



## **MEDIA RELEASE**

Friday 15 November, 2019

### **“We’re finally starting to recognise victims’ rights”: Grimley**

The State Leader of Derryn Hinch’s Justice Party Stuart Grimley has backed a Bill that will remove the need for victims to give evidence for a second time during a ‘de novo’ appeals process.

The *Justice Legislation Amendment (Criminal Appeals) Bill* abolishes ‘de novo’ (‘afresh’) appeals from the Magistrates Court, which means witnesses – including victims – won’t have to give another statement during an appeal. The Bill passed with bi-partisan support.

This legislation would have been beneficial for cases such as Hope’s\*; a Western Victoria constituent, residing in Ballarat, who was sexually assaulted when she was just 13 years old.

Hope, now a mother with three children, won her sexual abuse case in 2015 but lost on an appeal by her perpetrator later that year, due to what she believes was a “horrible and unnecessary second trial”. Hope thinks this was as a result of her Complex Post Traumatic Stress Disorder (C-PTSD) becoming more aggressive.

Regardless, Hope describes having to – once more – sit in front of her perpetrator in a courtroom describing her assault as “utterly traumatic” leading her C-PTSD to cause her to blank and disassociate from situations throughout the second trial. After recalling the abuse in both cases, Hope attempted suicide 32 years after her abuse as a result of recalling the trauma. Hope said that “had the court been able to use the first testimony recovery would have been a lot faster”.

The successful passage of this legislation means victims of sex offences like Hope will no longer need to recount their personal stories multiple times in front of packed courtrooms where the perpetrator and their lawyers rely on cumulative trauma to cause the victim to delay proceedings.

Mr Grimley is confident this legislation will bring more sexual abuse survivors forward and pursue legal action, having confidence the legal system is moving in the direction of ‘victim justice’ rather than ‘perpetrator sympathy’.

However, campaigning for victims’ rights isn’t over and Mr Grimley will continue calling on the Andrews Government to continue modernising the court system in Victoria so that victims can receive greater support than their perpetrators.

There are currently approximately 3,200 de novo appeals each year in Victoria. Victoria is the last Australian jurisdiction to abolish de novo appeals.

*\*Hope is a pseudonym, as she has requested to remain anonymous. Her story has been published here with permission. She can be contacted through Stuart Grimley MP’s Media Adviser, as below.*

### **Quotes Attributable to Stuart Grimley MP:**

“This Bill is a firm step forward in ensuring victims of crime aren’t made to recount harrowing stories. Appeals can be extremely traumatic for victims and witnesses, as proceedings are often prolonged.

Parts of Western Victoria are unfortunately renowned for historic abuse, particularly sexual abuse. If this Bill helps only one person not have to relive their traumatic story again and again in the courts, then it is worth supporting.

I hope this Bill will make court proceedings more efficient so more cases in general can be heard. Western Victoria is feeling the strain of clogged courts, often waiting years for trials to be completed.

There is very little reason why victims should ever need to take the stand, be cross-examined and tell of their abuse to a court more than once. Our Party will always support the rights of the victim first.”

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