

12 July 2018

NSW Law Reform Commission
GPO Box 31
Sydney NSW 2001
By Email: nsw-lrc@justice.nsw.gov.au

Dear Sir/Madam,

RE: ENDORSEMENT OF RAPE AND DOMESTIC VIOLENCE SERVICES AUSTRALIA'S (R&DVSA) SUBMISSION TO THE NSW LAW REFORM COMMISSION'S REVIEW OF CONSENT IN RELATION TO SEXUAL OFFENCES

I refer to your email dated 2 July 2018 granting an extension of time to formally make our submissions to the Australian Law Reform Commission's review of consent in relation to sexual offences.

No to Violence (NTV) is the largest peak body in Australia representing organisations and individuals working with men to end family violence. NTV provide support and advocacy for the work of specialist men's family violence interventions carried out by organisations and individuals. The work undertaken by specialist men's family violence services is diverse and includes but is not limited to; Men's Behaviour Change Programs (MBCP); case management; individual counselling; and research and evaluation. NTV also provide a range of training for the specialist men's family violence workforce including a Graduate Certificate in Client Assessment and Case Management (Male Family Violence). NTV play a central role in the development of evidence to support the work of specialist men's family violence work as well as providing guidance for practice and policy development in Victoria, Tasmania and New South Wales.

No to Violence endorse the submissions and recommendations made by Rape and Domestic Violence Services Australia's to the review. In particular, we highlight several significant matters:

- Legislative reform plays an important symbolic and informative function in shifting community standards and attitudes around consent and sexual violence
- Changes to s61(HA) of the *Crimes Act 1900 (NSW)* alone is not adequate to dispel prevailing rape myths and victim-blaming attitudes – wider reforms to the criminal justice process are essential
- Domestic violence is defined by the use of coercive and controlling behaviours, of which sexual assault may be one. It is important to recognise this relationship and the effect that it may have on full and enthusiastic consent
- Men's behaviour change programs support the safety and wellbeing of victim-survivors through engaging with men around their use of family and domestic violence. This addresses the use of coercive and controlling behaviours, which may include sexual assault. However, men's behaviour change programs do not exclusively address sexual assault. Should defendants be referred to a behaviour



change program, it should be to the appropriate program that specifically addresses sexual violence.

NTV thanks the ALRC for the opportunity to provide a letter of endorsement.

Yours Sincerely,

Lizette Twisleton
NSW Sector Development Co-ordinator
No to Violence