

Reporting
sexual assault
to police



VICTORIA POLICE

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Reporting sexual assault to police

Reporting sexual assault to police is a significant step. This document explains the investigation process and the options that are available to help you consider your decision.

We understand it can be difficult to report your experience to us. Making the decision to report sexual assault is an important personal choice. In reaching that decision, you may wish to seek advice and guidance from others.

Telling us about your experience does not mean that we will always commence an investigation. The decision as to whether or not to conduct a formal investigation will be discussed with you and the circumstances of your particular assault will always

be taken into account. It may be that police conduct a formal investigation or we may take and record your information and take no further action.

Regardless of the investigation decision, **telling us about your sexual assault is important.** When considering your options we encourage you to read this document together with speaking to one of our specialist detectives from a Sexual Offences and Child Abuse Investigation Team (SOCIT) who will assist with any questions or concerns.

What is sexual assault?

Sexual assault happens when someone does not consent to a sexual act or acts. In some cases, such as offences against children, consent is not an issue. Sexual assault can refer to a broad range of sexual behaviours that make a victim feel uncomfortable, frightened or threatened. This includes rape, sexual touching and child sexual abuse.

It is important that you do not worry about whether the sexual assault you have experienced is a criminal offence or not. It is our job to work that out. If you are concerned about something that has happened to you, we encourage you to come and speak with us. You need not worry about your actions or choices, or that you will not be taken seriously. Our investigators are trained to understand these complicated stories. We will listen without judgment. Any form of sexual assault is serious and everyone is entitled to protection under the law.

What happens when I report sexual assault to police?

Your wellbeing and the safety of the community is our first priority. We will consider your immediate medical needs and take steps to ensure you are safe. We will offer you counselling and advocacy support from a Centre Against Sexual Assault (CASA) and if your sexual assault has occurred recently, accompany you to a Crisis Care Unit where you will be supported by a CASA counsellor.

After your immediate medical and safety needs have been addressed, we will carefully explain the information contained within this pamphlet about your reporting options and the investigation process and discuss any concerns you may have.

What if the assault happened a long time ago?

It is never too late to report sexual assault.

Delays in reporting sexual assault to police are not uncommon. Our detectives often investigate assaults reported weeks, months and even years after an assault has occurred. You are encouraged to report it regardless of when the incident occurred.

Why is telling the police about my sexual assault important?

Even if a decision is made to not conduct an investigation, there are a number of reasons why telling us about your sexual assault is important.

The information you provide helps us to:

- Assess your safety and assist you to remain safe
- Assess and ensure the safety of others
- Help solve previous sexual assaults that have been reported or are later reported
- Identify serial sexual perpetrators
- Prevent future sexual assaults and protect victims
- Learn more about sexual assault in the community
- Refer and link you to victims of crime and support agencies that will provide you with specialist ongoing assistance.

What is the process if there is a police investigation?

The primary role of Victoria Police is to investigate offences and apprehend offenders. Sexual assault investigations are conducted by specialised detectives trained in the investigation of sexual assault. Your investigation will be handled by a primary investigator who will be your main point of contact.

During the investigation we will keep you informed of the progress and ensure your questions and concerns are answered promptly. You may request to receive progress reports in writing, by phone, email or in person.

The investigation process is made up of a number of stages. The initial stage involves the collection and examination of all the available evidence. Evidence includes anything that may assist in the investigation and may later be produced at court.

Medical examination

Depending on the circumstances of your report and the time frame, you may be asked to undergo a forensic medical examination. In addition to addressing any immediate medical needs, this may also be for the purpose of collecting evidence. Forensic medical examinations are conducted by a trained medical professional called a Forensic Medical Officer (FMO) or a Forensic Nurse Examiner (FNE). Where a forensic medical examination is appropriate, we will arrange the consultation with the FMO/FNE.

During the forensic medical examination the FMO/FNE will assess and treat any immediate medical needs or arrange your referral to a specialist medical service. The FMO/FNE may discuss concerns relating to sexually transmitted infections (STIs) and pregnancy and will collect evidence for use in the investigation.

You may wish to have a support person present during the examination. This support person can be a counsellor, family member or friend, unless they are a witness to the assault.

Even if you are unsure about proceeding with a report, we encourage you to undergo a forensic medical examination in case you decide to proceed at a later time. Whether to undergo a forensic medical examination is your choice, however be mindful that any evidence that could be obtained to assist with the investigation may be lost with time.

For more information about forensic medical examinations, please visit the Victorian Institute of Forensic Medicine website at www.vifm.org/forensics/clinical-forensic-medicine

Recording your statement

An important aspect of the investigation is for us to take your statement. This will usually be done very early in the investigation. Statements will be taken in a private setting. A statement is a written document that records what you can recall about the incident in detail. It is important that statements include everything that happened. Even small details that you might not think are important may help us to investigate the incident.

We know it may not be easy for you to reveal certain facts, but it is important to disclose everything. Remember, we will listen without judgment.

It is very important you are given the time you need to make your statement. Making statements may require several hours and sometimes may even require several appointments. It is important you have sufficient time and feel comfortable when giving your statement.

If your sexual assault happened a long time ago, the thought of recalling events can be overwhelming. Our detectives are trained to assist you in this process.

If you are under 18 years of age or have a cognitive impairment your statement may be electronically recorded. No one gets a copy of this recording and they are securely stored by police. We will explain this form of statement in greater detail and answer your questions should this apply to you.

Evidence collection

In certain circumstances we may need to take photographs of any injuries and collect clothing or other items that may provide evidence relating to your experience.

We may attend the scene of the assault, examine video surveillance, mobile phones, social media and/or inquire into any other matter that may assist with establishing all the facts. If the incident occurred several years ago we may need to review old records and documents.

Any items taken as evidence will only be kept for as long as necessary. At the completion of the investigation and/or court proceeding, we will discuss with you which items you would like returned to you or disposed of.

We will also take statements from people who may assist with information about the incident. Any person who makes a statement, including you as a victim, is referred to as a witness. Others may include those who may have witnessed the incident and those who can provide information around your incident. Sometimes victims are reluctant to have investigators speak to family or close friends as it may cause embarrassment or concern. While we understand you may find this difficult, it is important we are thorough. **We respect your privacy and will not disclose any unnecessary information when speaking to witnesses. If you are concerned or worried about anyone we might speak to, let us know and we will discuss these concerns.**

Interviewing the offender

When the suspect is known or has been identified, we will interview the suspect. Depending on the circumstances, the suspect might be kept in custody. On other occasions, the suspect will be released pending some further investigation. Your safety will be the first priority at every stage of the investigation.

At the conclusion of the investigation, all the evidence collected will be examined by a person who is specifically trained in making decisions about matters that may proceed to court. The decision is made after careful consideration and is based on the available evidence and the rules of law.

The court process and witness support

There are a number of support services available to you should your matter proceed to court. The Office of Public Prosecution's (OPP) Witness Assistance Service and the Child Witness Service are examples of these services. They offer support to victims and families of victims of serious crime throughout the court process. We work closely with the OPP and can make referrals to specialist support services if required. You may also wish to have a friend or family member (who is not a witness), assist you.

For more information on Victim and Witness Support, please visit the Witness Assistance Service website at www.opp.vic.gov.au/witnesses-and-victims.

Each stage in the court process will be explained to you. There are a number of different stages in a court hearing process before witnesses will be required to attend and give evidence. There are special arrangements for sexual assault victims/survivors designed to minimise trauma to victims of this crime. One of the things that may be available to reduce trauma is the remote witness facility. This is an area where the victim gives evidence via camera, which is transmitted into the Court to prevent the accused person coming face to face with the victim.

For more information about going to court, please visit the Department of Justice and Regulation website at www.victimsofcrime.vic.gov.au

What if the matter does not proceed to court?

Not all investigations proceed to court. This does not mean we don't believe you. It simply means we do not have a sufficient amount of evidence to meet the required level for criminal prosecution. If this occurs, you will be advised and the reasons will be explained to you. The evidence collected during the investigation will be securely stored.

It is still very important that you share your story with police and that we fully investigate your report. In some instances, further evidence regarding your report may become available at a later date. If this occurs, we may be able to review the investigation and consider prosecution.

What if I no longer want to continue?

It is the role of Victoria Police to encourage and support you through an investigation regardless of the circumstances. However, we understand there may be reasons for you to decide a police investigation is not the best option for you at the time. You may also choose to defer formal reporting for a period of time or may decide to have no further involvement with us.

Deciding to not proceed does not prohibit you from proceeding at a later date. However a delay in the investigation may result in the loss of some evidence. Regardless of your decision, your safety and welfare will still be addressed and we will refer you to other agencies that can offer you support.

In some circumstances, where there is a risk to community safety, we may still need to proceed with an investigation. Your safety and welfare will remain our priority.

Support and welfare information

All victims/survivors of sexual assault can access sexual assault support services. We will provide you with information regarding the centres and services offered to you at no cost. The services provided varies on the support you would like, but can include:

- Follow-up short, medium and longer term counselling and support
- Information and support during the investigation and court process
- Medical assistance and follow-up medical treatment
- Emergency housing
- Victims of Crime Assistance Tribunal applications
- Information and counselling for friends and family members.

Your Sexual Offences and Child Abuse Investigation Team (SOCIT) detective or Centre Against Sexual Assault (CASA) counsellor can assist you in obtaining the support and help you need.

For information about the services provided by CASA, please visit their website at: www.casa.org.au

Who else can I speak to?

If you would like further information about the investigation process you may speak to a SOCIT detective. You may also seek further information from the following agencies:

Centres Against Sexual Assault

T: 1800 806 292
www.casa.org.au

Centres Against Sexual Assault provide free counselling and support to women, children and men who are victims/survivors of sexual assault. To access your nearest CASA during business hours, ph. 1800 806 292.

After Hours Sexual Assault Crisis Line

T: 1800 806 292

The after-hours Sexual Assault Crisis Line (SACL) provides a state-wide crisis counselling and support service to all victims of sexual assault at any time in their lives and coordinates after-hours crisis care responses with CASA for recent victims/survivors of sexual assault. SACL operates between 5pm weeknights through to 9am the next day and throughout weekends and public holidays.

National Sexual Assault, Domestic Family Violence Counselling Service

T: 1800 737 732 (1800RESPECT)
www.1800RESPECT.org.au

The National Sexual Assault, Domestic Family Violence Counselling Service is a 24 hours a day, 7 days a week nation-wide telephone and online counselling service for victims/survivors of both past and recent sexual assault and/or domestic family violence. They offer an interpreting and sign language (Auslan) service.

Department of Justice and Regulation

Victims of Crime

T: 1800 819 817

www.victimsofcrime.vic.gov.au

The Department of Justice and Regulation provides free information and support 7 days a week between 8am and 11pm. They provide information and advice on reporting a crime and information about your rights, the court process and other services that can help you. They can also help you in applying for compensation and financial assistance.

Safe Steps

Family Violence Response Centre

T: 1800 015 188

www.safesteps.org.au

Safe Steps (formerly Women's Domestic Violence Crisis Service) is a state-wide service for women and children experiencing violence and abuse from a partner or ex-partner, another family member or someone close to them. They provide a comprehensive range of support services to enable women and children to become – and stay – free from violence. Women experiencing family violence can call 24 hours a day 7 days a week and speak confidentially to another woman for information on family violence support services, legal rights and accommodation options.

Women's Legal Service Victoria

T: 03 8622 0600 (Metro)

or 1800 133 302 (Country)

www.womenslegal.org.au

Women's Legal Service Victoria assists women experiencing disadvantage who are facing legal issues due to a relationship breakdown and violence. They can assist with issues such as protection from family violence and personal safety intervention orders, child custody and access, division of property after separation, separation and divorce and victim's of crime applications. Financial advice is also available to women experiencing problems with debt, financial hardship or accessing financial entitlements following a relationship breakdown.

Contact your local Sexual Offences and Child Abuse Investigation Team (SOCIT)

Our Sexual Offences and Child Abuse Investigation Team (SOCIT) locations and phone numbers across Victoria are listed on the following page. The locations are divided into regions to make it easier for you to find your nearest unit.

Remember, in an emergency dial Triple Zero (000).

**NORTH-WEST
METROPOLITAN**

Diamond Creek (03) 9438 8320

Epping (03) 9409 8174

Fawkner (03) 9355 6100

Footscray (03) 8398 9860

Brimbank (03) 9313 3460

Melbourne (03) 8690 4056

SOUTHERN METROPOLITAN

Dandenong (MDC)* (03) 8769 2200

Frankston (MDC)* (03) 8770 1000

Moorabbin (03) 9556 6128

WESTERN VICTORIA

Ballarat (03) 5336 6055

Central Victoria (Bendigo) (03) 5448 1420

Colac (03) 5230 0044

Geelong (MDC)* (03) 5223 7200

Horsham (03) 5382 9241

Ararat (03) 5355 1500

Mildura (MDC)* (03) 5023 5980

Swan Hill (03) 5036 1600

Warrnambool (03) 5560 1333

EASTERN VICTORIA

Bairnsdale (03) 5150 2677

Benalla (03) 5760 0200

Box Hill (03) 8892 3292

Knox (03) 9881 7939

Central Gippsland (Morwell) (03) 5131 7014

Wonthaggi (03) 5671 4100

Sale (03) 5142 2200

Seymour (03) 5735 0208

Shepparton (03) 5820 5878

Wangaratta (03) 5723 0848

Wodonga (02) 6049 2673

*Multi-disciplinary Centre

Investigator:

