

## Penalties and Sentences (Sexual Offences) and Other Legislation Amendment Bill 2025

**Submission No:** 136

**Submitted by:** 

**Publication:** Making the submission public but withholding your name

**Attachments:** No attachment

**Submitter Comments:**

I strongly believe that character references should not be admissible in cases involving sexual offences. The very nature of these crimes often involves manipulation, secrecy, and the strategic presentation of a socially acceptable persona to conceal predatory behaviour. Individuals who commit sexual offences frequently maintain a facade of respectability, allowing them to avoid detection and gain trust—traits that are often highlighted in character references. This ability to mask harmful intentions behind charm, status, or professional conduct is not incidental—it is often a deliberate strategy. Character references, rather than offering a balanced or objective perspective, reinforce this false persona and minimise the seriousness of the offence. Allowing such references in legal proceedings can retraumatise victim-survivors and send a harmful message that a person's public image or professional reputation outweighs the lived harm they have caused. It also reinforces a culture of disbelief—where the credibility of victim-survivors is questioned simply because the offender "seemed like a good person." In doing so, the justice system may inadvertently uphold the very dynamics of power and control that underpin sexual violence - and coercive control. Character references have no place in cases of sexual harm, where the core issue is not who someone appears to be in public, but the actions they have taken—often in private—that cause lifelong trauma to others. To prioritise genuine accountability and the safety of victim-survivors, character references should be abolished from these proceedings altogether.