

Sexual assault at venues – For staff

General principles

- Patrons and staff have the right to be treated with respect.
- Patrons and staff have the right to information about sexual assault.

What is a Centre Against Sexual Assault?

A Centre Against Sexual Assault (CASA) provides support, advice and counselling for victims of sexual assault, their friends, partners, parents and anyone else who has been touched by the issue of sexual assault and feels that they need support.

There are 15 CASAs in Victoria. In Metropolitan Melbourne there are 6 CASAs. They are:

- The South Eastern Centre Against Sexual Assault - East Bentleigh
- Northern Centre Against Sexual Assault - Heidelberg
- Eastern Centre Against Sexual Assault - Ringwood
- CASA House - Carlton
- Western Centre Against Sexual Assault - Wyndham
- Gatehouse Centre for the Assessment and Treatment of Abused Children

The South Eastern Centre Against Sexual Assault has offices in East Bentleigh, St Kilda, Seaford, Dandenong, Cranbourne, McCrae and Clayton (crisis care unit only).

What services are provided by a CASA?

There are a number of core services provided by the Metropolitan based CASAs:

- 24 hour access for information and support;
- an opportunity to look at your options following a sexual assault;
- medicals following a sexual assault either to ensure there is no injury, to provide medical treatment or to collect forensic evidence;
- assistance with reporting a sexual assault to the Victorian Police;
- crisis, medium and long-term counselling;
- assistance with compensation applications.

What is a sexual assault?

There are two ways to define a sexual assault.

The first is about how people feel. "Sexual assault is unwanted behaviour of a sexual nature directed towards a person:

- which makes that person feel uncomfortable, distressed, frightened or threatened, or which results in harm or injury to that person;
- or which that person has not freely agreed to or given consent to, or to which that person is not capable of giving consent;
- or in which another person uses physical, emotional, psychological or verbal force or (other) coercive behaviour against that person."

A narrower definition of sexual assault is that used for legislative purposes

"Sexual assault is a physical assault of a sexual nature directed towards another person without their consent. The assault may range from unwanted touching to sexual penetration without consent."

What is consent?

The material below relates to a legal definition of consent. We all think we know when someone is in agreement to engage in a sexual act but the legal definition, which can get you into unintentional trouble, is different.

"Consent" means free agreement. No or maybe equals "No".

Circumstances in which a person does not freely agree to an act include the following:

- the person submits because of force or the fear of force to that person or someone else;
- the person submits because of the fear of harm of any type to that person or someone else;
- the person submits because he or she is unlawfully detained;
- the person is asleep, unconscious, or so affected by alcohol or another drug as to be incapable of freely agreeing;
- the person is incapable of understanding the sexual nature of the act;
- the person is mistaken about the sexual nature of the act or the identity of the person;
- the person mistakenly believes that the act is for medical or hygienic purposes.

If a customer, or their proposed sexual partner, are drug or alcohol affected or intellectually or physically disabled one of them may be unable to freely agree.

If a customer reports a sexual assault?

What can they expect?

- To be believed. It is not for anyone to judge whether someone is telling the truth or to judge their behaviour.
- To be given information package on their options.
- To have their options explained to them.

Who can they report to?

1. The customer can telephone the Police which will give them an opportunity to decide if they wish to report.
2. The customer can ring the Police and ask to speak to a Gay and Lesbian Liaison Officer (GLLO).
3. The customer can telephone SECASA which is a 24 hour service. This will give them an opportunity to talk to a Sexual Assault Counsellor and explore their options over the telephone (03 9594 2289 24 hours) or face-to-face.
4. You, as a staff member, could telephone SECASA and discuss the situation to assist you in helping the customer.
5. The customer can leave with the information package and decide what to do at another time