

10 July 2023

Mr John Robertson
Chair
Queensland Sentencing Advisory Council
GPO Box 2360
Brisbane Qld 4001Submitted via email: submissions@sentencingcouncil.qld.gov.au

Dear Mr Robertson

Re: Review of sentencing for sexual violence offences and aggravating factor for domestic and family violence offences

The Australian Psychological Society (APS) is the peak professional body for psychologists in Australia, representing more than 28,000 members. We are dedicated to advancing the scientific discipline and ethical practice of psychology in the communities we serve and to promoting good psychological health and wellbeing for the benefit of all Australians.

The APS understands that the Queensland Sentencing Advisory Council received Terms of Reference from the former Queensland Attorney-General to examine aspects of sexual and domestic violence sentencing. We thank the Council for the invitation to contribute to this important review.

We note that the Terms of Reference ask the Council to investigate and report on two aspects of sentencing under the *Penalties and Sentences Act 1992* (Qld) (PSA):

1. sentencing for rape and sexual assault offences ('sentencing for sexual violence offences'); and
2. the operation and efficacy of the aggravating factor for domestic violence offences under section 9(10A) of the PSA ('domestic violence as an aggravating factor').

We appreciate the opportunity to provide feedback to future consultations about the sentencing process for adult offenders, based on the experiences of victim/survivors and/or persons charged with or convicted of these types of offences. The APS understands that at present though, only preliminary feedback is required to assist the Council to identify key issues to prepare two Issues Papers. For this purpose, we would like to emphasise the following:

- The psychological impact of domestic violence and sexual offences (and the important role psychologists play in forensic assessment and sentencing – especially for the offences currently under review).
- The importance of explicitly investigating the role that coercive control can play in domestic violence and sexual offences; and
- Within the context of 'prevention', including consideration of the provision of evidence-based initiatives to assist offenders (or would-be offenders) to remediate and change their behaviour as an integral aspect of sentencing.

Psychologists make an important contribution to the sentencing process. However, there is limited systemic information sharing with professions about their contribution to this process, including opportunities for mutual quality improvement, education, and practice-informed research.

To enable a meaningful contribution to this review, the APS encourages the Council to consider holding a briefing/discovery session with professional bodies, including the APS, to ensure that there is a shared understanding of the current situation and to identify and workshop the key issues relevant to this review.

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Yours sincerely,

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Dr Zena Burgess, FAPS FAICD
Chief Executive Officer