

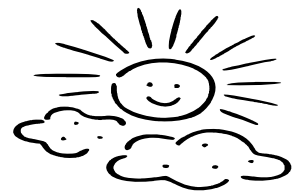


Free Spirits

Survivors Newsletter

Free—Please take one

Spring 2009
Issue 8



Once butterflies emerge from the larva stage they are free and that's what survivors strive to be....free of the past, free of the pain and free from living in fear.

CHANGES TO SOUTH AUSTRALIAN LAWS ON SEXUAL OFFENCES

Legal changes to laws and judicial processes on rape and sexual assault were proclaimed in December 2008. These changes aim to address the low conviction rate for sexual offences and will increase consideration for victims during the judicial process.

Sexual offences committed since this date will be prosecuted under the Criminal Law Consolidation (Rape and Sexual Offences) Amendment Act 2008. Offences committed prior to the legal changes will be prosecuted under the Criminal Law Consolidation Act (Sexual Offences) 1978.

The laws have been strengthened to provide a clearer definition of offences and what constitutes consent. The reforms will require a person's agreement to sexual activity to be **free and voluntary**. Sexual activity will be non-consensual if agreement was obtained:

- by force or threats of force to the alleged victim or anyone else;
- by threats to degrade or disgrace the alleged victim or anyone else;
- while the alleged victim was asleep or unconscious;
- while the alleged victim was too intoxicated to be capable of agreeing;
- when the alleged victim was affected by a physical or mental disability that made him or her incapable of agreeing;
- when the alleged victim was mistaken about or unable to understand the nature of the sexual activity;
- when the alleged victim was mistaken about the identity of the person she was having sex with; and
- while the alleged victim is unlawfully detained.

Inside this issue:

National Council.....	2
Survivors Voice.....	3
What's On.....	4



Rape is also defined as a situation in which a person withdraws their consent after initially agreeing to sexual intercourse and the other party continues regardless.

The new laws require a judge to direct the jury, in relevant cases, that consent to sexual activity should not be assumed merely because the alleged victim:

- didn't say or do anything to indicate she did not consent;
- did not protest or physically resist;
- was not physically injured by the activity; and
- had had consensual sex with the accused person or anyone else before.

The reforms will also make it an offence to make another person, against his or her will, have sex with a person or animal.

Courts will also have to make special arrangements for victims of rape and sexual assault giving evidence.

Further information
www.legislation.sa.gov.au

Yarrow Place Rape and Sexual Assault Service
 55 King William Rd
 North Adelaide
 Tel (08) 822 68777
 Country Callers
 1800 817421



Email info@yarrowplace.sa.gov.au

We're on the Web!: www.yarrowplace.sa.gov.au

Time for Action: Reduce Violence against Women and Children

In May 2008 Vanessa Swan, Director of Yarrow Place, was appointed a member of the National Council to Reduce Violence Against Women and Children. The Council's main role was to develop a national plan to reduce the incidence of domestic violence and sexual assault and the impact of this violence against women and their children. The Council's major report "Time for Action" focuses on strategies and actions for prevention, early intervention, improved service delivery, and justice and was launched on 29 April 2009.

"Australian men need to take responsibility for changing the behaviour that leads to violence against women and children", Prime Minister Kevin Rudd said at the launch.

Nearly one in three Australian women experience physical violence – and nearly one in five experience sexual violence – during the course of their lifetime. This violence significantly impacts on survivors' physical, psychological, social and spiritual/ideological wellbeing and carries an economic cost for the nation of \$13.6 billion per year.

The Prime Minister emphasised in his speech:

- Most physical and sexual assaults are perpetrated by men that the women know and at home, and the abuse is often repeated.
- There are many causes of violence against women. But there's one main cause. And that is the attitude of men towards women. Our challenge is to change the attitudes of many Australian men, especially young men.

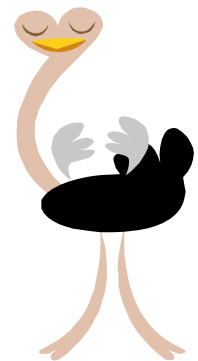
To drive this change, 18 of the 20 recommendations put forward by the Council will be adopted. Many of the Council's recommendations require joint effort by the Commonwealth, State and Territory Governments and the community more broadly. The Federal Government will immediately implement 11 recommendations and initiatives include:

- 24 hour/7 day national crisis telephone line and online crisis service run by professional staff with active referrals to follow-up services;
- Improving the quality and uptake of respectful relationships programs for school age young people;
- Public information campaign focused on changing attitudes and behaviours that contribute to violence;

- Supporting research on perpetrator treatment and nationally consistent laws;
- Ask the Australian Law Reform Commission to work with States and Territories to examine how the law can help to increase the safety of women and children, for example, domestic violence and family violence orders that are enforceable in all states and best methods to investigate and prosecute sexual assault cases;
- Establish the Violence Against Women Advisory Group to advise on the National Plan to Reduce Violence Against Women.

These initiatives will work towards Australian women and children living free of violence, within respectful relationships and in safe communities.

LIVING WELL
IS THE BEST
REVENGE



FIND THE FOLLOWING WORDS

COURAGE
EMERGENCE
STRENGTH

JOY
POWER
VISION

E	M	E	R	G	E	N	C	E
P	O	W	E	R	L	E	Z	S
N	Q	V	K	C	F	D	N	Z
O	Y	O	J	R	L	O	I	U
I	C	O	U	R	A	G	E	H
S	S	T	R	E	N	G	T	H
I	W	L	H	P	P	X	X	J
V	Y	A	S	K	A	U	L	B
Q	J	N	M	L	J	S	S	Z

SURVIVORS VOICE

TODAY

So
 Today
 Invent yourself!
 Go out onto the streets
 wide-eyed.
 Now invisible!
 Now laughing!
 Familiar places
 echo your screams
 Ignore them as
 cold ghosts denied
 There is no shadow
 following you
 No memories confuse your dreams
 You have never lived before now
 You are your new Creation
 They need no explanation
 Today

By David

NATURAL DISASTERS

The fire rips through the bush
 Flood waters tear down the home
 You dragged me down to the dark
 place
 And left me there naked and
 alone.
 The earth ripples and quakes
 Volcanic ash fills the sky
 The fear you rammed down my
 throat
 Made me run, made me hide.
 But I can see the rainbows
 That form when the storm has
 passed
 And the clear and starry night
 With peace in my heart at last.

By Betty

INNER STRENGTH, JUSTICE AND MOVING ON

Decision making and experiences of survivors of sexual violence relating to the Criminal Justice System vary greatly. The search for justice through the Criminal Justice System is often not successful and survivors may need to develop and discover their own ways of finding justice and moving on. This contribution to the newsletter box tells about one of these personal journeys.

I was sexually assaulted in a relationship. Many of the things I say I have been doing are a work in progress and hopefully I will always be increasing my confidence in myself. I wrote a draft of this piece after talking to my ex-boyfriend on the phone. He admitted that he'd maybe made some bad decisions, and was sorry for hurting me. I was able to call him because of my courage, believing that he'd done something wrong, and my circumstances. I understand that not many people are able to have this justice, for which I'm really sorry. My only hope is that you have even more determination to move on.

I have conquered every fear, I have felt every emotion, I have learnt to always put myself first and look after myself. I've done everything I can to make sure he doesn't do this again and that this never happens to me again. I've acknowledged my insecurities and faced up to them e.g. trusting people, telling close friends what happened. Most importantly, I tapped into my inner strength.

All of this is so much more valuable to me now that I have sought my justice. I know I have this inner strength to go through the court system, and have the real chance that he's not convicted, and then come to terms with that decision. Alternatively, I could use my strength to change the world. Because what it comes down to is that he wanted to have power and control. He didn't care about me (which will always hurt). He was selfish and individualistic.

I'm going to break down hierarchy and build community decision making. I care about the world, and I'm going to surround myself with others that are caring. Most problems and all environmental problems come from human selfishness. I'm going to shift my selfishness to rights, rights to respectful relationships. For humans to survive we need to reinstate group think. I will dedicate my life to this. I'm not going to waste my energy turning one person's (the perpetrator's) values upside down, but everyone's just a little, in the ways that I can.



Laughter

Disorder In The Court

From a little book called "Disorder In The Court", they're things people actually said in court, word for word.

Q: And where was the location of the accident?

A: Approximately milepost 499.

Q: And where is milepost 499?

A: Probably between milepost 498 and 500.

Q: Do you know if your daughter has ever been involved in the voodoo or occult?

A: We both do.

Q: Voodoo?

A: We do.

Q: You do?

A: Yes, voodoo

Recently reported in the Massachusetts Bar Association Lawyers Journal, the following are questions actually asked of witnesses by attorneys during trials and, in certain cases, the responses given by insightful witnesses:

Q: Now doctor, isn't it true that when a person dies in his sleep, he doesn't know about it until the next morning?

Q: The youngest son, the twenty-year old, how old is he?

Q: Were you present when your picture was taken?

Q: Was it you or your younger brother who was killed in the war?

Q: Did he kill you?

Q: How far apart were the vehicles at the time of the collision?

Q: You were there until the time you left, is that true?

Q: How many times have you committed suicide?

What's On

RECLAIM THE NIGHT MARCH

Friday 30 October 7pm Victoria Square. Women march down King William Road and Hindley Street to Yugondi Courtyard (Cnr North Tce/ Morphett St) for 8pm After Party. Male supporters can show their support from the sidelines and are welcome at the After Party.



WHITE RIBBON DAY

WEDNESDAY 25 NOVEMBER

Wear a white ribbon on the International Day for the Elimination of Violence against Women.

www.whiteribbonday.org.au

Useful Telephone Numbers

Yarrow Place	8226 8777 1800 817 421
Crimestoppers	1800 333 000
Crisis Care	131 611
Child Abuse Report Line	131 478
Domestic Violence Crisis Service	1300 782 200
Domestic Violence Help Line	1800 800 098
Mensline Australia	1300 789 978
Women's Health Line	1300 882 880
Victim Support Service (includes Advocacy, Counselling, Court Companions, Library)	1800 182 368 or 8231 5626
Women's Information Service (Free service includes Internet access, training and Family Court Support)	8303 0590 1800 188 158 SMS 0401 989 860
Women's & Children's Hospital	8101 7000
Women's Legal Service	8231 8929
Women's Working Centre	8410 6499



For next t Newsletter Meeting
Contact Claudia on 8226 8777 or
info@yarrowplace.sa.gov.au



Websites

Legal information for same sex couples

The Legal Services Commission's Law Handbook Online www.lawhandbook.sa.gov.au has a useful section on Same Sex Relationships that may be of interest. <http://www.lawhandbook.sa.gov.au/ch19s11.php>

Free Life Skills Course

The Living Life to the Full course uses a self-help format, and the CBT model which has a proven effectiveness in helping people develop life skills that help them tackle feelings of low mood, stress and distress. More on: www.livinglifetothefull.com/elearning/

Exciting Courses

Relationships Australia offer courses for self development, relationships and parenting. Go to: www.rasa.org.au

Disclaimer : Yarrow Place does not take responsibility for any information provided in this newsletter