

MEDIA RELEASE

Affirmative consent, evidence and procedure changes top sexual assault reform list NSW

Monday, 26 April 2021

Women's safety organisations in NSW have today written to the NSW Premier, Gladys Berejiklian to [demand urgent action](#) to tackle [unprecedented rates of sexual assault](#).

At the top of the list of [nine reforms](#) recommended to the Premier is an affirmative model of sexual consent, and evidence and procedure changes to make court processes less traumatic.

"We're calling for an urgent and comprehensive response to sexual assault" says Hayley Foster, Chief Executive Officer of Women's Safety NSW

"If we want to stop sexual predators, we need a system which operates as an effective bottom line", explains Ms Foster. "We need to send a clear signal to both sex abusers and survivors that this criminal conduct will not be tolerated."

Women's Safety NSW note changes to evidence and procedure law are crucial to making the court process safer, more accessible and less traumatic for sexual assault survivors.

"We need to extend the protections afforded to child sexual assault complainants in Sydney and Newcastle under the [Child Sexual Offence Evidence Program](#) to all adult and child sexual assault complaints if we want to see offenders brought to justice." Continued Ms Foster.

Other key recommendations in the nine-point plan include ensuring sexual assault complainants have access to specialist supports, that older women in aged-care facilities are adequately protected, and that primary prevention of sexual assault be turbo charged to stop this insidious crime before it starts.

The full list of recommendations are as follows:

1. Introduce affirmative consent laws in NSW.
2. Introduce changes to evidence and procedural law to make the court process more accessible, safer, and trauma-informed for adult sexual assault complainants.
3. Better recognise sexual assault in the context of domestic and family violence in our laws, including introducing jury directions on domestic violence.

4. Develop a model for the practical implementation of court specialisation for matters involving domestic, family and sexual violence in NSW, including attached support services for victim-survivors and offenders.
5. Fund sexual assault case management teams to operate out of currently funded domestic and family violence specialist services and supports for young offenders.
6. Fund independent legal representation for sexual assault complainants in criminal trials.
7. Introduce mandatory reporting and systematic audits of sexual assault complaints in aged and disability care settings, and develop a trauma specialist, survivor-led response to disclosures.
8. Fund a comprehensive, whole-of-community primary prevention strategy for NSW, in line with the national framework Change the story: A shared framework for the primary prevention of violence against women and their children in Australia, including a roll out of whole-of-school community education on consent.
9. Examine alternative pathways to supplement the criminal justice system in holding perpetrators to account and delivering justice for victim-survivors, noting that the overwhelming majority of victim-survivors of sexual assault do not want to report to police or engage in current court processes but do want access to justice.

Contact:

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About:

Women's Safety NSW is a peak representative body for women's specialist domestic and family violence services. Our purpose is to advocate on behalf of our members for women's safety, justice and wellbeing in the context of domestic and family violence through policy, practice, law reform and cultural change.

Our full members – Women's Domestic Violence Court Advocacy Service workers – supported 53,527 women across NSW last year through:

- NSW's integrated response to domestic and family violence, Safer Pathway, in 43 metropolitan, regional and rural locations;
- The Women's Domestic Violence Court Advocacy Program in 136 local courts across the state; and
- The Family Advocacy Support Service in Family Law Registries.

Our associate members are women's specialist domestic violence workers working in a variety of services including staying home leaving violence, women's health, women's supported accommodation, women's counselling, and women's legal services.