



Queensland Health

Enquiries to: Belinda Lewis
A/Executive Director
System Policy Branch
[REDACTED]
Our ref: C-ECTF-24/4601
Your ref: 608591/6

The Honourable Ann Lyons
Chair
Queensland Sentencing Advisory Council
GPO Box 2360
BRISBANE QLD 4001
[REDACTED]

Dear Ms Lyons

Thank you for your email of 18 March 2024, regarding an invitation to make a submission to the Queensland Sentencing Advisory Council's Consultation Paper, *Sentencing of Sexual Assault and Rape: The Ripple Effect – Consultation Paper: Issues and Questions*.

Queensland Health is committed to the Queensland Government's domestic and family violence and sexual violence reform program and delivery of health sector initiatives recommended by the *Domestic and Family Violence Prevention Strategy 2016-2026*, Women's Safety and Justice Taskforce, *Hear Her Voice Reports One and Two*, and the Domestic and Family Violence Death Review and Advisory Board.

Queensland Health is unable to provide any specific advice or information regarding sentencing practices for sexual assault and rape offences, including the appropriateness of penalties imposed and potential legislative change to ensure appropriate sentences are imposed for sexual assault and rape offences.

While Queensland Health can provide no specific feedback on Queensland Sentencing Advisory Council's Consultation Paper regarding sentencing for sexual assault and rape, I can provide an overview of the significant reform work underway to enhance responses to domestic and family violence and sexual violence by Queensland Health.

Health responses to sexual assault and sexual abuse are governed by the caring for people disclosing sexual assault Health Service Directive and the Ministerial Direction: Crisis Care Process introduced in November 2023. The Crisis Care Process Direction requires that a Hospital and Health Service to which the Direction applies must accept care and commence an approved clinical care pathway for any person who attends at an emergency department and discloses having experienced sexual assault or is presented by an officer of the Queensland Police Service as a victim-survivor of a sexual assault, within 10 minutes of the disclosure or presentation.

Additionally, work is currently underway to develop a new model of service delivery to ensure that victim-survivors of sexual assault can access compassionate, trauma-informed care. It is critical that every victim of sexual assault receives a forensic examination in a timely and trauma-informed way, and that staff are appropriately trained, rostered and/or supported to administer forensic tests in a timely manner, 24 hours a day.

Queensland Health has also developed new, best-practice forensic medical examination kits with supporting protocols including collection and storage. These new kits were introduced for use in July 2023 and are available within every Hospital and Health Service. Use of the forensic medical examination kits is supported by implementation of a comprehensive training and education program available to clinicians statewide. Phone support is available 24 hours every day to any clinician in Queensland undertaking a forensic medical examination.

Queensland Health is also delivering a Forensic Medical Examiner Training Program for clinicians to provide an introduction to forensic medicine and sexual violence, as well as informed consent, history taking, forensic medical examination, describing injuries and documentation. The program also provides guidance for forensic examiners in relation to statement preparation and court attendance. Work is also underway to develop a plain language guide on the use and interpretation of forensic analysis of DNA samples in sexual violence and other cases.

Queensland Health has no other specific feedback to provide on the current appropriateness of and required changes to the sentences a court can give to an adult who commits rape or sexual assault.

Thank you for writing to me. Should you require further information, the Department of Health's contact is Ms Belinda Lewis, Director, System Policy Branch, on [REDACTED]

Yours sincerely

Michael Walsh
Director-General
05 / 04 / 2024