

**From:** [Alyssa James](#)  
**To:** [sentencingcouncil](#)  
**Subject:** Submission  
**Date:** Thursday, 6 February 2025 3:26:21 PM

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Dear Mr McClellan and the NSW Sentencing council,

I am writing to provide my input on the review of section 21A (5A) of the Crimes (Sentencing Procedure) ACT 1999 (NSW) and other relevant sections concerning the use of 'good character' in sentencing, particularly for child sexual abuse cases.

As a Victim Survivor (VS) of child sexual abuse (CSA), I am passionate about sharing my story to raise awareness of CSA, the lifelong impacts that it has and in doing all I can to reduce the ongoing harm caused to those who are brave enough to go to the Police and traverse through our legal system to be heard.

In 2019 I chose to speak up, share my story and address the abuse I was subjected to and hold the perpetrator to account via the legal system. In the eyes of our legal system, the abuse I suffered was considered 'historical' as it had been committed years before.

My desire to seek justice and hold my abuser accountable took years, however it culminated in my abuser being found guilty on 3 counts. At the sentencing hearing I was provided the opportunity to complete and read out my victim impact statement. This required me to recount my abuse again, to strangers, provide detail around what was done to me and share the very personal ongoing lifelong impacts on me and my children. I cannot understate the amount of courage it takes to go through our legal system as a CSA victim.

After delivering my impact statement, I watched as my abuser's representation presented to the court six 'good character references'. I listened in complete shock to him state that these references from people that knew my abuser would be given in evidence of their opinions on what a good citizen he was. To say I was floored was an understatement, never had it occurred to me that anyone would be able to present character references for him, when he had been found guilty of Child Sexual Abuse against me. Allowing these character references to be submitted made me feel like the court and our justice system cared more about what an abuser's friends and family thought than how I felt and did not take into consideration the damage caused by the abuse at all. It immediately removed any sense of justice, the perception that I had finally been heard and that the damage done to me mattered.

I implore you to consider removing the ability for CSA perpetrators to be able to use good character references. These people are not of good

character, by definition being found guilty of Child Sexual Abuse makes you the worst kind of character there is. That they can convince others that they are of good character shows their capacity to manipulate and groom not only the children they abuse but those around them. Further there is often coercion and threats that are used to make people provide these references (as one who did in my case was threatened with physical violence if they did not).

You have an opportunity to make a huge difference in the lives of victim survivors of CSA. To show us that we matter, that what was done to us is not ok, that other people's opinions are irrelevant and that our government does not support perpetrators of sexual abuse.

I wholeheartedly support the 'Your Reference Aint Relevant' Campaign's call to remove the last 21 words of the current provision.

Thank you for considering my submission

Sincerely, Alyssa James