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MEDIA RELEASE

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CRITICAL COURT UPGRADES SUPPORTING DOMESTIC & SEXUAL VIOLENCE SURVIVORS

Safe spaces and modern facilities to help empower domestic and sexual violence survivors and vulnerable witnesses to give their best evidence in court have been installed or upgraded in 45 courthouses across the State.

Attorney General Mark Speakman said the now completed works utilised \$9 million of COVID-19 stimulus funding from the previous federal government to deliver new or upgraded safe rooms and remote witness rooms in metropolitan and regional courthouses.

“Retraumatizing a complainant does not advance justice. Courts are best assisted to hear and determine matters where witnesses and complainants are supported to present their best evidence, in the interests of the administration of justice,” Mr Speakman said.

“These new and upgraded facilities give vulnerable witnesses the private, secure areas they need to prepare for court and to provide evidence.

“Under the NSW Government’s domestic violence reforms, complainants in domestic violence criminal proceedings and related apprehended domestic violence order proceedings have a *prima facie* entitlement to give evidence remotely via audio visual and in a closed court,” Mr Speakman said.

“Cross-examination is an important part of the justice process because it safeguards convictions for crimes of sexual and domestic violence by ensuring a fair trial.

“These protections seek to minimise the stress and trauma of giving evidence in court for those witnesses, and empower them to engage with the justice process to deliver their evidence.”

Minister for Women’s Safety and the Prevention of Domestic and Sexual Violence Natalie Ward said the prospect of having to face an alleged abuser, or their family members, in open court can re-traumatise and exacerbate the stress of having to testify in court.

“This is about further protecting and minimising the trauma of domestic violence victim-survivors,” Mrs Ward said.

“These new safe rooms and remote witness facilities enhance support for the courageous victims who come forward to report abuse. The NSW Government is committed to supporting victim-survivors if they choose to report to police, and it is crucial these facilities are available to support them and help alleviate the trauma of coming to court.”

Safe rooms are rooms within a courthouse which give vulnerable witnesses, such as victim-survivors of domestic and family violence or sexual assault, private and secure areas to prepare for court.

Remote witness rooms are rooms within the courthouse which are linked to the main court room via Audio Visual Link (AVL). They allow vulnerable witnesses to provide their testimony without having to face perpetrator and/or their supporters in the court room.

In total, there are now 154 remote witness rooms and eight rooms that are directly connected to a courtroom at 100 locations in NSW. In addition, there are 84 safe rooms at 77 court locations in NSW.

Mr Speakman said the NSW Government has delivered a number of significant legislative reforms and resources to maintain the right to a fair trial while promoting a trauma-informed approach to court processes, including:

- Landmark affirmative consent reforms which were accompanied by five new jury directions to address common sexual assault misconceptions and ‘rape myths’, research into victim-survivors’ experiences with the criminal justice process, and the expansion of the successful “Make No Doubt” consent education campaign
- \$5.6 million in funding to support the implementation of the NSW Government’s coercive control reforms, which passed the Legislative Assembly on October 19, 2022. The funding will enable coercive control training and education, including for police, lawyers and judges, as well as public awareness raising campaigns.
- Expanding the ban on direct cross-examination by self-represented accused of complainants in sexual offence proceedings to complainants in domestic violence criminal and related proceedings, through the use of an intermediary ‘Court Appointed Questioner’.

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