

# The Guardian



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## Queensland police shredded rape complaint from suicidal woman

**The 26-year-old says her complaint was ignored and was told by detective he had 'limited patience' for her**

**Ben Snee**

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Queensland police shredded a woman's rape statement - having not previously spoken to her or investigated the claim - then later told the suicidal victim they couldn't "wave a magic wand and fix all of your problems".

The woman, who Guardian Australia is calling Lyia for sake of anonymity, says that going to the police to report her violent and manipulative former partner "only made the situation worse".

"I started to wonder if I was murdered would this have been taken more seriously and possibly even resolved," she said.

"I nearly died, I had nerve damage and was physically injured early in the year [in a suicide attempt]. My fear was that I was going to be dead before this was even recorded."

Lyla, 26, left Queensland after being raped by her former partner late last year. In May, she walked into a Victorian police station to make a statement.

After waiting for four weeks for a Queensland detective to call, and suffering severe anxiety about the process, Lyla decided to withdraw her complaint.

Last month she made contact with the detective assigned to her case. Lyla recorded the conversation.

The detective told her he was handling 30 cases, that he went through them in the order they arrived, and that sometimes police did not act on complaints for a year.

Lyla told the detective about a suicide attempt in January. He responded by saying he had a "limited amount of patience" and that she seemed to want police to fix her problems.

The detective said it was "kind of odd" that Lyla waited several months to report her former partner. It would have been "a hell of a lot easier" if she had come forward at the time. He described the case as a "tit for tat" scenario.

The detective told Lyla her statement had been deleted and shredded.

Queensland police contacted Guardian Australia on Thursday, after the initial publication of this story, to say the shredding of Lyla's statement had been referred to the police ethical standards command for investigation.

When contacted about Lyla's situation, women's groups said her story was upsetting, but "frighteningly common" in a state that has no specialist police or trained officers to handle sexual violence complaints, and where "mistaken belief" in sexual consent is still a legal defence. They say the problems are systemic and have renewed calls for urgent and significant reform.

### **"I wanted him to get help"**

Lyla met her partner in 2015. She said he would often make snide remarks about her looks. She recalls one time he threw her into a shower and left her sobbing and soaking wet.

She was working at a fashion outlet in Queensland and volunteered with a charity. Last year Lyla left her job to follow a dream and study nursing. Then she fell pregnant, miscarried and broke up with her partner.

"After I miscarried his baby he started to frighten me," Lyla said.

In her statement to police, Lyla said her former partner sexually assaulted her at her property late last year.

"He was frequently abusive. [But] I wouldn't say a woman leaves someone because they're abusive."

Lyla eventually left Queensland late in 2017, soon after the rape. She attempted to kill herself in January. She tried taking a holiday with her parents. Eventually, in May, she walked into a Victorian police station to make a complaint.

“I thought I’m not going to feel better until I receive an answer.”

Lyla said she was told by Victorian police to expect to hear from Queensland police within days. Four weeks passed with no contact. She said the process caused her to have severe anxiety and waiting for a call was simply making her feel worse. So she contacted Victorian police in sheer frustration, and asked to withdraw the complaint.

In the meantime, Lyla had attempted to record a pretext phone call with her former partner, where she would discuss the rape and ask him to acknowledge it. He did not answer her calls. Instead, he went to the police himself, to lodge a harassment complaint.

Lyla contacted Queensland police to ask about the situation. They said they had no record of her rape complaint. She eventually made contact with the detective who was initially handed her case, but who had never contacted her.

The police officer told her that the initial statement had been shredded in front of his boss.

“As a rape victim you have quite high anxiety,” Lyla said. “Having been told specifically that I would be contacted and then not hear from police made me uncomfortable and that’s when I decided to withdraw.”

“I’m still shaken up by the detective’s response. I do believe that that level of aggression wasn’t appropriate in the situation. I understand that police have a heavy workload, he told me he was managing 30 cases. He said he has no patience for it. I’m sympathetic towards him, I worry the caseload is so large that perhaps it’s causing them to have this angry response.”

“A comment made to me by the Queensland detective was that I should have reported it earlier. You still struggle yourself with what happened. I personally loved [my former partner]. I wanted him to go to counselling and receive help. I wanted to know why he was angry and he would take that out sexually, I wanted him to get help.”

### **“They deserve dignity and respect”**

Guardian Australia sent Queensland police a list of 13 questions about the response to Lyla, police workloads, and the handling of domestic and sexual violence complaints.

Police responded in a long statement saying it would be inappropriate to comment on specific investigations, but that records relating to sexual assault cases should be retained for 75 years.

The statement said police were committed to investigate every matter.

“Our first priority will always be the wellbeing of victims of sexual crime and the Queensland police service works closely with support agencies to ensure they are supported through the legal process.”

Police said it was not always “operationally practical” for women detectives to handle sexual assault cases.

The chief executive officer of the women’s legal service Queensland, Angela Lynch, said: “It’s absolutely no excuse to be so dismissive of a sexual violence complainant and to not interact with them in a professional way.”

“These are serious issues, these are potential crimes and these are very vulnerable complainants that deserve dignity and respect. We already know the strength that would have been required for her to pick up the phone or go to the police. That takes a lot of internal fortitude and that alone should have been respected.”

Lyla said she had been diagnosed with depression and post-traumatic stress disorder after the attack and was still suicidal. She said her mental health had been made worse by the police response to her complaint.

She will not return to police. Telling the story publicly is a “last resort”.

“Anyone suffering severe depression would know mental suffering is very real and even given time and treatment, can go on and on.

“I admire people who overcome adversities. I wish I could be one of those people, I believe they have remarkable qualities. My quality of life has gone.

“I want police to realise not all Australian men and women who have gone through sexual assault have the coping ability or resilience and suicides and loss of life do occur from the devastating impact of these crimes.

“How is it sexual assault is not considered to be a matter of police urgency. Rape victims are prone to killing themselves, why do officers have no power to intervene and arrest a known suspect on the spot?

“My family are not going anywhere, no matter how painful this gets. I just ask them and others to try to be realistic. I could become one of the many untold suicide crime stories who did not have the strength others showed to recover and live an ordinary life.

“There will be no reduction in sexual assault until police are held to a higher standard, and have the authority to demand an identified suspect participates in a legal interview.”

*. In Australia, the national rape and domestic violence hotline is 1800 RESPECT (737 732) and the crisis support service Lifeline is on 13 11 14. In the UK, Samaritans can be contacted on 116 123. In the US, the suicide prevention lifeline is 1-800-273-8255. Other international helplines can be found at [www.befrienders.org](http://www.befrienders.org)*

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