



**JENNY LEONG MP**

**MEMBER FOR NEWTOWN**



**THE  
GREENS**

**22 February 2021**

The Hon. Mark Speakman  
Attorney General  
52 Martin Place  
Sydney NSW 2000

Dear Minister Speakman,

**Re: Urgent Action Needed to Reform Consent Laws in NSW**

The time for reform of consent laws in NSW is long overdue and I write to urge you to make this reform a high priority on the parliamentary agenda for this year.

Back in 2018, when commissioning the Law Reform Commission to review NSW's consent laws, you acknowledged that the current structure, language and meaning of 'consent' within the *NSW Crimes Act* was inadequate in dealing appropriately with sexual assault offences.

Nearly three years later, women in NSW are still suffering as a direct result of the current insufficiencies within our laws.

Sexual offences in NSW are significantly under-reported and conviction rates for those offences that do make it to court are staggeringly low. People who have experienced sexual assault in NSW deserve justice and it is clear that the current legislation is a significant barrier to that.

The Law Reform Commission report, released late last year, echoed calls by women's organisations, key experts and survivors who have been advocating for the *NSW Crimes Act* to be urgently updated to apply a communicative model of consent. This model acknowledges the reality of how sexual assaults actually occur and gives clarity to police, courts and juries in assessing all of the circumstances around which an alleged offence was committed.

Juristractions that already apply this model of consent are much better able to deal appropriately with sexual assault offences in general. I urge you to take immediate action to rectify this untenable situation.



Further to urgently undertaking these reforms and implementing the recommendations of the Law Reform Commission report, I ask that you consult key Domestic Violence experts to ensure that any reform adequately addresses the impact that coercive behaviour may have on consent within an intimate relationship.

It is also vital that LGBTIQ+ stakeholders are further consulted to ensure that those communities, particularly trans and gender diverse people are not adversely impacted by the reforms proposed in the Law Reform Commission report.

Until these reforms are enacted, people who have been raped or have experienced sexual assault in NSW continue to be significantly hindered by the law.

This must be a high priority for reform on the parliamentary agenda and I look forward to working with you to ensure it delivers stronger consent laws for people in NSW.

Yours sincerely,



**Jenny Leong MP**  
**Member for Newtown**

