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**Consent laws an improvement but require widespread community education campaign, a specialist response, further research and regular ongoing legislative reviews**

Women's Legal Service NSW welcomes the NSW Law Reform Commission's draft proposals regarding consent in relation to sexual offences.

"We support clearly defining affirmative consent, introducing principles which can be drawn on for a wide evidence-based community education campaign, introducing a single list of factors negating consent, seeking to more clearly recognise sexual violence within a domestic violence context, clarifying the knowledge provision and introducing legislated jury directions," says Liz Snell, Law Reform and Policy Co-ordinator, Women's Legal Service NSW.

"We support legislated jury directions to challenge myths about sexual violence and how people respond to sexual violence. It is important we get this right. To ensure this happens we recommend the Government establishes a committee of experts, similar to the Criminal Justice Sexual Offence Taskforce established in 2004. This committee should provide input to the drafting of legislated directions and play a key role in ongoing monitoring and evaluation of the reforms," says Ms Snell.

"A regular review mechanism must be established which requires a review take place every 3-5 years with a report to Parliament. This review mechanism is important to ensure the law is operating as intended and consistent with community standards. Additionally, a body such as Australia's National Research Organisation for Women's Safety (ANROWS) should be commissioned by the Government to undertake research. This research should include the examination of all sexual assault matters in the District Court over a period of time, undertaken at regular intervals. Research is also required to test the effectiveness of legislated jury directions in challenging misconceptions and rape myths. This research could be fed into ongoing reviews ensuring ongoing improvements to the law," says Ms Snell.

"While legislative reform is important, to make a difference and to ensure cultural change, it must be accompanied by a comprehensive, evidence-based community education campaign about the drivers of gender-based violence, respectful relationships and ethical sexual practice, developed by experts. Specialisation is also key to cultural change - specialist sexual and domestic violence judges, prosecutors, support services, police and interpreters. Those who have experienced sexual violence must be able to access the support they need when they need it – for example, wrap around services including intensive case management. This is consistent with the National Plan to Reduce Violence Against Women and their Children," says Ms Snell.

Submissions in response to the NSW Law Reform Commission's Consent in relation to sexual offences – Draft Proposals Paper are due this week.

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Women's Legal Service NSW is a community legal centre that aims to achieve access to justice and a just legal system for women in NSW. We seek to promote women's human rights, redress inequalities experienced by women and to foster legal and social change through strategic legal services, community development, community legal education and law and policy reform work

**Further information**

Women's Legal Service NSW [submission in response to the Draft Proposals paper](#)  
NSW Law Reform Commission [Consent in relation to sexual offences – Draft proposals paper](#)



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