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Melbourne schoolgirl's gang rape case a 'travesty of justice', lawyer says - 9news.com.au

A Melbourne criminal lawyer has joined calls for the gang rape case of schoolgirl Cassidy Trevan to be reopened. Defence lawyer George Balot said Cassidy's case appeared to be a "travesty of justice" and there was still a chance the perpetrators involved could be charged and prosecuted.

The comments come after Cassidy's mother Linda Trevan met with Dandenong police on Friday to plead for the boys and girls allegedly involved in her daughter's rape in February 2014 to be questioned.

Mr Balot said there was no legal reason why police could not question the suspects in the case, even now several years later.

"You don't need a signed statement by a complainant to interview suspects. Investigators can act on a credible report or other information by the complainant or other witnesses," he told Nine.com.au.

There was still the chance that one of the suspects could confess when questioned, he added.



Cassidy Trevan and her mother Linda.

"One of the suspects might feel so guilty that they confess and give evidence against the rest of the perpetrators, which in my experience happens from time to time.

"On the information provided thus far this matter warrants further investigation because if it stops here it would be a travesty of justice."

Cassidy was 13 years old when she was raped by two boys at a house in Springvale in February 2014. She had been led to the house by two girls who had bullied her relentlessly for her entire first year at a public high school in Melbourne's south east.

Cassidy was never able to bring herself to make a formal statement to police about the rape, despite meeting with detectives 20 times, and took her own life in December 2015.

Cassidy's mother said that police never questioned the students involved, despite being told their full names, because there was no victim statement.

"All I want is for them to be questioned. For them to not think they got away completely scot-free, no consequences. I want them to feel the fear that Cass felt," she said.



Cassidy suffered several mental breakdowns due to the PTSD, panic attacks and flash backs that plagued her after the rape.

Victoria police have refused to comment on whether detectives questioned any of the suspects in Cassidy's case.

But in a statement provided to Nine.com.au, police said the welfare of the victim was their primary concern in sexual assault cases.

"Sexual Offence and Child Abuse Investigation Team detectives work hard to build rapport and trust with victims of sexual offences and to ensure their welfare is looked after as a priority," the statement said.

"Breaching a victim's trust and proceeding with some investigative leads can, in some cases, be a severe detriment to the investigation and the victim's wellbeing.

During her meeting with Dandenong detectives, Ms Trevan provided new evidence that came to light after Cassidy's death.

Ms Trevan made a full statement to police soon after the rape and Cassidy's boyfriend at the time of her death also

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made a statement.

Mr Balot said Section 65 of the Victorian Evidence Act, known as the "hearsay rule", could allow other people to give evidence on behalf of Cassidy.

"I can only hope that section 65 of the Victorian Evidence Act has been considered and that advice from the Director of Public Prosecutions has been sought," he said.

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