

## FACT SHEET

### Sexual Offence Expert Evidence Panel

The purpose of this fact sheet is to provide a basic overview of the Sexual Offence Expert Evidence Panel pilot program (the Panel). The intended audience is requesting parties, complainants, defendants, Department of Justice (DoJ) staff and the community generally. For more detailed information visit the Panel's page on the Queensland Courts website ([www.courts.qld.gov.au/services/sexual-offence-expert-evidence-panel](http://www.courts.qld.gov.au/services/sexual-offence-expert-evidence-panel)) or contact the Program Team.

### What is the Panel?

#### Background

In response to recommendations made by the Women's Safety and Justice Taskforce (WSJT) *Hear her voice - Report Two*, the DoJ has established a Sexual Offence Expert Evidence Panel (Panel) for sexual offence proceedings that can be used by the prosecution, defence, or court.

#### The Purpose of the Panel

There are two separate functions of the Panel:

- Stream 1 allows an expert to give relevant evidence about the defendant in a proceeding for a relevant offence. Specifically, in matters where the defendant's cognitive and/or mental health impairment at the time of the alleged offence was a substantial cause of the person not saying or doing anything to ascertain whether the other person consented to the sexual act; and
- Stream 2 will allow experts to give counterintuitive evidence about the nature of sexual offences and evidence about the social, psychological and cultural factors that may affect the behaviour of a complainant of a relevant sexual offence as requested by the prosecution, defence, or court.

The Panel will run as a two-year pilot program from 3 February 2025, when the Panel's Stream 1 operations commence. On a date to be fixed, the Panel's functions will expand to Stream 2.

### Engaging the Panel

#### Who has access to the Panel?

The Panel Pilot program is only accessible for sexual offence proceedings in specified courts in Brisbane and Townsville. However, that does not prevent a party from seeking an expert outside of the pilot locations at their own expense.

#### What is the Panel Program Team?

The Panel Program Team consists of two Principal Experts, an Administration team, a Program Manager and the Director of Evidence Services. The Program Team is responsible for recruiting and maintaining the Panel of experts.

Additionally, the Program Team will screen all incoming referrals, match a suitably qualified Panel expert to a proceeding and coordinate all administrative functions of the Panel, including processing payments

for expert reports and the costs associated with the expert's time should they be required to give evidence at trial.

### How are matters referred to the Panel?

A party to a relevant proceeding (including defence, self-represented defendants, and prosecution) and, in certain circumstances, the court, can refer a matter to the Program Team by completing a referral form.

To complete the referral form, go to [www.courts.qld.gov.au/services/sexual-offence-expert-evidence-panel](http://www.courts.qld.gov.au/services/sexual-offence-expert-evidence-panel)

If you need assistance to complete the form, or can't access the form online, please use the details below to contact the Program Team.

### What are relevant offences?

For matters being heard in Brisbane and Townsville, the relevant offences are listed in the following chapters of the Criminal Code:

For Stream 1 (expert evidence as to impairment) relevant offences are those under Chapter 32 of the [Criminal Code](#) :

- rape
- attempt to commit rape
- assault with intent to commit rape
- sexual assaults

For Stream 2 (counterintuitive evidence) relevant offences are those under Chapter 32 of the [Criminal Code](#) (as above), as well as those under Chapter 22 of the [Criminal Code](#), which includes:

- Indecent treatment of children under 16
- Engaging in penile intercourse with child under 16
- Abuse of persons with an impairment of the mind
- Procuring young person etc. for penile intercourse
- Procuring sexual acts by coercion
- Using internet etc. to procure children under 16
- Grooming child under 16 years or parent or carer of child under 16 years
- Taking a child for immoral purposes
- Conspiracy to defile
- Incest
- Distributing intimate images
- Distributing prohibited visual recordings
- Involving child in making child exploitation material
- Making child exploitation material
- Distributing child exploitation material
- Possessing child exploitation material
- Threats to distribute intimate image or prohibited visual recording
- Repeated sexual conduct with child
- Failure to protect child from child sexual offence
- Permitting young person etc. to be at a place used for prostitution
- Other child exploitation offences



## How can I contact someone from the Program Team?

**Telephone:** (07) 3564 7748

**Email:** [SDLCS.EEP@justice.qld.gov.au](mailto:SDLCS.EEP@justice.qld.gov.au)

**Business Hours:** Monday to Friday, 9am to 5pm

