

# Sexual Violence Media Guide

EDITION ONE



**Queensland**  
Government

# Acknowledgements and terminology

### Content warning

This guide contains reference to sexual violence and trauma and may be distressing to some readers.

### First Nations acknowledgement

We proudly acknowledge First Nations communities in Queensland and their ongoing strength in practising the world's oldest living culture. We acknowledge the Traditional Owners of the lands and waters on which we live, work, learn and play, and pay our respects to their Elders past and present.

We acknowledge the ongoing leadership role of First Nations communities in addressing domestic, family and sexual violence. We join with First Nations people to eliminate violence from all communities.

### Acknowledgement of victim-survivors of sexual violence

We acknowledge and pay our respects to those people who have been impacted by sexual violence and acknowledge their resilience and courage. They remain at the forefront of our work and reform efforts.

### Terminology

In this guide, the term 'victim-survivor' is used to describe a person who has been subjected to sexual violence. We recognise that people who have been subjected to sexual violence have the right to choose how they want to be referred to and the recovery process is an individual experience.

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The term 'complainant' is used in this guide in relation to legal proceedings. This is based on the terminology used in legislation and within the criminal justice system, and the legal rights of all parties to proceedings, including for a fair trial. It is not a reflection on the experiences of victim-survivors of sexual violence.

### Legal disclaimer

The information contained in this guide is a general overview of the current Queensland laws and legislative amendments scheduled to commence following the publication of this edition. Legal information in the guide is general information and should not be considered legal advice. Journalists should seek their own legal advice about media reports regarding sexual violence. It is current at the time of publication.

### Other acknowledgements

We acknowledge the organisations and individuals who have helped inform the development of this media guide, in particular: Australia's National Research Organisation for Women's Safety (ANROWS), Blue Knot Foundation, Chicago Taskforce on Violence against Girls and Young Women, DART Centre for Journalism and Trauma, femifesto, Jane Gilmore, Media Diversity Australia, Media Shift, Mindframe, National Office for Child Safety, Our Watch, Queensland Sexual Assault Network, Special Taskforce on Domestic and Family Violence in Queensland, Victorian Government, Queensland Women's Safety and Justice Taskforce and Zero Tolerance.

### Translation services

Need help in your language? Call 1800 512 451 and ask for an interpreter.

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# Introduction

**Sexual violence is any unwanted sexual behaviour towards another person. It includes a range of offending behaviour involving forced sexual acts or sexual behaviours without consent such as sexual assault and rape. It includes behaviours that do not include acts of physical violence, such as non-consensual sharing of intimate images. It also includes sexual harassment.**

The Queensland Government has made significant progress implementing the reform program set out by the Women's Safety and Justice Taskforce in its *Hear her voice* reports:

**Report One** – Addressing coercive control and domestic violence in Queensland, and

**Report Two** – Women and girls' experiences across the criminal justice system.

Development of this new sexual violence media guide was one of the recommendations outlined in the Taskforce's agenda for systemic reform.

[www.qld.gov.au/womenstaskforceresponseprogress](http://www.qld.gov.au/womenstaskforceresponseprogress)

Sexual violence can happen in public, private, or institutional settings and can be carried out by people known to the victim (including family members, partners or former partners), or by strangers.<sup>1</sup> Most sexual violence occurs by someone known to the person and in private settings.<sup>2</sup> Sexual violence often has lifelong impacts on people who experience it.

Journalists can inform, persuade and influence public opinion. They can play a constructive role to promote a culture that does not tolerate sexual violence, and that supports and protects victim-survivors of sexual violence, holds perpetrators to account and encourages others to report criminal acts to police.

Media coverage of sexual violence, which is largely perpetrated against persons who describe their gender as woman or female, has increased with the advent of the #MeToo movement internationally, #LetHerSpeak campaign in Australia and high-profile court matters. While reporting has improved in recent years, some reporting continues to reproduce harmful stereotypes and blame victim-survivors, which can have a negative effect on efforts to combat sexual violence, as well as on their wellbeing.<sup>3,4</sup>

This media guide is a resource to support journalists to report on sexual violence. It outlines the nature of sexual violence and its impacts, highlights common misconceptions that still exist and puts the issue into context by providing relevant statistics.

Understanding trauma helps journalists better report on important issues. This guide provides an overview of trauma, how it can impact victim-survivors and journalists themselves, and guidance on how media can report on the experiences of victim-survivors in a trauma-informed way. This is especially important for those from diverse communities who may be more vulnerable to violence or face barriers to sharing their experiences.

It outlines legal considerations for media organisations when reporting on sexual violence in specific contexts, such as court matters, and details current laws and legislative changes in Queensland, which can impact on reporting.

Finally, it provides practical tips on interviewing, use of more considered language, headlines and imagery, contacts for sexual violence sector support services and details of where to source relevant statistics.

This is the first edition of the Sexual Violence Media Guide. It will be updated, as required, to incorporate other relevant legislative amendments and feedback from journalists using the guide in their reporting and other key groups including the sexual violence sector and legal profession.

*‘The media can be an enormously powerful agent of change. It has the ability to quickly reach and influence hundreds of thousands, even millions of people at a time.’<sup>5</sup>*

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1. Department of Child Safety, Youth and Women. 2019. *Prevent. Support. Believe. Queensland’s Framework to address Sexual Violence*, Queensland Government.
  2. Australian Bureau of Statistics. 2023. *Personal Safety, Australia 2021–22*, Australian Government.
  3. Sutherland, G., et al. 2015. *Media representations of violence against women and their children: State of knowledge paper*, Australia’s National Research Organisation for Women’s Safety.
  4. Karageorgos, E. and Boyle, A. ‘Australian media is failing to cover domestic violence in the right way: new research’, *The Conversation*. 2021. Viewed on 11 April 2023, [www.theconversation.com/australian-media-is-failing-to-cover-domestic-violence-in-the-right-way-new-research-155477](http://www.theconversation.com/australian-media-is-failing-to-cover-domestic-violence-in-the-right-way-new-research-155477)
  5. The Special Taskforce on Domestic and Family Violence in Queensland. 2015. *Not Now, Not Ever: Putting an End to Domestic and Family Violence in Queensland*, Queensland Government, p. 202.

# Sexual violence: what we know

***‘Preventing sexual violence and violence against women across the broader Queensland community requires an approach that tackles community attitudes influencing violence against women and children, such as misogyny, disrespect and power imbalance.’<sup>13</sup>***

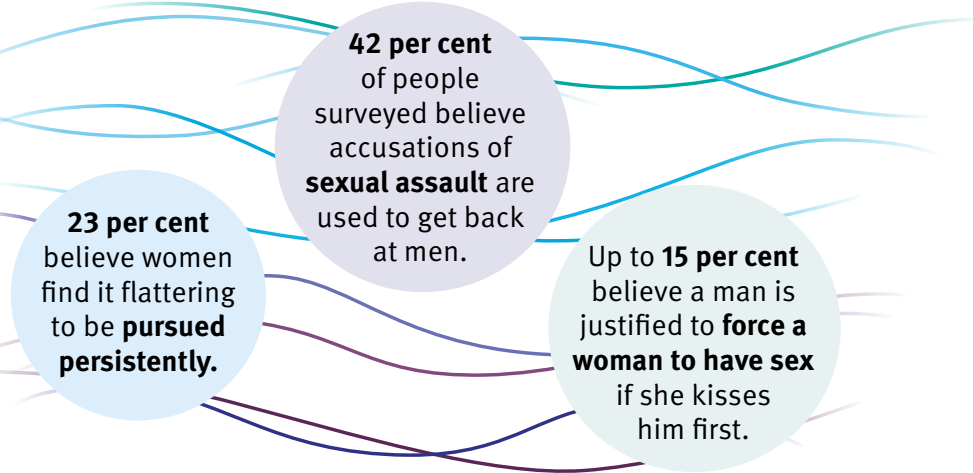
Sexual violence is a widespread issue that affects all Queensland communities and is a major health and welfare issue in Australia and worldwide.

Although sexual violence can overlap with, and be a feature of, domestic and family violence, the dynamics of sexual violence incidents can be very different and occur in the context of a wider range of relationships between perpetrators and victims, for example where they do not know one another.<sup>6</sup>

Sexual violence can happen to anybody, regardless of age, gender, race, culture, socioeconomic status, ability, sexual orientation or location. However, it is important to recognise the gendered nature of sexual violence and that some population groups are disproportionately impacted. Sexual violence results from and reinforces the power imbalance between men and women and children.<sup>7</sup> Women and girls comprised 83 per cent of victims of recorded sexual assaults in Queensland in 2017.<sup>8</sup>

Sexual assault remains one of the most under-reported crimes in Australia.<sup>9</sup> The 2016 Australian Bureau of Statistics Personal Safety Survey estimated that 87 per cent of women who experienced sexual assault by a male since the age of 15 did not report their most recent incident to the police and there are gaps in data collection regarding men and diverse population groups. For those that are reported, many complaints do not progress through the criminal justice system to result in a plea of guilty or a finding of guilt after a trial.<sup>10</sup>

While research such as the National Community Attitudes Survey, run every four years, shows promising signs of improvement in Australians’ views towards violence against women and gender inequality, attitudes condoning this violence remain in the community and aspects of the criminal justice system.<sup>11</sup>



6. Australian Bureau of Statistics. 2022. *Directory of Family, Domestic and Sexual Violence Statistics: Defining Family, Domestic and Sexual Violence*, Australian Government, Canberra.

7. Victorian Government, 'What is sexual assault?'. 2022. Viewed on 11 April 2023, [www.vic.gov.au/what-sexual-assault](http://www.vic.gov.au/what-sexual-assault)

8. Department of Child Safety, Youth and Women. 2019. *Prevent. Support. Believe. Queensland's Framework to address Sexual Violence*, Queensland Government.

9. *ibid.*

10. Women's Safety and Justice Taskforce. 2022. *Hear her voice: Report Two (Volume 1)*, Queensland Government, p.56

11. *ibid.*, p. 63

12. *ibid.*, p.51

13. Lovatt, H. et al. 2019. 'Evaluation of the North Queensland Combined Women's Service Sexual Assault Response Team trial (Final report)', Queensland Centre for Domestic and Family Violence Research, pp. 10-11, quoted in Women's Safety and Justice Taskforce. 2022. *Hear her voice: Report Two (Volume 1)*, Queensland Government, p. 104.

Many in the community do not understand sexual violence, sexual consent or the impact of pornography, and are accepting of stereotypes and 'myths' about sexual violence that blame those subjected to the violence for what has occurred.<sup>12</sup>

The Queensland Government is working to prevent and respond to sexual violence in the community through its *Prevent. Support. Believe. Queensland's Framework to address Sexual Violence*.

# Challenging the attitudes

How media frames its coverage of sexual violence impacts community understanding of the issue. ‘Episodic’ framing depicts an incident as an isolated occurrence and may focus on sensational or more graphic elements of what occurred. It does not provide context about the incident within a broader social structure which accepts and normalises gender-based violence.

‘Thematic’ framing of the same incident would use statistics, expert commentary, information from support services and other details to promote greater public awareness of the context of gender-based violence. It can help violence prevention by increasing understanding of its causes and focus on ways to change social acceptance of the problem.<sup>14, 15</sup>

*‘If not written accurately and contextualised, stories can cause additional harm to victims by bringing public shame and victimisation, disempower survivors and perpetuate negative gender stereotypes and social beliefs that further advance social acceptance of sexual violence/rape culture.’<sup>16</sup>*

## Rape culture

Rape culture exists where a society’s common beliefs and attitudes normalise and justify sexual violence, encourage the association of sex with violence and minimise the seriousness of sexual violence.<sup>17</sup> It is fuelled by continuing gender inequalities and attitudes about gender and sexuality.

Rape and sexual assault are crimes of power and control that happen to involve sexual acts so media reporting should not represent them as crimes of sexual desire or passion.

Media can help educate the community by reinforcing information about the true nature and extent of gendered violence and its drivers.<sup>18</sup>

Rape culture reinforces many common myths about sexual violence. These myths often result in victim-survivor blaming and ineffectual personal ‘safety tips’ being the focus of sexual violence prevention.<sup>19</sup>

**Journalists can help challenge attitudes about sexual violence by increasing community understanding of the scale and impacts of the issue.**

**To achieve this, media can:**

- reduce the stigma for victim-survivors of sexual violence by debunking harmful stereotypes
- include social context in reporting through use of relevant data (where legally possible)
- amplify the voices of people with lived experience of sexual violence so they can tell their stories when they choose to do so
- seek ‘expert’ voices, rather than relying only on law enforcement.

14. Berkeley Media Studies Group. 2015. ‘What’s missing from the news on sexual violence? An analysis of media coverage, 2011 – 2013’, *Issue 22*. Public Health Institute (California, USA).

15. Ghosh, A. ‘Does News Framing Change How We Understand Rape? #GBVinMedia’, *Feminism in India*. 2019. Viewed on 11 April 2023, [www.feminisminindia.com/2019/11/22/news-framing-understand-rape](http://www.feminisminindia.com/2019/11/22/news-framing-understand-rape)

16. Garcia Rojas, C. 2012. *Reporting on Rape and Sexual Violence: A Media Toolkit for Local and National Journalists to Better Media Coverage*, Chicago Taskforce on Violence Against Girls & Young Women, Chicago.

17. Rape Prevention Education. ‘Rape culture’, Whakatu Mauri Trust. 2020. Viewed on 11 April 2023, [www.rpe.co.nz/what-is-rape-culture](http://www.rpe.co.nz/what-is-rape-culture)

18. Sutherland, G., et al. 2017. *Emerging Evidence, Insights and Lessons: News media and the primary prevention of violence against women and their children*. Report prepared for Our Watch. University of Melbourne, Melbourne.

19. femifesto & Collaborators. 2015. *Use the Right Words: Media Reporting on Sexual Violence in Canada*, femifesto, Canada.

# Myths and misconceptions

'Myth-busting' is an important part of sexual violence prevention and media can play a key role in violence prevention by 'myth-busting' some of these false beliefs.

**MYTH** *Sexual assaults are committed by strangers.*

**FACT** Most people who commit sexual assaults know their victims and in some cases are relations, friends or work colleagues. Sexual assault can be committed within any type of relationship, including marriage, dating relationships, or by friends, acquaintances, a person you have just met, co-workers or family members.

**MYTH** *Sexual assault is more likely to occur in a public place.*

**FACT** Sexual assault can happen anywhere and anytime. Most sexual assaults occur in private spaces such as homes of the victims or perpetrators.

**MYTH** *Rape is a 'spur of the moment' act.*

**FACT** Most rapists plan carefully in advance and set up situations so the rape can take place. A rapist is capable of raping again and again.

**MYTH** *Girls and women encourage sexual assault by the way they dress and behave.*

**FACT** Women and children of all ages, cultures and backgrounds are sexually assaulted. They are not responsible for the crimes committed against them.

**MYTH** *Women who drink alcohol or use drugs are 'asking' for it.*

**FACT** Alcohol and recreational drugs can reduce inhibitions but does not justify a victim being sexually assaulted. If a person is unable to give consent to a sexual activity because they are drunk, drugged, asleep or unconscious, it is an act of sexual violence.

**MYTH** *Women and children make up stories about being sexually assaulted.*

**FACT** Research suggests only a minority of disclosures of sexual assault are false.<sup>20</sup> Women are more likely to deny or minimise sexual assault experiences than make them up.

**MYTH** *Only young women are raped.*

**FACT** Rape is an act of violence that can happen at any time in a person's life regardless of age, ethnicity, sexual orientation, ability or gender. For older women, elder sexual abuse might be their first experience of sexual violence or a continuation of violence into later life.

**MYTH** *A woman cannot be raped by her husband.*

**FACT** Rape in marriage is a crime. When a person is forced to have sex, including through emotional or financial blackmail, or coercion or is forced into oral, digital or anal sex by their partner, it is rape.



**MYTH** *Sex industry workers cannot be sexually assaulted.***FACT** Sex workers can withdraw their consent to a sexual act at any time. A worker can choose not to agree with/consent to a client's request AND withdraw their consent at any time. This myth disempowers sex industry workers and excuses the perpetrator's abuse, placing workers at increased risk of assault and harm.**MYTH** *Men cannot be sexually assaulted; he must be gay.***FACT** Any unwanted sexual contact against any person by any other person is a sexual assault. This belief reinforces homophobic prejudices and can result in men not reporting sexual assaults or seeking help.**MYTH** *'They didn't scream or fight back, they can't have been raped.'***FACT** Victims of sexual violence are often afraid of being killed or seriously injured. A 'survival instinct', a physiological response to the danger, can kick in, resulting in various responses. An individual's reaction may cause them to be in shock and they may freeze and become physically paralysed, or they may cooperate with the perpetrator to save their own life.**MYTH** *'They would have complained straight away if they were really raped.'***FACT** Some people who have been sexually assaulted delay in telling someone about it or reporting it. Some never disclose what happened to them. They may not report or tell someone about it because of shame, confusion, guilt, shock, fear of consequences, protecting an offender who they may know, fear they may not be believed or because they may blame themselves for what happened.**MYTH** *'You can tell if they have really been raped by how they act after it.'***FACT** People can react differently to a sexual assault. Many experience a form of shock that leaves them emotionally numb or flat – and apparently calm. This may even take the form of dissociation in order to protect themselves. While the public tend to assess a victim of sexual assault who is upset and emotional as being more credible, evidence shows credibility is not related to an emotional display.

Many myths and misconceptions exist about sexual violence. Media reporting that echoes these myths can:

- minimise or excuse the violent behaviour and actions of the perpetrator
- encourage victim blaming, and
- add to victims' trauma.

Source: Queensland Sexual Assault Network: Myths & Facts; Queensland Police Service: Myths and facts about sexual violence.

20. Wall, L. and Tarczon, C. 2013. 'True or false? The contested terrain of false allegations' ACSSA research summary. Australian Centre for the Study of Sexual Assault. Australian Institute of Family Studies, Australian Government, Canberra.

# Facts and figures

Including relevant statistics in media reporting helps better reflect the reality of experiences of sexual violence.

Be aware that the recorded data does not reflect the true scale of the issue as many people do not report to police. Also be aware that an individual's own biases can influence how they interpret data.<sup>21</sup>

**One in 16** Australian men experienced **sexual violence** since age of 15.

Source: Australian Bureau of Statistics. 2023. *Personal Safety, Australia 2021–22*, Australian Government, Canberra.

**One in 100** Australians aged 65 and older reported **sexual abuse**; 35% reported multiple types of sexual abuse.

Source: Australian Institute of Family Studies. 2022. *Elder abuse in Australia: sexual abuse*, Australian Government, Canberra.

**One in 5** LGBTQIA+ Australians has experienced physical forms of **homophobic abuse**.

Source: Australian Human Rights Commission. 2014. *Face the facts: Lesbian, Gay, Bisexual, Trans and Intersex People*, Australian Government, Canberra.

In 2022, **32,146** people reported **sexual assault** to police, up 3% on the previous year. Of these, 84% were women (26,967).

Source: Australian Bureau of Statistics. 2023. *Recorded Crime – Victims, Australia*, Australian Government, Canberra.

**Women** were more likely to experience **sexual violence** by an intimate partner (9.2%) or other people they know (10%) than by a stranger (4.6%).

Source: Australian Bureau of Statistics. 2023. *Personal Safety, Australia 2021–22*, Australian Government, Canberra.

Lifetime prevalence data indicates that **51% of women** in their twenties have experienced **sexual violence**.

Source: Townsend, N. et al. 2022. *A life course approach to determining the prevalence and impact of sexual violence in Australia: Findings from the Australian Longitudinal Study on Women's Health, Research report 14/2022*, ANROWS.

**One in 5** Australian women experienced **sexual violence** since age of 15 (22%).

Source: Australian Bureau of Statistics. 2023. *Personal Safety, Australia 2021–22*, Australian Government, Canberra.

21. Our Watch. 2019. *How to report on violence against women and their children*, Our Watch Limited, p. 15.

First Nations women are **3.5 times more likely** to experience **sexual violence** than non-Indigenous women.

Source: Australian Bureau of Statistics. 2017. *Personal Safety, Australia 2016*, Australian Government, Canberra.

Almost **2.8 million Australians** have experienced **sexual violence** since the age of 15.

Source: Australian Bureau of Statistics. 2023. *Personal Safety, Australia 2021-22*, Australian Government, Canberra.

Agencies which publish relevant statistics include:

- Australian Bureau of Statistics
- Australian Institute of Criminology
- Australian Institute of Family Studies
- Australian Institute for Health and Welfare
- Australia's National Research Organisation for Women's Safety
- Queensland Courts
- Queensland Government Statistician's Office
- Queensland Police Service.

**One in 4** (25% or 748,000) women with disability have experienced **sexual violence** after the age of 15, compared with 15% (or 978,000) without disability.

Source: Australian Institute of Health and Welfare. 2022. *People with disability in Australia*, Australian Government, Canberra.

**1 in 5** women have experienced **stalking** since the age of 15 (20% or 1.6 million).

Source: Australian Bureau of Statistics. 2023. *Personal Safety, Australia 2021-22*, Australian Government, Canberra.

**More than a third** (36%) of all **sexual assaults** were domestic and family violence related (11,676 victims).

Source: Australian Bureau of Statistics. 2023. *Recorded Crime – Victims*, Australian Government, Canberra.

The cost of **violence against women** and their children in Australia was estimated at **\$22 billion** in 2015-16.

Source: Department of Social Services. 2016. *The cost of violence against women and their children in Australia – Summary report*, Australian Government, Canberra.

### Queensland statistics

**479,900** women have experienced sexual violence since age 15.

Source: Australian Bureau of Statistics. 2023. Personal Safety, Australia 2021–22, Australian Government, Canberra.

**7431** victims of sexual assault recorded in 2022 (up 8% from the previous year): 86% were female (6415 victims) and 65% knew the offender (4804 victims).

Source: Australian Bureau of Statistics. 2023. Personal Safety, Australia 2021–22, Australian Government, Canberra.

**2 in 3** sexual assaults occurred at a residential location.

Source: Australian Bureau of Statistics. 2023. Recorded Crime – Victims 2022, Australian Government, Canberra.

**89%** of female prisoners in Queensland have experienced sexual violence.

Source: Kilroy, D. 2016. 'Women in Prison in Australia', Current Issues in Sentencing Conference, National Judicial College of Australia and the ANU College of Law.

Queensland Police reported offences – **3776** rape and attempted rape charges in 2022–23.

Source: Queensland Police Service. 2023. Maps and statistics, Queensland Government. Viewed on 18 April 2023, [www.police.qld.gov.au/maps-and-statistics](http://www.police.qld.gov.au/maps-and-statistics).

**12.5%** of all reported victims of sexual assaults in Queensland in 2022 were First Nations people.

Source: Australian Bureau of Statistics. 2023. Recorded Crime – Victims 2022, Australian Government, Canberra.

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### Experts

Choice of information sources can influence how a story is framed. Reports on sexual violence often focus on specific incidents and rely solely on law enforcement or court sources for contextual information.<sup>22</sup> Individuals and organisations with expertise in sexual violence and its prevention can provide useful and diverse perspectives for journalists for context in media reports or as background information.<sup>23</sup>

Experts can include:

- national and state-based sexual violence organisations
- individuals such as academics or community experts
- organisations relevant to reporting on specific groups
- survivor advocates.<sup>24</sup>

Drawing on a range of experts helps better inform media reporting as no individual can speak for an entire community. Avoid using sources close to the person perpetrating the violence.<sup>25</sup>

Contact details for Queensland support services and other organisations which may provide useful information can be found at page [29](#).

22. Sutherland, G., et al. 2015. *Media representations of violence against women and their children: State of knowledge paper*, Australia's National Research Organisation for Women's Safety (ANROWS).

23. Minwalla, S. and Foster, J.E. 2020. *Silence and Omissions: A Media Guide for Covering Gender-Based Violence*, Centre for Women's Global Leadership, Rutgers University.

24. Our Watch. 2019. *How to report on violence against women and their children*, Our Watch Limited.

25. Child and Family Services. 2011. *Family violence in the news: a media toolkit*. Child and Family Services Ballarat, Ballarat, Victoria. Quoted in Sutherland, G., et al. 2015. *Media representations of violence against women and their children: State of knowledge paper*, Australia's National Research Organisation for Women's Safety (ANROWS).

# Trauma

‘Trauma is the psychological, physical, social, emotional, cultural and/or spiritual harm caused by exposure to an event, or series of events that are emotionally disturbing or life-threatening. It impacts an individual’s sense of self, safety, social connection and ways of coping.’<sup>26</sup>

Individuals experience trauma in different ways at different times. People may feel or behave differently than their normal selves or even be unaware that they have been impacted. They are often unable to tell their stories immediately after an incident due to trauma which affects memory, perception and judgment as their brain tries to make sense of what has occurred.<sup>27</sup>

Trauma can affect the way people seek help and engage with services as they may feel unsafe, find it hard to trust other people or be fearful. The impacts of trauma depend on a range of factors including age, previous experience of trauma, how long the trauma lasts, how often it happens and how extreme it is. It can also depend on culture, background and the social context of a person’s life.<sup>28</sup>

Trauma-informed approaches are considered best practice in dealing with people impacted by trauma. The core principles for trauma-informed practice are:

- safety
- trust
- choice
- collaboration, and
- empowerment.<sup>29</sup>

A trauma-informed approach centres on the victim-survivor to:

- understand how trauma can affect the brain and body
- recognise that behaviours may be coping mechanisms to keep safe
- consider what has happened to the person, not what is ‘wrong’ with them
- collaborate with victim-survivors
- empower victim-survivors by providing opportunities to rebuild a sense of control
- seek to avoid re-traumatisation.<sup>30</sup>

Reporting violence, tragedy or trauma requires extreme sensitivity and understanding trauma can help journalists to do their jobs better and tell better stories.<sup>31</sup>

“*Trauma-informed journalism means understanding trauma, understanding what a trauma survivor is experiencing before you show up at their door, and understanding how your actions [as a journalist] will impact them after you pack up and leave.*”

Former crime reporter  
Tamara Cherry<sup>32</sup>

26. News and Media Research Centre. 2023. *Reporting on Child Sexual Abuse: Guidance for media*, Commonwealth Government and University of Canberra, Canberra.

27. Braden Quigley, L. 2023. *Toolkit: Trauma-Informed Journalism*, Campaign for Trauma-Informed Policy and Practice, USA.

28. Blue Knot. *Understanding Trauma and Abuse*, Blue Knot Foundation. 2021. Viewed on 11 April 2023, [www.blueknot.org.au/resources/understanding-trauma-and-abuse](http://www.blueknot.org.au/resources/understanding-trauma-and-abuse)

29. Blue Knot. *Building a Trauma-Informed World: The Trauma-Informed Framework*, Blue Knot Foundation. 2021. Viewed on 11 April 2023, [www.blueknot.org.au/resources/building-a-trauma-informed-world](http://www.blueknot.org.au/resources/building-a-trauma-informed-world)

30. Women’s Safety and Justice Taskforce. 2021. *Hear her voice: Report One (Volume 3)*, Queensland Government, p. 610.

31. Miller, N. ‘Trauma-informed journalism: What it is, why it’s important and tips for practicing it’, *The Journalist’s Resource: Informing the news*. 2022. Viewed 11 April 2023, [www.journalistsresource.org/home/trauma-informed-journalism-explainer](http://www.journalistsresource.org/home/trauma-informed-journalism-explainer)

32. *ibid.*

Journalists can significantly influence public understanding of trauma through media reporting that humanises victim-survivors and doesn't reduce them to their trauma.<sup>33</sup>

### Trauma-informed reporting

Trauma-informed reporting recognises what the person has experienced, how it might be continuing to affect them and how telling their story could cause them to re-experience the original trauma and further impact them.<sup>34</sup>

Some people are not ready to process or discuss what has happened immediately. Their accounts may only make partial sense, their recall may be incomplete or even contradictory and they may block out an event entirely. They may be able to provide more accurate details when they have had some time to heal.<sup>35</sup> A trauma-informed approach should be used whether or not a victim-survivor chooses to speak to a journalist.

### Trauma and reporting on sexual violence

Sexual violence takes power away from people and can make them feel they lack control in their lives. Giving victim-survivors control over their stories helps empower them. It is vital that people understand the reporting process to be able to give informed consent about taking part.<sup>36</sup>

Journalists should clearly explain the type of questions they may ask, the broader story structure and why they are interested in the victim-survivor's experience. Ask them what they want to achieve through telling their story and what they do and don't want to talk about.<sup>37</sup>

Compassion and respect should underpin trauma-informed reporting and they help build trust. A female victim-survivor will often feel more comfortable with a female interviewer so ask whether she prefers a woman conduct the interview.<sup>38</sup>

Exercise caution when reporting on specific incidents or accusations and consider whether including graphic details enhances the story or further traumatises the victim-survivor. Avoid saying you know what someone is going through. Filmed interviews should obscure characteristics of the victim-survivor such as their voice, physical features or features of their home.

Never name a victim-survivor without their explicit and informed consent and take great care not to inadvertently identify them if they don't want to be identified or can't be by law. Details such as location, age or employment can often be sufficient to enable people to work out the identity, especially in smaller communities.

After publication or broadcast, journalists should support their interviewee, which may require talking with them about the story or assisting them to contact support services.

See **Reporting on vulnerable and diverse communities** on page 21 for information about trauma-informed reporting about people from diverse communities.

## Vicarious trauma and self-care for media

Reporting on traumatic events can be overwhelming and trigger many emotions. Continued exposure to such experiences can cause vicarious trauma.<sup>39</sup> This can cause physical impacts such as headaches and fatigue, psychological impacts like feeling numb, hopeless, guilty or disturbed sleep, and behavioural signs such as mood changes, withdrawal or reliance on unhealthy coping mechanisms.<sup>40</sup>

Journalists should keep their own mental health in mind. Exercise, sleep and time away from social media and the internet can help. Seek support through inhouse employee assistance programs, private practitioners or trauma counsellors available through 1800 RESPECT (1800 737 732).

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33. Craven, J. 'Why Some Journalists Are Centering Trauma-Informed Reporting', *Nieman Reports*. 2022. Viewed 11 April 2023, [www.niemanreports.org/articles/mental-health-trauma-sources/#:~:text=Trauma%2Dinformed%20reporting%20recognizes%20what,process%20could%20burden%20them%20further](http://www.niemanreports.org/articles/mental-health-trauma-sources/#:~:text=Trauma%2Dinformed%20reporting%20recognizes%20what,process%20could%20burden%20them%20further)
  34. Braden Quigley, L. 2023. Toolkit: Trauma-Informed Journalism, Campaign for Trauma-Informed Policy and Practice, USA.
  35. *ibid.*
  36. Belzycki, J. 'For media: Navigating trauma all about consent, power and respect', *Newsworthy*. 2021. Viewed 11 April 2023, [www.newsworthy.org.au/navigating-grief-and-trauma-reporting-without-harm-2653256139.html](http://www.newsworthy.org.au/navigating-grief-and-trauma-reporting-without-harm-2653256139.html)
  37. Doheny, M. 'Best practices for trauma-informed journalism', Donald W. Reynolds Institute for Journalism Online. 2021. Viewed 11 April 2023, [www.rjionline.org/news/best-practices-for-trauma-informed-journalism](http://www.rjionline.org/news/best-practices-for-trauma-informed-journalism)
  38. Brayne, M. 2009. *Trauma & Journalism: A Guide for Journalists, Editors & Managers*, DART Centre for Journalism & Trauma, Columbia Journalism School, USA.
  39. Doheny, M. 2021. 'Best practices for trauma-informed journalism', Donald W. Reynolds Institute for Journalism Online. Viewed on 11 April 2023, [www.rjionline.org/news/best-practices-for-trauma-informed-journalism](http://www.rjionline.org/news/best-practices-for-trauma-informed-journalism)
  40. Our Watch. 2019. *How to report on violence against women and their children*, Our Watch Limited, p. 7.

# Reporting on sexual violence: the legalities

**NOTE: Journalists should seek independent legal advice before publication. Removal of the restriction on publication of the identity of an adult charged with prescribed sexual offences (except where it may identify a complainant) does not affect existing rights regarding legal action under defamation laws against individual journalists and media organisations in the civil jurisdiction. It also does not affect existing laws which prohibit the identification of complainants of sexual offences.**

**For the avoidance of doubt, the below is a general overview of current Queensland laws and legislative amendments and should not be considered legal advice. Journalists should seek their own legal advice about media reports regarding sexual violence.**

## When reporting on specific incidents

Just as every incidence of sexual violence is unique and complex, every report that seeks to tell the story is unique and nuanced by complex issues.

In many instances, a journalist's proximity to the details of a story means they have the responsibility to navigate the intricacies of what should and shouldn't be disclosed. Notwithstanding that, it is always recommended that media be guided by independent legal advice and industry standards and codes of practice.

Including graphic details of an incident may not always be appropriate as it may re-traumatise victim-survivors, and there is evidence that detailing offending behaviours can result in copy-cat behaviours or threats to carry out similar acts by other perpetrators.<sup>41, 42</sup> Include only enough detail as is necessary to show the gravity of the offence and not minimise its significance.<sup>43</sup>

Ultimately, the decision to include specific information in a media report and the decision to publish that report always rests with the media outlet—as do the legal defences which may be available should a court or other party pursue a media outlet regarding a published report.

## Court reporting

Everyone charged with a criminal offence has the right to be presumed innocent until proven guilty<sup>44</sup> which restricts how media can report on individual sexual violence court proceedings. The presumption of innocence is a fundamental legal right that, together with a number of other elements, restricts how media can report.

Journalists have a defence to the publication of defamatory matter if they can prove that the matter was, or was contained in, a fair report of any proceedings of public concern.

The terms 'perpetrator' and 'victim-survivor' should not be used in court reports to ensure they do not compromise the legal process. Correct terminology is 'defendant/accused' and 'complainant' and until proven, the offences are allegations or 'alleged' to have occurred.<sup>45</sup>

Specific phrases that show the journalist is reporting on evidence that has been presented in court include "Defence said/told the court" or "The prosecutor said".

Use of terms such as 'claims/claimed' can carry a connotation of doubt e.g. "the victim claimed", "the offender claimed". The phrase "Defence said" is better to accurately report on any defence being presented to the court.<sup>46</sup>

41. Lelliott J, et al. 2022. *Dousing Threats and DFV: Media Reporting*, University of Queensland, Brisbane.

42. Women's Safety and Justice Taskforce. 2022. *Hear her voice: Report Two* (Volume 1), Queensland Government, p.373.

43. News and Media Research Centre. 2023. *Reporting on Child Sexual Abuse: Guidance for media*, Commonwealth Government and University of Canberra, Canberra.

44. Commonwealth Attorney-General's Department, 'Presumption of innocence', Commonwealth Attorney-General's Department, Australian Government. Viewed 11 April 2023, [www.ag.gov.au/rights-and-protections/human-rights-and-anti-discrimination/human-rights-scrutiny/public-sector-guidance-sheets/presumption-innocence#:~:text=What%20is%20the%20presumption%20of,been%20proved%20beyond%20reasonable%20doubt](http://www.ag.gov.au/rights-and-protections/human-rights-and-anti-discrimination/human-rights-scrutiny/public-sector-guidance-sheets/presumption-innocence#:~:text=What%20is%20the%20presumption%20of,been%20proved%20beyond%20reasonable%20doubt)

45. McGuire, A., Whitbourn, M. 'Alleged' crimes and obscured identities: how does crime reporting work?, *Sydney Morning Herald* (4 March 2021). Viewed 11 April 2023, [www.smh.com.au/national/alleged-crimes-and-obscured-identities-how-does-crime-reporting-work-20210302-p5772w.html](http://www.smh.com.au/national/alleged-crimes-and-obscured-identities-how-does-crime-reporting-work-20210302-p5772w.html)

46. News and Media Research Centre. 2023. *Reporting on Child Sexual Abuse: Guidance for media*, Commonwealth Government and University of Canberra, Canberra.



## Queensland legislative restrictions

### Publication of the identity of complainants for any sexual offence

The *Criminal Law (Sexual Offences) Act 1978* prohibits publication of information likely to lead to the identification of the complainant for any sexual offence, including the complainant's name, address, school or place of employment (section 6). This protection applies to complainants for any sexual offence. While other provisions of the *Criminal Law (Sexual Offences) Act 1978* relating to defendants charged with particular sexual offences are being changed (see below), the provision relating to complainants will remain.

This provision provides a fundamental protection for sexual offence complainants and it is important that media carefully assess any information being considered for publication, and exclude information that may lead to the identification of the complainant.

### Publication of the identity of adults accused of sexual offending

The restriction on the publication of the identity of a person charged with certain sexual offences before committal was removed following amendment of the *Criminal Law (Sexual Offences) Act 1978* (as recommended in the Taskforce's Report Two, Recommendation 83). **This amendment commences on 3 October 2023.**

This means the identifying matter of an adult charged with a **prescribed** sexual offence, known as the defendant, can now be published, except in certain circumstances. The defendant's identity cannot be published where it would identify or tend to lead to the identification of the complainant.

However, an **eligible person** – the defendant, the complainant or the prosecution – can apply to a Magistrates Court for a non-publication order (often referred to as an NPO) relating to **matters** which may identify the defendant.

The new laws require whoever intends to make an application for a non-publication order under section 7(2) of the *Criminal Law (Sexual Offences) Act 1978* to give three business days' notice to the court and to the other eligible persons. Notice to a complainant of a defendant's application will be given by the prosecution. When the court registry receives a notice of intention to make an application, it will take reasonable steps to notify **accredited media entities** when notice of intention to make an application is received. However, even if the person applying fails to give the required notice, the court can still hear the application where good reason has been given for the lack of notice, or it is considered in the interests of justice that it be heard.

A court **must** take various considerations into account, including the complainant's views or any submissions made on their behalf when deciding whether to order that the defendant's identifying matter should not be published (pursuant to the non-publication order).

The court may order that the application for the non-publication order be made in a closed court.

Some restrictions journalists should consider when reporting on sexual violence are outlined in this section. These examples are by no means exhaustive and simply illustrate the potential breadth of issues to consider.

### What is a prescribed sexual offence?

According to the *Criminal Law (Sexual Offences) Act 1978*, a prescribed sexual offence is

- (a) rape;
- (b) attempt to commit rape;
- (c) assault with intent to commit rape;
- (d) a sexual assault as defined under Section 352 of the Criminal Code.

An **interim order** may be made prohibiting publication of the identifying matter until:

- the court revokes it, or
- the court finally decides the application.

If the court makes a non-publication order, it must state:

- the grounds on which the order is made
- what matter is not covered by the order
- the extent to which publication of the identifying matter is prohibited, *and*
- that the order ceases when the defendant is committed for trial or sentence, is sentenced or the charge is withdrawn, whichever happens first.

If an interim order or non-publication order is made, the publication of certain information about a case's proceedings, parties or evidence is prohibited. If publication of the prohibited information occurs, this constitutes an offence and can result in a maximum penalty of 100 penalty units for an individual and 1000 penalty units for a corporation.

### What is identifying matter?

Identifying matter is:

- the name, address, place of employment or other particulars about the defendant or another person that it likely to lead to the defendant's identification
- a photograph, picture, videotape, digital image or other visual representation of the defendant or another person that it likely to lead to the defendant's identification.

### What court proceedings do the changes apply to?

The change to the publication prohibition will apply to all criminal proceedings for prescribed sexual offences when the new laws commence on 3 October 2023, regardless of when the defendant was charged or when proceedings commenced.

### The role of accredited media entities in the NPO process

Under the reforms, the defendant, complainant or prosecution ('eligible persons') will be able to apply to the court for a non-publication order. When notified that an application is going to be made, the court must take reasonable steps to notify each accredited media entity. Accredited media entities are listed in the Supreme Court Media Accreditation Policy (included in Amended Practice Direction 8 of 2014 – Photography and electronic devices in court buildings; see [www.courts.qld.gov.au](http://www.courts.qld.gov.au)).

The new laws will allow accredited media entities to make submissions at the court hearing about the application for the non-publication order. Accredited media entities may also apply to the court to review a non-publication order that has already been made.

The court registry will send an email to each accredited media entity when it receives notice that an application under section 7(2) of the *Criminal Law (Sexual Offences) Act 1978* is going to be made or has been filed. This will include information about the time and place for the hearing.

Each accredited media entity may nominate a **single** email address for the purpose of receiving such notifications from the court.

**It is important for each accredited media entity to ensure its nominated email address is appropriately monitored and that court emails are handled in compliance with privacy obligations under law.**

Any accredited media entity seeking to update its email address should contact the Principal Information Officer, Supreme and District Courts at [MediaSDC@justice.qld.gov.au](mailto:MediaSDC@justice.qld.gov.au) for further information.

### Other publication restrictions

Other restrictions may impact on a journalist's ability to report on a sexual violence incident even if a non-publication order has not been made under the *Criminal Law (Sexual Offences) Act 1978*.

- The court may have made an order in related proceedings prohibiting publication or disclosure of information.
- The *Criminal Law (Rehabilitation of Offenders) Act 1986* may prevent publication of previous criminal convictions of individuals. The rehabilitation period for an offender sentenced in the Supreme or District Courts of Queensland is ten years, and five years for all other convictions in Queensland.
- Other legislation may restrict publication of information:
  - identifying a child
  - identifying certain people in relation to child protection proceedings
  - identifying the parties to domestic and family violence proceedings
  - identifying a person as a party to mental health proceedings
  - identifying a person who is being retried or who has applied to be retried
  - provided in closed court
  - the subject of a coronial inquest
  - subject to proceedings under the *Mental Health Act 2016*.
- Restrictions may also apply under Commonwealth legislation, for example, a court may suppress publication of evidence related to witness protection under the *Witness Protection Act 1994* (Commonwealth).

### How can I check if a non-publication order has been made?

Journalists can find out if a court has made a non-publication order by emailing:

#### Magistrates Court

Contact the relevant registry

[www.courts.qld.gov.au/contacts/courthouses](http://www.courts.qld.gov.au/contacts/courthouses)

#### Supreme and District Courts

(including Planning & Environment) and Land Court

Principal Information Officer  
[MediaSDC@justice.qld.gov.au](mailto:MediaSDC@justice.qld.gov.au)

### Contempt of court

- It is a contempt of court to publish material which has a real tendency to prejudice or interfere with a particular proceeding or the administration of justice. These rules apply equally whether the prejudice would be to the prosecution or the defence.
- Generally, publication of material which is only a fair summary of court proceedings conducted in open court will not constitute contempt. However, publication of such material may still breach legislative restrictions on publication.
- Failure to comply with a court order restraining publication would constitute contempt.

### Defamation

- Journalists who publish defamatory material may be sued for defamation.
- Defences to defamation include where the defendant proves that the defamatory imputations are substantially true or that the defamatory matter was, or was contained in, in a fair report of court proceedings of public concern.

### Breach of confidentiality and negligence

- Journalists who receive confidential information or improperly or surreptitiously obtain information may be subject to a duty of confidentiality. Journalists who misuse this information may be sued for breach of confidentiality.
- Journalists may be liable for negligence if they owed a duty of care and caused loss by breaching that duty.

### Changes to language in sexual offences

Legislative language used in sexual offences in Queensland has been updated to better reflect contemporary terminology:

- the offence title ‘repeated sexual conduct with a child’ replaced ‘maintaining a sexual relationship with a child’
- the term ‘penile intercourse’ replaced ‘carnal knowledge’ across a range of offences.

### Further legislative changes

Details of any legislative changes impacting media reporting on sexual violence will be included in future editions of this media guide.

# Reporting on vulnerable and diverse communities

## Trauma and its impacts

Aspects of an individual's identity may intersect, for example an LGBTQIA+ refugee, and this can further increase their risk of sexual violence and compound their trauma.<sup>50</sup>

As well as sexual violence-related trauma, victim-survivors may have been exposed to additional trauma through their experiences of social marginalisation, discrimination, economic deprivation, dispossession, displacement, incarceration or racism.<sup>51</sup>

Empowering victim-survivors to share their stories can be an important part of their healing process and can help them be part of positive social change to address and prevent sexual violence.<sup>52</sup>

## Visibility and telling diverse stories

By telling the stories of people from diverse communities with lived experience of sexual violence, media can increase the visibility of the issue in these communities<sup>53</sup> and its impacts.

An individual's age, race, religion, sexual preference, gender, employment, physical or mental ability should not determine the worth of telling their story.

Media reporting should focus on the violence of the perpetrator, not the behaviour of the victim or their community<sup>53</sup> to avoid perpetuating stereotypes or myths about the prevalence of sexual violence in certain communities.

Journalists can help frame<sup>54</sup> the conversation in society that sexual violence will not be tolerated in **all** communities, not just those which have previously had greater media focus.

Some people are at a higher risk of experiencing sexual violence in their lifetimes.

- Aboriginal and Torres Strait Islander people
- People with disability
- LGBTQIA+ people
- Sex workers
- People from culturally and linguistically diverse backgrounds
- Older people
- People in the custodial system
- People experiencing homelessness<sup>47, 48, 49</sup>

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47. Department of Child Safety, Youth and Women. 2019. *Prevent. Support. Believe. Queensland's Framework to address Sexual Violence*, Queensland Government, p. 6.

48. Morrison, Z. 2009. 'Homelessness and sexual assault' in *ACSSA Wrap*, Australian Centre for the Study of Sexual Assault.

49. Department of the Prime Minister and Cabinet. 2023. *National Strategy to Achieve Gender Equality: Discussion paper*, Australian Government, Canberra.

50. Royal Australian and New Zealand College of Psychiatrists, 'Trauma-informed practice', *Royal Australian and New Zealand College of Psychiatrists*. 2020. Viewed on 11 April 2023, [www.ranzcp.org/clinical-guidelines-publications/clinical-guidelines-publications-library/trauma-informed-practice](http://www.ranzcp.org/clinical-guidelines-publications/clinical-guidelines-publications-library/trauma-informed-practice)

51. *Ibid.*

52. Women's Safety and Justice Taskforce. 2022. *Hear her voice: Report Two (Volume 1)*, Queensland Government, p. 363.

53. Howe, A. 1997. *The War Against Women: Media representations of men's violence against women in Australia*, La Trobe University, Melbourne.

54. femifesto & Collaborators. 2015. *Use the Right Words: Media Reporting on Sexual Violence in Canada*, femifesto, Canada.

There are many issues to consider when seeking to report on the experience of victim-survivors from diverse communities. For many victim-survivors, there is a real fear that disclosing the violence by telling their story could result in further attack, not being believed or being blamed. Reprisals against family or others supporting them may also be a potential threat.

## Challenges for reporting

Communication may be a barrier, particularly for those who might have a disability or lower levels of English fluency. Some may not understand that what they have experienced is sexual violence or a crime.

A lack of confidence in dealing with cross-cultural issues and sensitivities may deter journalists from reporting on sexual violence in First Nations communities and culturally and linguistically diverse groups.<sup>55</sup>

Reporting should not stigmatise any particular cultural or religious group. Media should consider who is the most appropriate person to report on a matter.<sup>56</sup> In some cultures a male reporter meeting a woman alone might cause further social stigma.<sup>57</sup>

‘ In some societies, just being suspected of having been raped can lead to humiliation, being ostracised, and even to further violence.’<sup>58</sup>

### More information on reporting on diverse communities:

**Reporting on Aboriginal and Torres Strait Islander Peoples and Issues**, Media Diversity Australia (2020).

[www.mediadiversityaustralia.org/wp-content/uploads/2020/07/ReportingonAboriginalandTorresStraitIslanderPeoplesandIssues\\_Handbookv2.pdf](http://www.mediadiversityaustralia.org/wp-content/uploads/2020/07/ReportingonAboriginalandTorresStraitIslanderPeoplesandIssues_Handbookv2.pdf)

**Reporting on Aboriginal People’s Experience of Family Violence**, Kalinya & Victorian Government (2018).

[www.kalinya.com.au/wp-content/uploads/2018/01/Reporting-on-Aboriginal-peoples-experiences-of-family-violence-media-toolkit-1.pdf](http://www.kalinya.com.au/wp-content/uploads/2018/01/Reporting-on-Aboriginal-peoples-experiences-of-family-violence-media-toolkit-1.pdf)

**Media Changing the Story: Media Guidelines for the Reporting of Domestic, Family and Sexual Violence in the Northern Territory**,

ANU Gender Institute (2021).

[www.genderinstitute.anu.edu.au/news/media-changing-story-media-guidelines-reporting-domestic-family-and-sexual-violence-northern](http://www.genderinstitute.anu.edu.au/news/media-changing-story-media-guidelines-reporting-domestic-family-and-sexual-violence-northern)

**Disability Reporting Handbook**, Media Diversity Australia (2012).

[www.mediadiversityaustralia.org/wp-content/uploads/2021/11/MDA-Disability-Reporting-Handbook\\_FINAL-V5\\_21112021.pdf](http://www.mediadiversityaustralia.org/wp-content/uploads/2021/11/MDA-Disability-Reporting-Handbook_FINAL-V5_21112021.pdf)

**MEAA Guidelines for Reporting on LGBTQIA+ Issues**, Media Entertainment and Arts Alliance (2021).

[www.meaa.org/download/meaa-guidelines-for-reporting-on-lgbtqia-issues/](http://www.meaa.org/download/meaa-guidelines-for-reporting-on-lgbtqia-issues/)

**Media reporting guidelines**, Older Persons Advocacy Network (2023).

[www.opan.org.au/about-us/media-centre/media-reporting-guidelines](http://www.opan.org.au/about-us/media-centre/media-reporting-guidelines)

**Valuing diversity in news and newsrooms**, News and Research Centre, University of Canberra (2023).

[www.apo.org.au/sites/default/files/resource-files/2023-03/apo-nid321582.pdf](http://www.apo.org.au/sites/default/files/resource-files/2023-03/apo-nid321582.pdf)

55. Sutherland, G., et al. 2017. *News Media and the primary prevention of violence against women and their children: Emerging evidence, insights and lessons*, Our Watch Australia.

56. Our Watch. 2019. *How to report on violence against women and their children*, Our Watch Limited, p. 9.

57. Brayne, Mark. 2009. *Trauma & Journalism: A Guide for Journalists, Editors & Managers*, DART Centre for Journalism & Trauma, Columbia Journalism School, USA.

58. DART Centre for Journalism & Trauma. 2011. *Reporting on Sexual Violence*, Columbia Journalism School, USA.

# Practical tips

## Interviewing tips

- Approach an individual with sensitivity and respect and explain the purpose of your story.
- Obtain informed consent to ensure the interviewee is clear about what you will discuss and how that information might be used.
- Consider the timing of interviewing people, including victim-survivors, involved in matters actively being progressed in the criminal justice system. Before interview, check if a victim-survivor of sexual assault has been notified that an application under the *Criminal Law (Sexual Offences) Act 1978* has been filed or made. Check if an interim order re publication relating to the potential interviewee has been made.
- Allow them choice as to the timing, location and duration of the interview.
- Female victims may feel safer being interviewed by another woman.
- Ask what they would like to achieve from telling their story.
- Provide questions beforehand if asked and discuss any aspects they do not want to talk about.
- Always ask permission before using a recording device.
- Consider personal space, especially if working with someone who has been sexually assaulted.
- Try to limit the number of people present at the interview.
- If using microphones, the person may want to fit it themselves.
- Ask whether they want to be identified, use a pseudonym or remain anonymous.
- Check if they would like a support person present.
- Consider relevant cultural protocols when planning the interview.
- Remember that asking someone to repeatedly retell their story may retraumatise them.
- Allow the interviewee to take a break when needed or to end the interview. Stop the interview if they are visibly distressed.
- Have a list of support services on hand.
- Never say you know how they feel or physically comfort someone without asking.



## Use of language

- Rape or sexual assault is violence, not 'sex' and is not associated with normal or acceptable sexual activity. A pattern of abuse is not an 'affair'.
- People who have suffered sexual violence may not wish to be described as victims and prefer to be described as survivors, victim-survivors or some other term.
- Avoid language that blames the victim or makes excuses for the actions of the perpetrator.
- Focus on the harm done to the victim-survivor.
- Include only the level of detail as is necessary for the story.
- Query the relevance of including a person's previous sexual history e.g. including sex work.
- Avoid sympathy for the perpetrator. Include details about them if the interviewee is comfortable and there are no legal restrictions, i.e. court proceedings.
- Don't sensationalise the victim-survivor's gender identity.

## Headlines

- Avoid headlines that sensationalise stories or undermine the seriousness of the violence.
- Consider the impact: while headlines aim to attract attention, they should be accurate and not reinforce myths and misconceptions about sexual violence.
- Don't minimise the perpetrator's violence, give excuses for their actions or blame the victim.
- Consider using active language to focus on the perpetrator's actions, e.g. 'Man rapes woman' rather than 'Woman raped'.

### Dos and Don'ts

<p> <b>DO</b> When legally possible, name the violence to help the audience understand that violence against women and their children is widespread rather than as 'random acts of violence'.</p>	<p> <b>DON'T</b> Use terms that minimise or trivialise violence e.g. calling it sexual intercourse or a sexual relationship.</p>
<p> <b>DO</b> Ensure you report in a way that doesn't compromise the victim-survivor's safety</p>	<p> <b>DON'T</b> Include specific details which might risk identifying victim-survivors. In First Nations communities or rural and regional areas, it may be easy to identify a person even when measures are taken to de-identify them.</p>
<p> <b>DO</b> Use language that helps the audience understand the evidence that, globally, most violence against women and children is driven by gender inequality.</p>	<p> <b>DON'T</b> Describe violence as being driven or fuelled by alcohol/drugs, connected to mental health, stress, finances, culture, the 'burden' of caring for someone with a disability or a perpetrator 'just snapping', focus on the survivor's clothing, employment, marital status, sexuality, past relationships or substance use. This can imply that responsibility for the sexual violence lies with the victim-survivor.</p>
<p> <b>DO</b> Depict sexual assault as a serious crime.</p>	<p> <b>DON'T</b> Sensationalise or trivialise violence, including through use of overly dramatic language, unnecessary details, gratuitous or disempowering images, or inappropriate references or puns.</p>
<p> <b>DO</b> Use active language to emphasise that someone perpetrated the violence against a victim. Name the current or previous relationships between the victim-survivor and perpetrator if legally possible to remind the audience that most sexual violence is perpetrated by someone known to them.</p>	<p> <b>DON'T</b> Reinforce the idea that women should modify their own behaviour in order to avoid men's violence. Accountability for violence should always sit with the person who has perpetrated it.</p>
<p> <b>DO</b> Use the opportunity to help men, women and children who may be looking for help. Include information about support options for people who have experienced sexual violence, as well as for perpetrators.</p>	<p> <b>DON'T</b> Just provide information about suicide or mental health services. Advise those experiencing sexual violence about where they can go to seek specialist help.</p>
<p> <b>DO</b> Ensure that people with lived experience, advocates from the sexual violence sector, academics and those from more diverse communities are given opportunity to speak about the issue to help improve understanding of the issue and its impacts.</p>	<p> <b>DON'T</b> Focus solely on law enforcement, legal and perpetrators' voices when reporting on sexual violence.</p>



### Use of imagery

- Use imagery that appropriately illustrates the story, not graphic images or stock imagery that stereotype victims.
- Photos relating to or depicting an incident may be distressing and offensive to the interviewee or others impacted by it.
- Don't take photos of victim-survivors that make them appear small, look sad or helpless or use inappropriate social media images, e.g. swimwear or revealing clothing should not be used. What does the chosen imagery say about the victim-survivor?
- Ensure images do not identify a victim-survivor if you don't have permission or if there are legal reasons why you cannot. Film your interviewee from behind against a strong light, or in shadows, or consider using digital blurring or mosaic techniques.
- Re-enactments can be traumatising for victim-survivors so obtain their consent before use.
- Use images that represent survivors from diverse communities when possible.
- Follow cultural protocols regarding using the name or image of a deceased Aboriginal or Torres Strait Islander person.

**While editors may have the final say over the use of content, headings and images used to accompany a story, journalists should liaise between the interviewee and their editors or supervisors about the use and appropriateness of material.**

# Further information, advice and assistance

## Information for media

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<b>Australian Press Council</b>	<b><i>Family and domestic violence reporting advisory guideline</i></b> <a href="http://www.presscouncil.org.au/document/family-and-domestic-violence-reporting-advisory-guideline">www.presscouncil.org.au/document/family-and-domestic-violence-reporting-advisory-guideline</a>
<b>Blue Knot Foundation</b>	<b><i>Resources</i></b> <a href="http://www.blueknot.org.au/resources">www.blueknot.org.au/resources</a>
<b>DART Centre for Journalism and Trauma</b>	<b><i>Trauma and Journalism: A Guide For Journalists, Editors and Managers</i></b> <a href="http://www.dartcenter.org/content/trauma-journalism-handbook">www.dartcenter.org/content/trauma-journalism-handbook</a> <b><i>Reporting on sexual violence</i></b> <a href="http://www.dartcenter.org/content/reporting-on-sexual-violence">www.dartcenter.org/content/reporting-on-sexual-violence</a> <b><i>Self Care Tips for News Media</i></b> <a href="http://www.dartcenter.org/content/self-care-tips-for-news-media-personnel-exposed-to-traumatic-events">www.dartcenter.org/content/self-care-tips-for-news-media-personnel-exposed-to-traumatic-events</a>
<b>Department of Justice and Attorney-General: Media Relations</b>	media.relations@justice.qld.gov.au P: 07 3738 9295
<b>Jane Gilmore</b>	<b><i>Fixed It: Headlines</i></b> <a href="http://www.janegilmore.com/fixedit-headlines">www.janegilmore.com/fixedit-headlines</a>
<b>Kalinya and Department of Premier &amp; Cabinet (Victoria)</b>	<b><i>Reporting on Aboriginal People's Experiences of Family Violence</i></b> <a href="http://www.kalinya.com.au/wp-content/uploads/2018/01/Reporting-on-Aboriginal-peoples-experiences-of-family-violence-media-toolkit-1.pdf">www.kalinya.com.au/wp-content/uploads/2018/01/Reporting-on-Aboriginal-peoples-experiences-of-family-violence-media-toolkit-1.pdf</a>
<b>Media Diversity Australia</b>	<b><i>Reporting on Aboriginal and Torres Strait Islander Peoples and Issues</i></b> <a href="http://www.mediadiversityaustralia.org/wp-content/uploads/2020/07/ReportingonAboriginalandTorresStraitIslanderPeoplesandIssues_Handbookv2.pdf">www.mediadiversityaustralia.org/wp-content/uploads/2020/07/ReportingonAboriginalandTorresStraitIslanderPeoplesandIssues_Handbookv2.pdf</a> <b><i>Disability Reporting Handbook</i></b> <a href="http://www.mediadiversityaustralia.org/wp-content/uploads/2021/11/MDA-Disability-Reporting-Handbook_FINAL-V5_21112021.pdf">www.mediadiversityaustralia.org/wp-content/uploads/2021/11/MDA-Disability-Reporting-Handbook_FINAL-V5_21112021.pdf</a>
<b>Media Entertainment and Arts Alliance</b>	<b><i>MEAA Guidelines for Reporting on LGBTQIA+ Issues</i></b> <a href="http://www.meaa.org/download/meaa-guidelines-for-reporting-on-lgbtqia-issues/">www.meaa.org/download/meaa-guidelines-for-reporting-on-lgbtqia-issues/</a>
<b>Mindframe</b>	<b><i>Reporting suicide and mental ill-health: A Mindframe resource for media professionals</i></b> <a href="http://www.mindframe.org.au/guidelines">www.mindframe.org.au/guidelines</a>
<b>Older Persons Advocacy Network</b>	<b><i>Media reporting guidelines</i></b> <a href="http://www.opan.org.au/about-us/media-centre/media-reporting-guidelines">www.opan.org.au/about-us/media-centre/media-reporting-guidelines</a>

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**Our Watch****Media Making Change**

<https://media.ourwatch.org.au/>

**How to report on violence against women and their children**

(2019 National edition)

[https://media-cdn.ourwatch.org.au/wp-content/uploads/sites/2/2019/09/09000510/OW3989\\_NAT\\_REPORTING-GUIDELINES\\_WEB\\_FA.pdf](https://media-cdn.ourwatch.org.au/wp-content/uploads/sites/2/2019/09/09000510/OW3989_NAT_REPORTING-GUIDELINES_WEB_FA.pdf)

**Tips for reporting on violence against women and their children**

[https://media-cdn.ourwatch.org.au/wp-content/uploads/sites/2/2019/06/27060600/OW3990\\_SNAPSHOT-GUIDELINES\\_WEB\\_FA.pdf](https://media-cdn.ourwatch.org.au/wp-content/uploads/sites/2/2019/06/27060600/OW3990_SNAPSHOT-GUIDELINES_WEB_FA.pdf)

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**Queensland Courts:  
Supreme and District  
Court media enquiries**

SDCMedia@justice.qld.gov.au

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**Queensland Government****Domestic and Family Violence Media Guide**

[www.publications.qld.gov.au/dataset/domestic-and-family-violence-prevention/resource/c9ed71ec-74e6-48b0-8894-e5de6d5cf290](http://www.publications.qld.gov.au/dataset/domestic-and-family-violence-prevention/resource/c9ed71ec-74e6-48b0-8894-e5de6d5cf290)

**Prevent. Support. Believe. Queensland's framework to address sexual violence**

[www.publications.qld.gov.au/dataset/6b269dfe-908d-4cd1-8288-986bb1e3c24e/resource/a22ad633-8529-4ab7-99d6-549fec75e709/download/prevent-support-believe-qld-framework-to-address-sexual-violence.pdf](http://www.publications.qld.gov.au/dataset/6b269dfe-908d-4cd1-8288-986bb1e3c24e/resource/a22ad633-8529-4ab7-99d6-549fec75e709/download/prevent-support-believe-qld-framework-to-address-sexual-violence.pdf)

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**Uncovered****Find an expert**

[www.uncovered.org.au/find-an-expert](http://www.uncovered.org.au/find-an-expert)

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## Awareness training for media

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**Our Watch****Training for Journalists**

[www.media.ourwatch.org.au/reporting-violence-against-women/training-for-journalists/](http://www.media.ourwatch.org.au/reporting-violence-against-women/training-for-journalists/)

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**DART Centre for  
Journalism****Ethical reporting on traumatised people**

[www.dartcenter.org/content/dvd-launched-ethical-reporting-people-affected-by-trauma](http://www.dartcenter.org/content/dvd-launched-ethical-reporting-people-affected-by-trauma)

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**Walkley Foundation****Scanlon Foundation Media Training**

[www.walkleys.com/professional-development/training/scanlon-foundation-media-training/](http://www.walkleys.com/professional-development/training/scanlon-foundation-media-training/)

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### Statistics

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<b>Australian Bureau of Statistics (ABS)</b>	<b><i>Personal Safety, Australia</i></b> <a href="http://www.abs.gov.au/statistics/people/crime-and-justice/personal-safety-australia">www.abs.gov.au/statistics/people/crime-and-justice/personal-safety-australia</a> <b><i>Recorded Crime - Victims</i></b> <a href="http://www.abs.gov.au/statistics/people/crime-and-justice/recorded-crime-victims/latest-release">www.abs.gov.au/statistics/people/crime-and-justice/recorded-crime-victims/latest-release</a> <b><i>Sexual Violence - Victimization</i></b> <a href="http://www.abs.gov.au/articles/sexual-violence-victimisation">www.abs.gov.au/articles/sexual-violence-victimisation</a>
<b>Australian Institute of Family Studies (AIFS)</b>	<b><i>The nature and extent of sexual assault and abuse in Australia</i></b> <a href="http://www.aifs.gov.au/resources/practice-guides/nature-and-extent-sexual-assault-and-abuse-australia">www.aifs.gov.au/resources/practice-guides/nature-and-extent-sexual-assault-and-abuse-australia</a>
<b>Australian Institute of Health and Welfare (AIHW)</b>	<b><i>Family, domestic and sexual violence in Australia: continuing the national story 2019</i></b> <a href="http://www.aihw.gov.au/reports/domestic-violence/family-domestic-sexual-violence-australia-2019/contents/summary">www.aihw.gov.au/reports/domestic-violence/family-domestic-sexual-violence-australia-2019/contents/summary</a> <b><i>Sexual assault in Australia</i></b> <a href="http://www.aihw.gov.au/reports/domestic-violence/sexual-assault-in-australia/contents/summary">www.aihw.gov.au/reports/domestic-violence/sexual-assault-in-australia/contents/summary</a>
<b>Australia's National Research Organisation for Women's Safety (ANROWS)</b>	<b><i>The 2021 National Community Attitudes Towards Violence Against Women Survey (NCAS)</i></b> <a href="http://www.anrows.org.au/publication/attitudes-matter-the-2021-national-community-attitudes-towards-violence-against-women-survey-ncas-findings-for-australia">www.anrows.org.au/publication/attitudes-matter-the-2021-national-community-attitudes-towards-violence-against-women-survey-ncas-findings-for-australia</a> <b><i>Violence Against Women: Accurate use of key statistics</i></b> <a href="https://www.anrowsdev.wpenginepowered.com/wp-content/uploads/2019/02/ANROWS_VAW-Accurate-Use-of-Key-Statistics.1.pdf">https://www.anrowsdev.wpenginepowered.com/wp-content/uploads/2019/02/ANROWS_VAW-Accurate-Use-of-Key-Statistics.1.pdf</a> <b><i>Media representations of violence against women and children: Key findings</i></b> <a href="https://www.anrowsdev.wpenginepowered.com/wp-content/uploads/2019/02/C4_2-2_Media.pdf">https://www.anrowsdev.wpenginepowered.com/wp-content/uploads/2019/02/C4_2-2_Media.pdf</a>
<b>Department of Justice and Attorney-General (Qld)</b>	<b><i>Sexual violence statistics</i></b> <a href="http://www.justice.qld.gov.au/about-us/services/women-violence-prevention/violence-prevention/sexual-violence-prevention/sexual-violence-statistics">www.justice.qld.gov.au/about-us/services/women-violence-prevention/violence-prevention/sexual-violence-prevention/sexual-violence-statistics</a>
<b>Our Watch</b>	<b><i>Quick facts</i></b> <a href="http://www.ourwatch.org.au/quick-facts">www.ourwatch.org.au/quick-facts</a>
<b>Queensland Police Service</b>	<b><i>Maps and statistics</i></b> <a href="http://www.police.qld.gov.au/maps-and-statistics">www.police.qld.gov.au/maps-and-statistics</a>
<b>Queensland Sexual Assault Network (QSAN)</b>	<b><i>Sexual Violence in Queensland – Key Facts</i></b> <a href="http://www.qsan.org.au/key-facts">www.qsan.org.au/key-facts</a>
<b>Queensland Government Statistician's Office, Queensland Treasury</b>	<b><i>Crime and justice statistics, Reported crime</i></b> <a href="http://www.qgso.qld.gov.au/statistics/theme/crime-justice/crime-justice-statistics/reported-crime">www.qgso.qld.gov.au/statistics/theme/crime-justice/crime-justice-statistics/reported-crime</a>

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## Support services

Media stories will reach people who have experienced or are experiencing sexual violence so it can be helpful to provide information on sources of support.

<b>Queensland Sexual Assault Network</b>		<a href="http://www.qsan.org.au">www.qsan.org.au</a>
<b>State Sexual Assault Helpline</b>	1800 010 120	<a href="http://www.dvconnect.org/sexual-assault-helpline">www.dvconnect.org/sexual-assault-helpline</a>
<b>1800 RESPECT</b>	1800 737 732	<a href="http://www.1800respect.org.au">www.1800respect.org.au</a>
<b>13 YARN</b> (for Aboriginal and Torres Strait Islander peoples)	13 92 76	<a href="http://www.13yarn.org.au">www.13yarn.org.au</a>
<b>54 Reasons</b> (for young and adult males affected by sexual assault)	1800 874 996	<a href="http://www.54reasons.org.au">www.54reasons.org.au</a>
<b>LGBTI Legal Service</b>	(07) 3124 7164	<a href="http://www.lgbtilegalservice.org.au">www.lgbtilegalservice.org.au</a>
<b>WWILD</b> (for people with an intellectual disability)	(07) 3262 9877	<a href="http://www.wwild.org.au">www.wwild.org.au</a>
<b>Lifeline</b> (crisis support service)	13 11 14	<a href="http://www.lifeline.org.au">www.lifeline.org.au</a>
<b>MensLine Australia</b>	1300 78 99 78	<a href="http://www.mensline.org.au">www.mensline.org.au</a>
<b>Kids Helpline</b>	1800 55 1800	<a href="http://www.kidshelpline.com.au">www.kidshelpline.com.au</a>

## Additional contacts

<b>Blue Knot Foundation</b>	1300 657 380	<a href="http://www.blueknot.org.au">www.blueknot.org.au</a>
<b>Elder Abuse Prevention Unit</b>	1300 651 192	<a href="http://www.eapu.com.au">www.eapu.com.au</a>
<b>Victim Assist</b>	1300 546 587	<a href="http://www.qld.gov.au/victims">www.qld.gov.au/victims</a>
<b>Women's Legal Service Queensland</b>	1800 957 957	<a href="http://www.wlsq.org.au">www.wlsq.org.au</a>

## Quick reference template for support services and reporting sexual assault

### Report a sexual assault

#### If you are in immediate danger call 000.

To report a crime, contact Policelink on 131 444, go to your local police station or call Crimestoppers on 1800 333 000.

Go to your local hospital or emergency department for medical advice.

To report a sexual assault online, use the Report feature on the Queensland Police Service homepage at [www.police.qld.gov.au](http://www.police.qld.gov.au).

### Support services

**State Sexual Assault Helpline on 1800 010 120**

**1800 RESPECT on 1800 737 732**

**13 YARN on 13 92 76**

**Blue Knot Foundation on 1300 657 380**

# Key terms and definitions

The following are some common terms associated with sexual violence. Some words can have a general meaning and a legal meaning.

## Commercial sexual exploitation

Commercial sexual exploitation (CSE), a phrase similar to sex trafficking, is a term used globally to describe trafficking crimes where the primary form of forced labour is in sexual services.

## Consent (Affirmative consent)

Consent is an agreement between participants to engage in sexual activity. It should be clearly and freely communicated. Consent to one activity, one time, does not mean someone gives consent for other activities or for the same activity on other occasions. A person can withdraw consent at any point if they feel uncomfortable.

Legal definitions of consent may vary. Under current Queensland law, it means consent freely and voluntarily given by a person with the cognitive capacity to give the consent. It is not considered to be freely and voluntarily given if it is obtained by force, threat or intimidation, fear of bodily harm, exercise of authority, false and fraudulent representations about the nature or purpose of the act or by mistaken belief induced by the accused person that they were the person's sexual partner. A person is not taken to consent to an act only because the person does not, before or at the time the act is done, say or do anything to communicate that the person does not consent to the act. If an act is done or continues after consent to the act is withdrawn by words or conduct, then the act is done or continues without consent.<sup>59</sup>

## Image-based abuse

The taking or sharing of a nude or sexual image of another person without their consent or permission and includes threatening to share images with other people, such as friends, family, workplaces, or on social media. Sometimes called 'revenge porn'.

## Intersectionality

The complex, cumulative way in which multiple forms of discrimination and disadvantage combine, overlap or intersect, especially in the experiences of marginalised individuals or groups. Multiple and intersecting factors can contribute to the prevalence and impact of violence, including racism, discrimination against people who are not able-bodied, heterosexual people or belonging to a particular social class, and the ongoing impact of colonisation.

## Intimate partner sexual violence

Sexual acts perpetrated without consent by an intimate partner or ex-partner. It may involve physical force and psychological/emotional coercion, unwanted sexual acts or tactics used to control decisions around reproduction. Often occurs alongside other forms of domestic and family violence and puts a victim at much higher risk of being killed.

## Lived experience

An individual who has experienced sexual violence.

## Perpetrator

An individual who has committed an act of sexual violence, even if they have not necessarily been charged with, or convicted of, the act.

## Rape culture

The social environment that allows sexual violence to be normalised and justified, fuelled by the persistent gender inequalities and attitudes about gender and sexuality.

Rape culture exists in a society or environment in which common social beliefs, attitudes and morals normalise sexual violence, encourage people to associate sex with violence, and minimise the seriousness of sexual violence.

59. The Queensland Government has committed to progressing legislative amendments to move to an affirmative model of consent as part of its response to Report 2 of the Women's Safety and Justice Taskforce. These amendments will be included in a later edition of this media guide.

### Sex trafficking

The recruitment, transportation, transfer, harbouring or receipt of persons by means of threat of or use of force, deception, coercion, abuse of power or position of vulnerability for sexual exploitation.

### Sexual assault

Refers to any unwanted sexual act that is forced on a person without their consent – including where intimidation, physical force or coercion are involved. Sexual assault includes rape and attempted rape, as well as unwanted sexual touching or groping, or being forced to perform a sexual act on another person. Rape is a term used when sexual penetration is involved.

### Sexual harassment

Any unwelcome conduct of a sexual nature that is carried out either to offend, humiliate or intimidate another person, or where it is reasonable to expect the person might feel that way. It includes physical intimacy such as touching in a sexual way, uninvited sexual propositions and remarks with sexual connotations.

### Sexual violence

Any unwanted sexual behaviour towards another person. It can happen in public, private, or institutional settings and can be carried out by people known to the victim (including family members, partners or former partners), or by strangers. Sexual violence often has lifelong impacts on people who experience it.

### Stalking

Stalking is conduct intentionally directed at another person. It is conduct engaged in on any one occasion or protracted single occasion. It consists of one or more various acts or acts of a similar type. Those acts can include, but are not limited to, following, loitering near, watching or approaching a person, contacting them in any way including for example, using any technology and over any distance and monitoring, tracking or surveilling a person's movement. It also has to be conduct that would have caused the stalked person apprehension or reasonable fear arising in the circumstances, of violence to, or against the property of the stalked person or another person. Otherwise it has to be conduct that causes detriment reasonable arising in the circumstances to the stalked person or another person.

### Stealthing

The deliberate removal, tampering with or failure to use a condom before or during sexual intercourse without the consent or knowledge of the other person.

### Technology-facilitated sexual violence

A range of behaviours where digital technologies are used to facilitate both virtual and face-to-face sexually based harms. This can include unwanted sexting, cyberstalking using mobile phones and social media technology, harassing and repetitive text messages or phone calls of a sexual nature, using technology to record sexual activity without consent, creating fake sexual images or videos, and sharing sexual images or video without consent of those involved, often called image-based abuse.

### Vicarious trauma

A person's negative trauma reactions resulting from exposure to the trauma of others. Also known as secondary trauma. Can result from the cumulative effect of working with people who have experienced traumatic events.

### Victim-survivor

A person who has direct experience of sexual violence. The term recognises the ongoing effects and harm caused by the violence and acknowledges that victims can survive and thrive after experiencing violence and trauma.



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Government