

From:
To: [sentencingcouncil](#)
Subject: Re: section 21A(5A) and other relevant sections of the Crimes (Sentencing Procedure) Act 1999
Date: Monday, 8 July 2024 11:02:22 AM

Dear Sentencing Council,

Please accept my respectful submission, feedback and lived experience in regards to the operation of section 21A(5A) and other relevant sections of the *Crimes (Sentencing Procedure) Act 1999* and the common law that relate to the use of "good character" in sentencing.

It is my view that including such references is highly inappropriate in sexual assault cases for the following reasons.

Predators and abusers are skilled groomers. They access their victims by engendering trust from communities, families, and children. By including such 'good bloke' references in effect rewards the perpetrators for what is in fact part of the crime itself. I refer to the Senior Sergeant Paul Reynolds case in Tasmania. His glowing references were reflected in a Police funeral. This case illustrates how manipulative abusers can be.

The impact on victims and their family and friends who were groomed is devastating. Enhanced feelings of shame, guilt, self-doubt and worthlessness leads to the well documented high incidence rate of suicide and over all lack of wellbeing for victims.

It would also be my recommendation as an individual with lived experience to PLEASE expand this review to include hearings in general and expand the net to include Family Domestic and Sexual Violence.

As I disclose my experience, I respectfully ask that my name be redacted should my correspondence be deemed worthy enough of further and wider consideration. This is because not only were my children and I victims of FDSV

but also my ex-husbands manipulation of the legal system to silence and intimidate me. Including threats of defamation, threats of charges of violation of the Communications Act for having footage of assaults (including one that caused GBH), loss of income and losing custody of the children. Apart from custody of the children, the threats remain active and real and as I navigate final settlement.

My husband at the time was arrested in [REDACTED] and pleaded guilty in [REDACTED] Court under [REDACTED] in [REDACTED]. He is one of the 'good guys' [REDACTED]. His very public persona is the exact opposite of the torture we experienced at his hands behind closed doors. Take the list of examples of coercive control and we ticked every box plus add physical and sexual violence.

[REDACTED] found and addressed the Court with words to the effect: Mr [REDACTED] has provided numerous references to his good character, although I can't give it too much weight I consider Mr [REDACTED]'s media profile, acts of violence are out of character for Mr [REDACTED].

It was absolutely devastating to sit in the Court and hear her draw conclusions from letters written by people that have never lived with him! Part of his control over us was "no one will believe you." This is inextricably linked to the 'good guy' references.

It was "no one will believe you" that was a major contributor to keeping me silent despite literally 2 decades of abuse. Ironically when my son finally spoke out, [REDACTED] made reference to the time delay for him going to the Police. Such delays again, it is my submission, are inextricably linked to 'good guy' references.

Further, [REDACTED] referenced this being a first offence. How does a perpetrator such as a sexual predator or violent husband get their first record when the 'first time' isn't recognised despite a guilty plea and literal footage of him putting 2 fractures in someone's neck! Did he have to kill us?

My now adult children didn't know I attended Court that day but were suspicious of my attire when I returned. My daughter, 18 at the time, asked me what had happened at Court. She asked for no emotion or opinion, just the facts. When I told her, she was hysterically distraught and felt unbelievably unheard.

Questioning how the Magistrate could listen to someone who doesn't really know him. She screamed and threw furniture around the house before retreating to her room and sobbing for hours.

The impact of being a victim of abuse is well documented and understood. Attention to submissions attesting to the good character of perpetrators not only extends and intensifies the trauma sustained by victims but encourages a culture of silence and "no one will believe you." A tool of the trade for these individuals that are ironically so lacking in humanity.

Please disregard character references for predators and abusers. Their inclusion rewards the very behaviour that enables the crime in the first place, it increases the suffering of victims and perpetuates a culture of silence for fear of not being believed.

Thank you for conducting this review and considering my submission. I make myself available for further feedback, discussion and interaction if and when you see fit.

Yours most sincerely,