

# step forward

getting help about sexual violence



Northern  
Territory  
Government

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## Acknowledgements

In addition to the contribution of the Northern Territory Government and Northern Territory Police employees, the Department of Justice would like to acknowledge and thank the following agencies for their valuable contributions in developing this booklet:

Danila Dilba  
Legal Aid  
Ruby Gaea  
Sexual Assault Referral Centre  
Top End Women's Legal Service

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First published 2007  
Printed by Government Printer of the Northern Territory

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# Sexual violence can happen to anyone

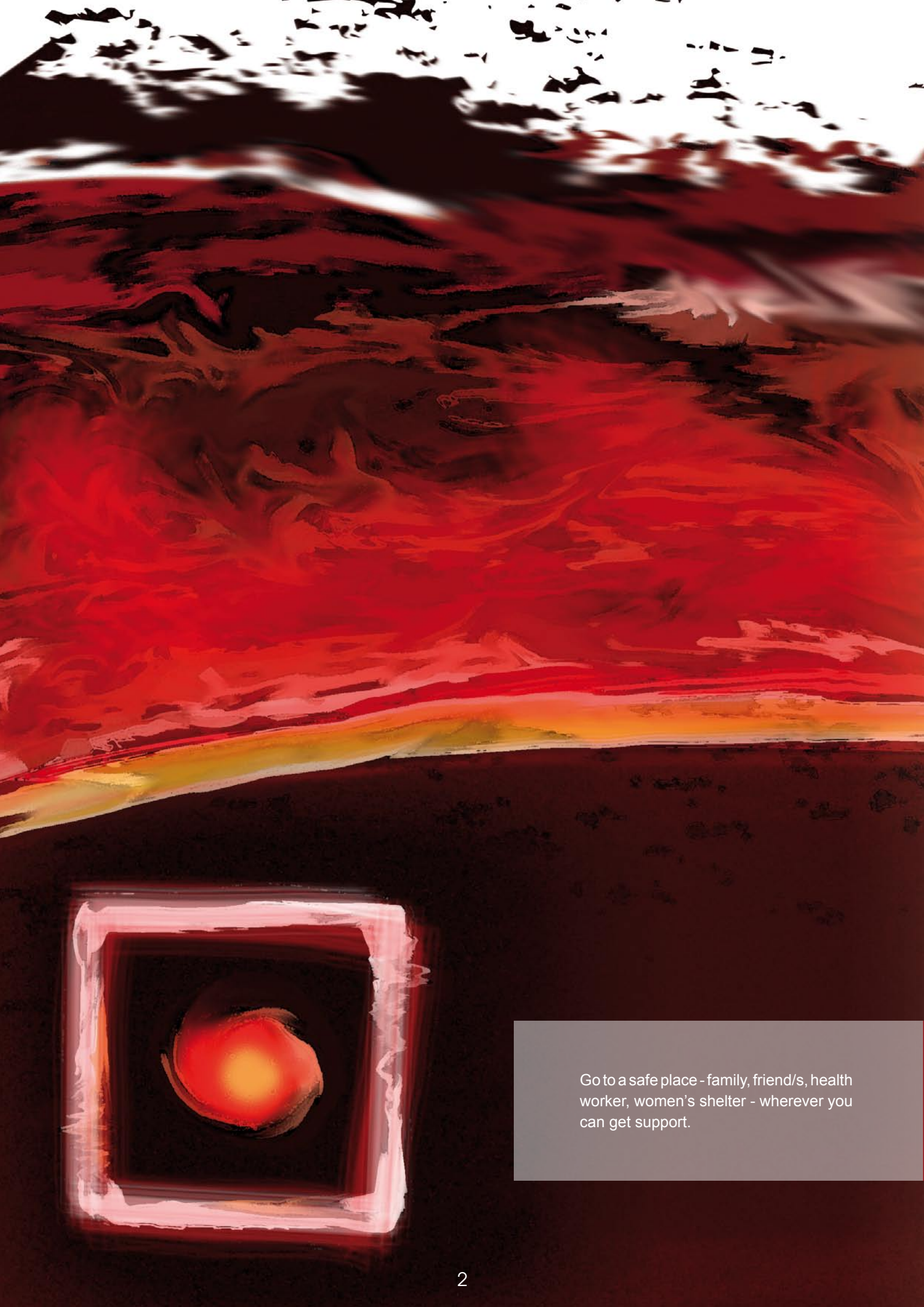
What is sexual violence?

you have the right to be respected and to have control over what happens to your body - this means you do not have to live with sexual violence.

## Sexual violence is a crime

- It is against the law for an adult to have sex with anyone under 16 regardless of whether the young person agrees to the sex.
- It is against the law for anyone to force you to have sex, or try to have sex with you without your consent.
- Consent means saying YES to something freely and voluntarily. This means that if you say yes because you are frightened then you have not given consent and the person does not have the right to have sex with you.
- Even if you initially agree to have sex, you can withdraw your consent and say NO at any time.
- A person does not have an automatic right to have sex with their wife/husband, girl/boyfriend or partner.
- If the person is threatening you or your family and tricking you to have sex, this is sexual violence.
- Customary or Aboriginal law cannot be used as an excuse for sexual violence.
- The law says you haven't said yes to sex if:
  - you have had a lot of grog/alcohol or taken drugs or if you think someone has drugged you; or
  - you changed your mind about having sex.

Forcing you to do sexual things when you don't want to is wrong and against the law - even if you didn't fight back.



Go to a safe place - family, friend/s, health worker, women's shelter - wherever you can get support.



## Think about what's happened

Sexual violence can make you feel sick, scared and lonely and it may be difficult to think clearly. It can also make you remember other experiences of sexual violence which can be frightening and disorientating. You may blame yourself and not want to talk to anyone. These are normal feelings.

It may take a while for you to work out what has happened to you, what to do and who to turn to.

Sexual violence is not cultural, it is a crime.

Sexual violence can happen to anyone.

## There are lots of things you can do

It is important to get help from other people. You can get help from family, friends or someone outside your community. There is a list of places at the end of this booklet who can give you specialised help.

If you think you might tell the Police what happened then try not to wash yourself because there could be important evidence that could be useful for the Police. Take off the clothes you are wearing and put them in a safe place.



## Taking the matter further

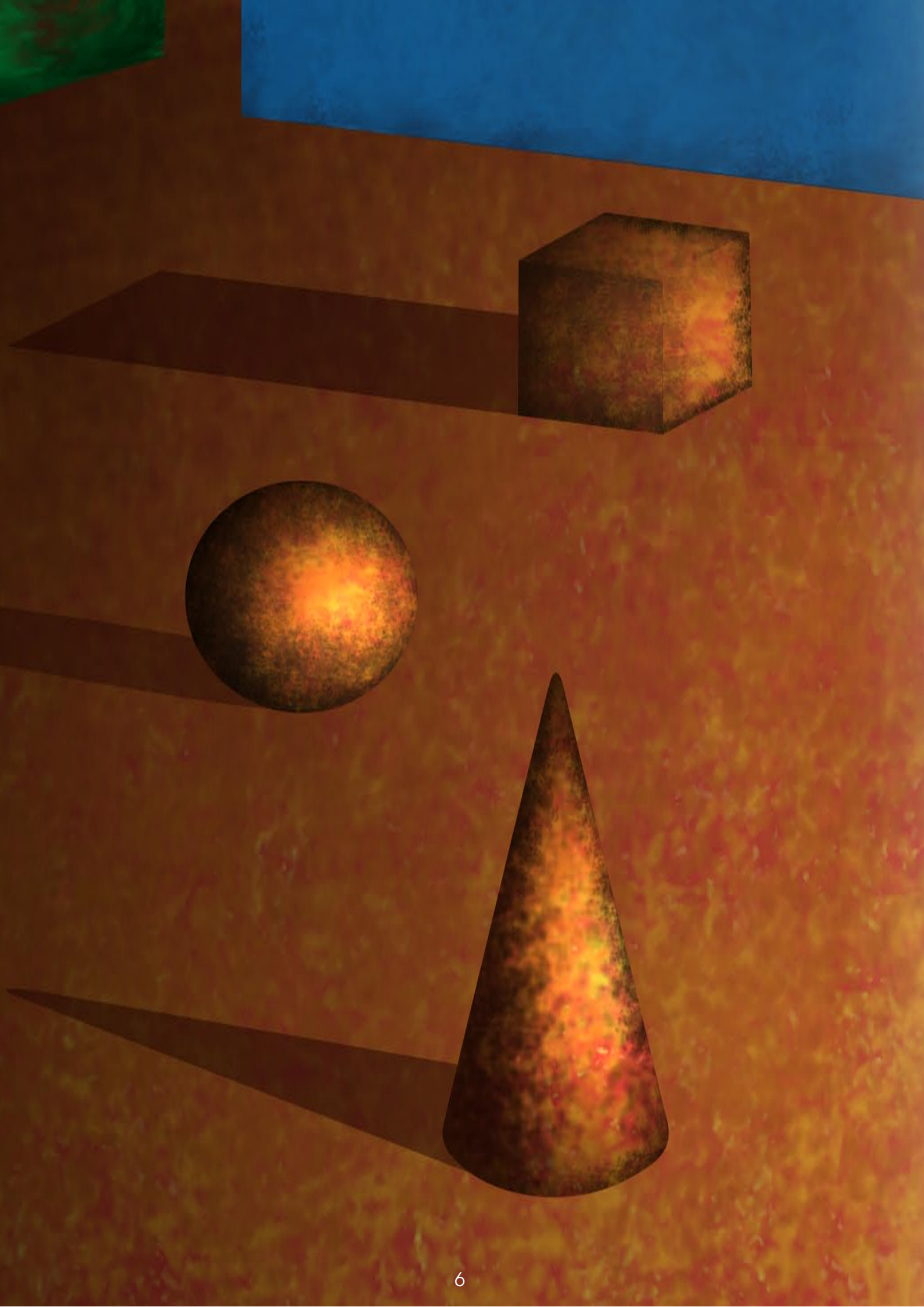
### **Why?**

- You have the right to live free from violence.
- Sexual violence is wrong and against the law.
- Reporting sexual violence to the Police may help to stop the violence and abuse.
- It stops the violence from being secret.
- It might stop it happening to other people.
- The earlier you get help, the quicker you can feel better.

### Sexual violence and children - mandatory reporting

If a child under 18 years has been sexually abused/ assaulted, or if you think that a child has been sexually assaulted (the child may have a Sexually Transmitted Infection, be pregnant or may be bleeding from the vagina or anus or there may be other indicators such as the child may be upset, fearful, anxious or depressed) you must report it to Police or a Family and Children's Service's worker. Do not bathe or shower the child, (change their clothes) and keep the clothes in a safe place to give to the Police.

These workers will take action to protect the child and investigate for possible criminal charges against the offender.



## Where to go and what to do

You may choose any or all of the following. It is your choice.

A list of contacts is available at the back of this booklet.

### Support / Counselling

It may be helpful to talk with a support person/counsellor, who can talk to you about how you are feeling, and about the supports and options that are available. You may not be coping and these people can help you. This may also be the case if you know someone who may need help. There is a list of counselling services at the end of this pamphlet.

### Medical help

Go to the clinic, health worker, doctor or nearest hospital.

- Do not shower (wash) before you get medical help - you can change your clothes and take them with you - they might be an important piece of evidence if you decide to tell the Police.

#### **Why?**

- To treat any injuries you have.
- Medical evidence can be collected (this should happen as soon as possible after the assault).
- You may decide to report the assault to Police (this can happen straight away or later when you are stronger).
- Check to see whether you might be pregnant or have a sexually transmitted infection.

#### **What happens?**

- Bruises, marks or cuts will be checked and injuries will be treated.
- Samples of any semen or saliva that can be found will be taken - this might be important evidence if you decide to tell the Police.
- You can get treatment for any sexually transmitted infection and to reduce the risk of pregnancy.

### Talk to the Police

#### **Why?**

- If you are scared and need help.
- You have the right to be safe.
- The legal system is a way to make the people responsible for hurting you to be held accountable and to face what they have done. You can use the law to protect you and your children.
- The Police can also advise you of counselling and support services and contact numbers.



If you are tired or distressed, or under the influence of alcohol or drugs then you can rest before you give a statement.

## What might happen if you report to Police

It doesn't matter how long ago the sexual violence occurred - you can still tell the Police and they will investigate.

You will be asked to tell your story to the Police. This is called 'giving a statement.' Giving a statement to Police takes a few hours and you can have a support person with you while you give a statement. A support person can help you if you become upset, explain things and make sure you feel comfortable. You can stop at anytime while you are making a statement and have a rest. If you are under 18 years old your statement will be recorded on video - otherwise the Police will write it down and ask you to sign it.

Make sure the statement includes everything before you sign it. It is important that you give a statement as soon as possible while you can remember all the things that happened to you. If you don't want to go ahead with charges that's fine, but giving a statement is important while you make up your mind.

You can speak in your own language when you make the statement. You can talk to a male or female Police officer. The Police will arrange for an interpreter.

If you decide you don't want to go ahead with charges you should talk to the Police.

Police investigations into sexual violence are highly confidential and only a few people will know there is an investigation being conducted. The names and faces of victims and offenders cannot be shown in the paper or on television.

## Going through the legal system

If your case is going through the legal system the Police will investigate what happened, may arrest the person and may charge them with an offence.

The Police or the Witness Assistance Service will regularly tell you what is happening if your case is going through the legal system.

If the offender is arrested, they might be kept in custody (prison) or they may get bail (not be held in prison). If they get bail it will be a condition of the bail that they don't approach you. If the person does approach you then the Police should be told and the person will be arrested for breaching (breaking) bail.

If the person who assaulted you is related to you, a restraining order can also be used to protect you. The Police or a legal service can help you to get a restraining order.

In some cases there is not enough evidence (proof) to take the matter to Court. This doesn't mean that the Police don't believe that you have been sexually abused (assaulted). The Police or Prosecutor won't put you through a Court case unless there is enough evidence.



## Going to Court

If your case goes to Court you may need to give evidence (go to Court and tell your story). You can get help and advice with this from different services depending on where you live - Witness Assistance Service, Women's Legal Service, Family Violence Prevention Legal Service, counsellors, Sexual Assault Referral Centre. You will be contacted by the Police or the Witness Assistance Service about going to Court.

Going to Court may be hard for you and it is possible that nothing will happen. If the person is found not guilty they can't be punished by the Court but it doesn't mean that it did not happen, or, that you are not believed. If the person is found guilty they will be punished and may go to prison.

## Victim Impact Statement

With the help of your support person, you can complete the Victim Impact Statement which explains to the Judge or Magistrate how the sexual violence has harmed you and what sentence you believe your attacker should get. This information is presented in the Court before sentencing occurs. The Witness Assistance Service can help you complete this.

## Making the Court safe and private

The Court has to be closed while you give evidence about the sexual violence. This means that only the accused, their lawyer, the Prosecutor, Judge or Magistrate, and Court staff are allowed in the Court room while you give evidence.

You can also give evidence using a closed circuit television or a screen which means that you do not need to see the person who sexually assaulted you. A relative, friend or support worker can also be with you in Court while you give evidence.

All Prosecutions for sexual assault offences are subject to time limits. Depending on how long the investigation takes, once a case gets to Court it should be finished within 6 months. This time can be extended.

For children under 18 years old:

- Generally, evidence will only need to be given once in Court and the recorded (video) statement taken by Police can also be used as evidence in Court.
- All of a child's evidence can be pre-recorded in a special Court hearing and later presented when the case is being heard by the Court.

For further information, speak to Witness Assistance Service, Women's Legal Service, Family Violence Prevention Legal Service, counsellors or Sexual Assault Resource Centre.



## Your case doesn't go to Court

Not all reports of sexual assault result in criminal charges. There are various reasons for this which will be explained to you by the Police or Prosecutor.

## Assistance and compensation for victims

As a victim of sexual violence, you may be able to claim financial assistance under the Victims of Crime Assistance Scheme. You can also seek special help, such as ongoing help from a counsellor or psychologist for the harm/hurt (physical and emotional) you have suffered.

However, before you can claim any money, you need to co-operate with and make a statement to the Police.

To find out whether you can make a claim or for more information, contact the Crime Victims Services Unit at the Department of Justice on 1800 460 363, email [cvsu.doj@nt.gov.au](mailto:cvsu.doj@nt.gov.au) or visit [www.cvsu.nt.gov.au](http://www.cvsu.nt.gov.au).

## Some explanations

**Counsellor/support person** - will listen to you and give you support, is sensitive about how you are feeling and can assist with decisions about what you want to do. They will assist you in coping with what's happening to you at the present time, will respect your decisions and help provide information about what to expect.

**Lawyers/legal help** - will provide information about your legal rights and help you through the legal system. They rely on you to tell them if you don't understand.

**Evidence** - information that is used in Court to work out what happened when the sexual assault occurred. It could be anything anybody saw or heard.

**Prosecution** - the process of taking legal proceedings against a person for a criminal offence.

**Prosecutor** - the person who presents the case in Court.

**Magistrate/Judge** - the person who interprets the law and applies it, and decides how a person should be punished or if she or he has broken the law.

**Witness Assistance Service** - can help you understand how the Courts and legal system works as well as help you make a victim impact statement.

**Crime Victims Services Unit** - can provide information on whether you can make a claim for money and help you to apply.

# Information and Support Services

## Getting Help - In An Emergency

**Crisisline** (From anywhere in the Northern Territory)

Freecall: 1800 019 116

**Sexual Assault Referral Centre - Darwin** (Emergency Only)

Phone: 8922 7156 (24 hour service)

## Getting Help - Sexual Assault Counselling

**Darwin:**

**Sexual Assault Referral Centre**

Phone: 8922 7156

*The Darwin Sexual Assault Referral Centre provides a counselling service to both adults and children who may have experienced (recently or many years ago) any form of sexual assault.*

*24 hour access to free medical, legal information and counselling.*

**Ruby Gaea** (Darwin Centre against Rape)

Phone: 8945 0155

9 - 5 Monday to Friday.

*Free counselling, support, advocacy and resources.*

**Alice Springs:**

**Women's Information Centre and Sexual Assault Referral Centre**

Phone: 8951 5880

**Katherine:**

**Sexual Assault Counsellor - Family Link**

Phone: 8971 0777

**Katherine Aboriginal Family Support Unit**

Phone: 8972 3200

**Tennant Creek:**

**Sexual Assault Referral Centre**

Phone: 8962 4364

## Other Counselling and Support

**Domestic Violence National Help Line** (24 hours)

Freecall: 1800 200 52

**Kids Help Line**

Freecall: 1800 55 1800

**Crisis Line**

Phone: 8981 9227

Freecall: 1800 019 116

*A professional telephone counselling service with knowledge on a large range of topics.*

**Danila Dilba Emotional and Social Wellbeing Service**

Phone: 8936 1777

*Doctors and Health Workers in communities*

## Police

**Police assistance**

Phone: 131 444

**Emergencies**

Freecall: 000

## Witness Assistance Service

Darwin: 8999 7533

Alice Springs: 8951 5800

Freecall: 1800 659 449

*As a witness or a victim you, or a member of your family, may be involved in a criminal proceedings. This person can answer your questions. You can contact the Police in charge of your case or Witness Assistance Service*

## Legal Help

**NT Legal Aid Commission Legal Information Line**

Freecall: 1800 019 343

**Darwin:**

**Top End Women's Legal Service**

Freecall: 1800 041 998

**Domestic Violence Legal Help**

Phone: 8999 3000

**Alice Springs:**

**Central Australian Women's Legal Service**

Freecall: 1800 684 055

*Women's Legal Services provide free legal information to assist you in understanding and protecting your legal rights. Their services are aimed at assisting people in making informed choices and decisions about the options available to them.*

**Central Australian Aboriginal Family Legal Unit**

Freecall: 1800 088 884

**Ngaanyatjarra Pitjantatjara Yankunytjatjara Women's Council, Domestic and Family Violence Service**

Freecall: 1800 180 840

**Katherine:**

**Katherine Women's Information and Legal Services**

Freecall: 1800 620 108

**Katherine Aboriginal Family Support Unit**

Phone: 8972 3200

**Other Selected Communities:**

**North Australian Aboriginal Family Violence Legal Service**

Freecall: 1800 041 998

*Runs Family Violence Prevention Legal services within the following communities: Milikapiti, Pirlangimpi, Nguuu (Tiwi Islands), Nhulunbuy, Alyangula, Kunbarlanjinja (Oenpelli) and Wadeye.*

## Victim Support

**Victims of Crime NT**

Freecall: 1800 672 242

*Victims of Crime NT offers Court support to people in Darwin and information and support by phone Territory wide on 1800 672 242.*

**Crime Victims Services Unit**

Freecall: 1800 460 363

*Victims of sexual violence and their families may be able to claim financial assistance under the Victims of Crime Assistance Scheme. To find out whether you can make a claim or for more information, contact the Crime Victims Services Unit at the Department of Justice on 1800 460 363, email [cvsu.doj@nt.gov.au](mailto:cvsu.doj@nt.gov.au) or visit [www.cvsu.nt.gov.au](http://www.cvsu.nt.gov.au).*

**Centacare NT**

Freecall: 1800 674 122

*If you are a victim of a violent crime or relative or close friend of a victim you are entitled to free crisis counselling. Crisis counselling services for victims of crime are located across the Territory. For more information, contact Centacare NT on 1800 674 122.*

## Other Resources

**Video** - "Shout it out loud" a video/DVD on child sexual abuse, Sexual Assault Resource Centre, Alice Springs, Phone: 8951 5880  
The book "Who can help you?", which has an extensive list and phone numbers of counselling, mediation, legal, domestic violence services, Police and emergency accommodation and other relevant services for the Darwin, Katherine, Arnhem, Central and Barkly Regions, phone the Northern Territory Legal Aid Commission on 8999 3000

**DVD** - "Being Strong" a Court story, available from Witness Assistance Services (available in English and Kriol)



**Department of Justice**