



**Mark Speakman**  
Attorney General  
Minister for Prevention of Domestic and Sexual Violence

## **MEDIA STATEMENT**

Tuesday, 23 November 2021

### **CONSENT REFORMS PASS PARLIAMENT**

Common sense reforms to simplify sexual consent laws and to ensure more effective prosecutions of sexual offences have passed NSW Parliament today.

No law can ever erase the trauma of sexual assault, but we have listened to calls for change and consulted victim-survivors and legal experts to improve our response to sexual violence.

I thank victim-survivors, peak bodies, frontline services, legal experts, academics, and those across the criminal justice system for their thorough and thoughtful engagement.

I commend particularly survivor Saxon Mullins for her extraordinary bravery in sharing her lived experience and her tireless advocacy for victim-survivors to ensure their voices were heard, all of which has contributed to the passage of these reforms.

I acknowledge too the positive, collaborative and constructive way in which my Parliamentary colleagues across the political spectrum have engaged with this important bill.

The NSW Government's affirmative consent model sets clearer boundaries for consensual sex, reinforces the basic principle of common decency that consent is a free choice involving mutual and ongoing communication, and reinforces that consent should not be presumed.

Under our reforms, if you want to engage in sexual activity with someone, then you need to do or say something to find out if they want to have sex with you too. It's that simple.

While our bill built on legislative drafting suggested as part of the [NSW Law Reform Commission \(LRC\) Report 148](#), it also went further by requiring a person to do or say something to find out whether the other person consented, in order to have a reasonable belief that they in fact consented to sex.

This requirement is not onerous. It does not make consensual sex illegal. It does not stop consensual sex. It does not require a written agreement or script, or stifle spontaneity. It's a matter of common sense and respect.

Our reform package also includes: five new jury directions to address common sexual assault misconceptions; research into victim-survivor experiences with the criminal justice process; and community awareness campaigns that will build on the success of [#MakeNoDoubt](#). Targeted education programs for judges, legal practitioners and police will now take place, ahead of the new laws commencing in mid-2022.

***If you or someone you know has experienced sexual assault, support is available: call 1800RESPECT (1800 737 732) or NSW Rape Crisis (1800 424 017).***