconceptions can have across the criminal justice system, as highlighted on pages 6 and 7.

In exploring this issue, the Royal Commission considered previous work by the ALRC and NSWLRC. This included a joint 2010 report by the ALRC and NSWLRC that recommended jury directions about children's abilities as witnesses and responses to sexual abuse be developed and authorised for use across Australia. Similarly, the NSWLRC recommended in 2012 that a national study into misconceptions about the reliability of children's evidence and their responses to sexual abuse be conducted, with a view to amending the uniform Evidence Acts to facilitate expert evidence and jury directions on these matters.

Despite the length of time that had passed since these recommendations were made, the Royal Commission concluded that very little had been done to progress relevant reforms to jury directions, aside from work in Victoria that is now reflected in the provisions in Part 5, Division 3 of the *Jury Directions Act 2015* (Vic). The Royal Commission therefore recommended further work in this area, calling on all states and territories to:

> *consult the prosecution, defence, judiciary and academics with relevant expertise in relation to judicial directions containing educative information about children and the impact of child sexual abuse, with a view to settling standard directions and introducing legislation as soon as possible to authorise and require the directions to be given…* (Criminal Justice Recommendation 70)

We strongly support the implementation of this recommendation in Queensland given persistent misconceptions about child sexual abuse and victims' responses. We particularly support reforms consistent with existing provisions in Victoria, which place positive obligations on judges to inform juries in sexual offence proceedings that experience shows, among other things, that:

- "People may react differently to sexual offences and there is no typical, proper or normal response to a sexual offence".[57]
- "Some people may complain immediately to the first person they see, while others may not complain for some time and others may never make a complaint".[58]
- "Delay in making a complaint in respect of a sexual offence is a common occurrence".[59]
- "People may not remember all the details of a sexual offence or may not describe a sexual offence in the same way each time".[60]

57 Section 52(4)(a), *Jury Directions Act 2015* (Vic).

58 Section 52(4)(b), *Jury Directions Act 2015* (Vic).

59 Section 52(4)(c), *Jury Directions Act 2015* (Vic).

60 Section 54D(2)(c)(i), *Jury Directions Act 2015* (Vic).

- "Trauma may affect different people differently, including by affecting how they recall events".[61]
- "It is common for there to be differences in accounts of a sexual offence".[62]

These provisions are powerful recognitions of the reality of sexual abuse that help to challenge persistent stereotypes and misconceptions about both the behaviour of victims and the nature of human memory. We similarly support the VLRC's recent recommendation for additional jury directions to address other misconceptions about sexual violence.[63] As a final point, we suggest that Recommendation 70 from the Royal Commission's Criminal Justice Report be regularly revisited to ensure that jury directions in Queensland continue to reflect our developing understanding of child sexual abuse.

61 Section 54D(2)(c)(ii), *Jury Directions Act 2015* (Vic).

62 Section 54D(2)(c)(iii), *Jury Directions Act 2015* (Vic).

63 VLRC, *Improving the Justice System Response to Sexual Offences: Report*, Recommendation 78, p. 441.

Appendix: Key recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse

Table A.1: Key recommendations from the Royal Commission's Criminal Justice Report and the Queensland Government's response

	Recommendation	Queensland Government response
Principles for initial police responses	*Recommendation 3* Each Australian government should ensure that its policing agency: a. recognises that a victim or survivor's initial contact with police will be important in determining their satisfaction with the entire criminal justice response and in influencing their willingness to proceed with a report and to participate in a prosecution b. ensures that all police who may come into contact with victims or survivors of institutional child sexual abuse are trained to: i. have a basic understanding of complex trauma and how it can affect people who report to police, including those who may have difficulties dealing with institutions or persons in positions of authority (such as the police) ii. treat anyone who approaches the police to report child sexual abuse with consideration and respect, taking account of any relevant cultural safety issues	Accepted in principle

	Recommendation	Queensland Government response
	c. establishes arrangements to ensure that, on initial contact from a victim or survivor, police refer victims and survivors to appropriate support services.	
Encouraging reporting	*Recommendation 4* To encourage reporting of allegations of child sexual abuse, including institutional child sexual abuse, each Australian government should ensure that its policing agency: a. takes steps to communicate to victims (and their families or support people where the victims are children or are particularly vulnerable) that their decision whether to participate in a police investigation will be respected – that is, victims retain the right to withdraw at any stage in the process and to decline to proceed further with police and/or any prosecution b. provides information on the different ways in which victims and survivors can report to police or seek advice from police on their options for reporting or not reporting abuse – this should be in a format that allows institutions and survivor advocacy and support groups and support services to provide it to victims and survivors c. makes available a range of channels to encourage reporting, including specialist telephone numbers and online reporting forms, and provides information about what to expect from each channel of reporting d. works with survivor advocacy and support groups and support services, including those working with people from culturally and linguistically diverse backgrounds and people with disability, to facilitate reporting by victims and survivors e. allows victims and survivors to benefit from the presence of a support person of their choice if they so wish throughout their dealings with police, provided that this will not interfere with the police investigation or risk contaminating evidence f. is willing to take statements from victims and survivors in circumstances where the alleged perpetrator is dead or is otherwise unlikely to be able to be tried.	Accepted in principle

	Recommendation	Queensland Government response
	Recommendation 5 To encourage reporting of allegations of child sexual abuse, including institutional child sexual abuse, among Aboriginal and Torres Strait Islander victims and survivors, each Australian government should ensure that its policing agency: a. takes the lead in developing good relationships with Aboriginal and Torres Strait Islander communities b. provides channels for reporting outside of the community (such as telephone numbers and online reporting forms).	Accepted in principle
	Recommendation 6 To encourage prisoners and former prisoners to report allegations of child sexual abuse, including institutional child sexual abuse, each Australian government should ensure that its policing agency: a. provides channels for reporting that can be used from prison and that allow reports to be made confidentially b. does not require former prisoners to report at a police station.	Accepted in principle
Police investigations	*Recommendation 7* Each Australian government should ensure that its policing agency conducts investigations of reports of child sexual abuse, including institutional child sexual abuse, in accordance with the following principles: a. While recognising the complexity of police rosters, staffing and transfers, police should recognise the benefit to victims and their families and survivors of continuity in police staffing and should take steps to facilitate, to the extent possible, continuity in police staffing on an investigation of a complaint. b. Police should recognise the importance to victims and their families and survivors of police maintaining regular communication with them to keep them informed of the	Accepted

	Recommendation	Queensland Government response
	status of their report and any investigation unless they have asked not to be kept informed. c. Particularly in relation to historical allegations of institutional child sexual abuse, police who assess or provide an investigative response to allegations should be trained to: i. be non-judgmental and recognise that many victims of child sexual abuse will go on to develop substance abuse and mental health problems, and some may have a criminal record ii. focus on the credibility of the complaint or allegation rather than focusing only on the credibility of the complainant.	
	Recommendation 9 Each Australian government should ensure that its policing agency conducts investigative interviewing in relation to reports of child sexual abuse, including institutional child sexual abuse, in accordance with the following principles: a. All police who provide an investigative response (whether specialist or generalist) to child sexual abuse should receive at least basic training in understanding sexual offending, including the nature of child sexual abuse and institutional child sexual abuse offending. b. All police who provide an investigative response (whether specialist or generalist) to child sexual abuse should be trained to interview the complainant in accordance with current research and learning about how memory works in order to obtain the complainant's memory of the events. c. The importance of video recorded interviews for children and other vulnerable witnesses should be recognised, as these interviews usually form all, or most, of the complainant's and other relevant witnesses' evidence in chief in any prosecution.	Accepted in principle

	Recommendation	Queensland Government response
	d. Investigative interviewing of children and other vulnerable witnesses should be undertaken by police with specialist training. The specialist training should focus on: i. a specialist understanding of child sexual abuse, including institutional child sexual abuse, and the developmental and communication needs of children and other vulnerable witnesses ii. skill development in planning and conducting interviews, including use of appropriate questioning techniques. e. Specialist police should undergo refresher training on a periodical basis to ensure that their specialist understanding and skills remain up to date and accord with current research. f. From time to time, experts should review a sample of video recorded interviews with children and other vulnerable witnesses conducted by specialist police for quality assurance and training purposes and to reinforce best-practice interviewing techniques. g. State and territory governments should introduce legislation to remove any impediments, including in relation to privacy concerns, to the use of video recorded interviews so that the relevant police officer, his or her supervisor and any persons engaged by police in quality assurance and training can review video recorded interviews for quality assurance and training purposes. This should not authorise the use of video recorded interviews for general training in a manner that would raise privacy concerns. h. Police should continue to work towards improving the technical quality of video recorded interviews so that they are technically as effective as possible in presenting the complainant's and other witnesses' evidence in chief. i. Police should recognise the importance of interpreters, including for some Aboriginal and Torres Strait Islander victims, survivors and other witnesses.	

	Recommendation	Queensland Government response
	j. Intermediaries should be available to assist in police investigative interviews of children and other vulnerable witnesses.	
Police charging decisions	*Recommendation 10* Each Australian government should ensure that its policing agency makes decisions in relation to whether to lay charges for child sexual abuse offences in accordance with the following principles: a. Recognising that it is important to complainants that the correct charges be laid as early as possible so that charges are not significantly downgraded at or close to trial, police should ensure that care is taken, and that early prosecution advice is sought, where appropriate, in laying charges. b. In making decisions about whether to charge, police should not: i. expect or require corroboration where the victim or survivor's account does not suggest that there should be any corroboration available ii. rely on the absence of corroboration as a determinative factor in deciding not to charge, where the victim or survivor's account does not suggest that there should be any corroboration available, unless the prosecution service advises otherwise.	Accepted
Blind reporting	*Recommendation 16* In relation to blind reporting, institutions and survivor advocacy and support groups should: a. be clear that, where the law requires reporting to police, child protection or another agency, the institution or group or its relevant staff member or official will report as required b. develop and adopt clear guidelines to inform staff and volunteers, victims and their families and survivors, and police, child protection and other agencies as to the approach the institution or group will take in relation to allegations, reports or	For further consideration

	Recommendation	Queensland Government response
	disclosures it receives that it is not required by law to report to police, child protection or another agency.	
	Recommendation 17 If a relevant institution or survivor advocacy and support group adopts a policy of reporting survivors' details to police without survivors' consent – that is, if it will not make blind reports – it should seek to provide information about alternative avenues for a survivor to seek support if this aspect of the institution or group's guidelines is not acceptable to the survivor.	For further consideration
	Recommendation 18 Institutions and survivor advocacy and support groups that adopt a policy that they will not report the survivor's details without the survivor's consent should make a blind report to police in preference to making no report at all.	For further consideration
	Recommendation 19 Regardless of an institution or survivor advocacy and support group's policy in relation to blind reporting, the institution or group should provide survivors with: a. information to inform them about options for reporting to police b. support to report to police if the survivor is willing to do so.	For further consideration
	Recommendation 20 Police should ensure that they review any blind reports they receive and that they are available as intelligence in relation to any current or subsequent police investigations. If it appears that talking to the survivor might assist with a police investigation, police should contact the relevant institution or survivor advocacy and support group, and police and the institution or group should cooperate to try to find a way in which the survivor will be sufficiently supported so that they are willing to speak to police.	Accepted in principle

	Recommendation	Queensland Government response
Principles for prosecution responses	*Recommendation 37* All Australian Directors of Public Prosecutions, with assistance from the relevant government in relation to funding, should ensure that prosecution responses to child sexual abuse are guided by the following principles: a. All prosecution staff who may have professional contact with victims of institutional child sexual abuse should be trained to have a basic understanding of the nature and impact of child sexual abuse – and institutional child sexual abuse in particular – and how it can affect people who are involved in a prosecution process, including those who may have difficulties dealing with institutions or person in positions of authority. b. While recognising the complexity of prosecution staffing and court timetables, prosecution agencies should recognise the benefit to victims and their families and survivors of continuity in prosecution team staffing and should take steps to facilitate, to the extent possible, continuity in staffing of the prosecution team involved in a prosecution. c. Prosecution agencies should continue to recognise the importance to victims and their families and survivors of the prosecution agency maintaining regular communication with them to keep them informed of the status of the prosecution unless they have asked not to be kept informed. d. Witness Assistance Services should be funded and staffed to ensure that they can perform their task of keeping victims and their families and survivors informed and ensuring that they are put in contact with relevant support services, including staff trained to provide a culturally appropriate service for Aboriginal and Torres Strait Islander victims and survivors. Specialist services for children should also be considered.	For further consideration

	Recommendation	Queensland Government response
	e. Particularly in relation to historical allegations of institutional child sexual abuse, prosecution staff who are involved in giving early charge advice or in prosecuting child sexual abuse matters should be trained to: i. be non-judgmental and recognise that many victims of child sexual abuse will go on to develop substance abuse and mental health problems, and some may have a criminal record ii. focus on the credibility of the complaint or allegation rather than focusing only on the credibility of the complainant. f. Prosecution agencies should recognise that children with disability are at a significantly increased risk of abuse, including child sexual abuse. Prosecutors should take this increased risk into account in any decisions they make in relation to prosecuting child sexual abuse offences.	
	Recommendation 38 Each state and territory government should facilitate the development of standard material to provide to complainants or other witnesses in child sexual abuse trials to better inform them about giving evidence. The development of the standard material should be led by Directors of Public Prosecutions in consultation with Witness Assistance Services, public defenders (where available), legal aid services and representatives of the courts to ensure that it: a. is likely to be of adequate assistance for complainants who are not familiar with criminal trials and giving evidence b. is fair to the accused as well as to the prosecution c. does not risk rehearsing or coaching the witness.	For further consideration

	Recommendation	Queensland Government response
Charging and plea decisions	*Recommendation 39* All Australian Directors of Public Prosecutions should ensure that prosecution charging and plea decisions in prosecutions for child sexual abuse offences are guided by the following principles: a. Prosecutors should recognise the importance to complainants of the correct charges being laid as early as possible so that charges are not significantly downgraded or withdrawn at or close to trial. Prosecutors should provide early advice to police on appropriate charges to lay when such advice is sought. b. Regardless of whether such advice has been sought, prosecutors should confirm the appropriateness of the charges as early as possible once they are allocated the prosecution to ensure that the correct charges have been laid and to minimise the risk that charges will have to be downgraded or withdrawn closer to the trial date. c. While recognising the benefit of securing guilty pleas, prosecution agencies should also recognise that it is important to complainants – and to the criminal justice system – that the charges for which a guilty plea is accepted reasonably reflect the true criminality of the abuse they suffered. d. Prosecutors must endeavour to ensure that they allow adequate time to consult the complainant and the police in relation to any proposal to downgrade or withdraw charges or to accept a negotiated plea and that the complainant is given the opportunity to obtain assistance from relevant witness assistance officers or other advocacy and support services before they give their opinion on the proposal. If the complainant is a child, prosecutors must endeavour to ensure that they give the child the opportunity to consult their carer or parents unless the child does not wish to do so.	For further consideration

	Recommendation	Queensland Government response
Director of Public Prosecutions complaints and oversight mechanisms	*Recommendation 40* Each Australian Director of Public Prosecutions should: a. have comprehensive written policies for decision-making and consultation with victims and police b. publish all policies online and ensure that they are publicly available c. provide a right for complainants to seek written reasons for key decisions, without detracting from an opportunity to discuss reasons in person before written reasons are provided.	Accepted in principle
	Recommendation 41 Each Australian Director of Public Prosecutions should establish a robust and effective formalised complaints mechanism to allow victims to seek internal merits review of key decisions.	For further consideration
	Recommendation 42 Each Australian Director of Public Prosecutions should establish robust and effective internal audit processes to audit their compliance with policies for decision-making and consultation with victims and police.	For further consideration
	Recommendation 43 Each Australian Director of Public Prosecutions should publish the existence of their complaints mechanism and internal audit processes and data on their use and outcomes online and in their annual reports.	For further consideration

	Recommendation	Queensland Government response
Tendency and coincidence evidence and joint trials	*Recommendation 44* In order to ensure justice for complainants and the community, the laws governing the admissibility of tendency and coincidence evidence in prosecutions for child sexual abuse offences should be reformed to facilitate greater admissibility and cross-admissibility of tendency and coincidence evidence and joint trials.	For further consideration
	Recommendation 45 Tendency or coincidence evidence about the defendant in a child sexual offence prosecution should be admissible: a. if the court thinks that the evidence will, either by itself or having regard to the other evidence, be 'relevant to an important evidentiary issue' in the proceeding, with each of the following kinds of evidence defined to be 'relevant to an important evidentiary issue' in a child sexual offence proceeding: i. evidence that shows a propensity of the defendant to commit particular kinds of offences if the commission of an offence of the same or a similar kind is in issue in the proceeding ii. evidence that is relevant to any matter in issue in the proceeding if the matter concerns an act or state of mind of the defendant and is important in the context of the proceeding as a whole b. unless, on the application of the defendant, the court thinks, having regard to the particular circumstances of the proceeding, that both: i. admission of the evidence is more likely than not to result in the proceeding being unfair to the defendant ii. if there is a jury, the giving of appropriate directions to the jury about the relevance and use of the evidence will not remove the risk.	For further consideration

	Recommendation	Queensland Government response
	Recommendation 46 Common law principles or rules that restrict the admission of propensity or similar fact evidence should be explicitly abolished or excluded in relation to the admissibility of tendency or coincidence evidence about the defendant in a child sexual offence prosecution.	For further consideration
	Recommendation 47 Issues of concoction, collusion or contamination should not affect the admissibility of tendency or coincidence evidence about the defendant in a child sexual offence prosecution. The court should determine admissibility on the assumption that the evidence will be accepted as credible and reliable, and the impact of any evidence of concoction, collusion or contamination should be left to the jury or other fact-finder.	For further consideration
	Recommendation 48 Tendency or coincidence evidence about a defendant in a child sexual offence prosecution should not be required to be proved beyond reasonable doubt.	For further consideration
	Recommendation 49 Evidence of: a. the defendant's prior convictions b. acts for which the defendant has been charged but not convicted (other than acts for which the defendant has been acquitted) should be admissible as tendency or coincidence evidence if it otherwise satisfies the test for admissibility of tendency or coincidence evidence about a defendant in a child sexual offence prosecution.	For further consideration

	Recommendation	Queensland Government response
	Recommendation 50 Australian governments should introduce legislation to make the reforms we recommend to the rules governing the admissibility of tendency and coincidence evidence.	For further consideration
	Recommendation 51 The draft provisions in Appendix N provide for the recommended reforms for Uniform Evidence Act jurisdictions. Legislation to the effect of the draft provisions should be introduced for Uniform Evidence Act jurisdictions and non–Uniform Evidence Act jurisdictions.	For further consideration
Recorded evidence	*Recommendation 56* State and territory governments should introduce legislation to require the audiovisual recording of evidence given by complainants and other witnesses that the prosecution considers necessary in child sexual abuse prosecutions, whether tried on indictment or summarily, and to allow these recordings to be tendered and relied on as the relevant witness's evidence in any subsequent trial or retrial. The legislation should apply regardless of whether the relevant witness gives evidence live in court, via closed circuit television or in a prerecorded hearing.	For further consideration
	Recommendation 57 State and territory governments should ensure that the courts are adequately resourced to provide this facility, in terms of both the initial recording and its use in any subsequent trial or retrial.	For further consideration
	Recommendation 58 If it is not practical to record evidence given live in court in a way that is suitable for use in any subsequent trial or retrial, prosecution guidelines should require that the fact that a witness may be required to give evidence again in the event of a retrial be discussed with	For further consideration

	Recommendation	Queensland Government response
	witnesses when they make any choice as to whether to give evidence via prerecording, closed circuit television or in person.	
Judicial directions and informing juries	*Recommendation 64* State and territory governments should consider or reconsider the desirability of partial codification of judicial directions now that Victoria has established a precedent from which other jurisdictions could develop their own reforms.	For further consideration
	Recommendation 65 Each state and territory government should review its legislation and introduce any amending legislation necessary to ensure that it has the following provisions in relation to judicial directions and warnings: a. <u>Delay and credibility:</u> Legislation should provide that: i. there is no requirement for a direction or warning that delay affects the complainant's credibility ii. the judge must not direct, warn or suggest to the jury that delay affects the complainant's credibility unless the direction, warning or suggestion is requested by the accused and is warranted on the evidence in the particular circumstances of the trial iii. in giving any direction, warning or comment, the judge must not use expressions such as 'dangerous or unsafe to convict' or 'scrutinise with great care'. b. <u>Delay and forensic disadvantage:</u> Legislation should provide that: i. there is no requirement for a direction or warning as to forensic disadvantage to the accused ii. the judge must not direct, warn or suggest to the jury that delay has caused forensic disadvantage to the accused unless the direction, warning or suggestion is	For further consideration

	Recommendation	Queensland Government response
	requested by the accused and there is evidence that the accused has suffered significant forensic disadvantage iii. the mere fact of delay is not sufficient to establish forensic disadvantage iv. in giving any direction, warning or comment, the judge should inform the jury of the nature of the forensic disadvantage suffered by the accused v. in giving any direction, warning or comment, the judge must not use expressions such as 'dangerous or unsafe to convict' or 'scrutinise with great care'. c. Uncorroborated evidence: Legislation should provide that the judge must not direct, warn or suggest to the jury that it is 'dangerous or unsafe to convict' on the uncorroborated evidence of the complainant or that the uncorroborated evidence of the complainant should be 'scrutinised with great care'. d. Children's evidence: Legislation should provide that: i. the judge must not direct, warn or suggest to the jury that children as a class are unreliable witnesses ii. the judge must not direct, warn or suggest to the jury that it would be 'dangerous or unsafe to convict' on the uncorroborated evidence of a child or that the uncorroborated evidence of a child should be 'scrutinised with great care' iii. iii. the judge must not give a direction or warning about, or comment on, the reliability of a child's evidence solely on account of the age of the child.	
	Recommendation 66 The New South Wales Government, the Queensland Government and the government of any other state or territory in which Markuleski directions are required should consider introducing legislation to abolish any requirement for such directions.	For further consideration

	Recommendation	Queensland Government response
	Recommendation 67 State and territory governments should support and encourage the judiciary, public prosecutors, public defenders, legal aid and the private Bar to implement regular training and education programs for the judiciary and legal profession in relation to understanding child sexual abuse and current social science research in relation to child sexual abuse.	For further consideration
	Recommendation 68 Relevant Australian governments should ensure that bodies such as: a. the Australasian Institute of Judicial Administration b. the National Judicial College of Australia c. the Judicial Commission of New South Wales d. the Judicial College of Victoria are adequately funded to provide leadership in making relevant information and training available in the most effective forms to the judiciary and, where relevant, the broader legal profession so that they understand and keep up to date with current social science research that is relevant to understanding child sexual abuse.	For further consideration
	Recommendation 69 In any state or territory where provisions such as those in sections 79(2) and 108C of the Uniform Evidence Act or their equivalent are not available, the relevant government should introduce legislation to allow for expert evidence in relation to the development and behaviour of children generally and the development and behaviour of children who have been victims of child sexual abuse offences.	For further consideration

	Recommendation	Queensland Government response
	Recommendation 70 Each state and territory government should lead a process to consult the prosecution, defence, judiciary and academics with relevant expertise in relation to judicial directions containing educative information about children and the impact of child sexual abuse, with a view to settling standard directions and introducing legislation as soon as possible to authorise and require the directions to be given. The National Child Sexual Assault Reform Committee's recommended mandatory judicial directions and the Victorian Government's proposed directions on inconsistencies in the complainant's account should be the starting point for the consultation process, subject to the removal of the limitation in the third direction recommended by the National Child Sexual Assault Reform Committee in relation to children's responses to sexual abuse so that it can apply regardless of the complainant's age at trial.	For further consideration
	Recommendation 71 In advance of any more general codification of judicial directions, each state and territory government should work with the judiciary to identify whether any legislation is required to permit trial judges to assist juries by giving relevant directions earlier in the trial or to otherwise assist juries by providing them with more information about the issues in the trial. If legislation is required, state and territory governments should introduce the necessary legislation.	For further consideration

Source: Royal Commission into Institutional Responses to Child Sexual Abuse, *Criminal Justice Report: Executive Summary and Parts I–II*, 2017, <www.childabuseroyalcommission.gov.au/sites/default/files/file-list/final_report_-_criminal_justice_report_-_executive_summary_and_parts_i_to_ii.pdf>; Queensland Government, *Queensland Government Response to the Royal Commission into Institutional Responses to Child Sexual Abuse*, Brisbane, June 2018, <www.cyjma.qld.gov.au/resources/dcsyw/about-us/reviews-inquiries/qld-gov-response/rc-child-sexual-abuse-response.pdf>.

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Original artwork by Dean Bell depicts knowmore's connection to the towns, cities, missions and settlements within Australia.

knowmore acknowledges the Traditional Owners of the lands and waters across Australia upon which we live and work. We pay our deep respects to Elders past and present for their ongoing leadership and advocacy.

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