



Quarterly

Winter
2020

Supporting the best
future for wāhine Māori

Lawyers and politicians attack proposed
protection for sexual violence survivors

What Women Need from
the Next Government

Lawyers and politicians attack proposed protection for sexual violence survivors

A bill that aims to make the court process fairer and less traumatic for victims of sexual violence is currently the target of heavy lobbying by defence lawyers, who wish to see its protections watered down. This has put New Zealand First and National party support of the bill into jeopardy.

"Sexual violence victims are yet again being kicked around as a political football," says Auckland Women Centre manager, Leonie Morris. "A few weeks out from an election, it's not surprising but it is very disappointing. Justice and women's lives are treated as a lower priority than scoring campaign points."

The bill would allow victims to give pre-recorded evidence so as not to be intimidated in a court room, and would require a higher threshold to be met before a victim's sexual reputation or experience could be used as evidence, including any sexual history with the accused.

Defence lawyers – including at least 20 Wellington women who wrote to MPs – say they are concerned that defendants' rights to a fair trial will be contravened by these proposals. But the Bill is based on Law Commission



recommendations, and the latest known conviction rate for reported sexual violation is only 13 per cent.

"Those statistics show that it is not the accused, but the victims, who do not have a right to a fair trial," says Leonie Morris. "The proposals in this bill are only small steps towards true justice, but victim advocacy experts tell us that they are important steps. Currently, defence lawyers talk about victims' sexual history with the accused, and juries jump to the conclusion that 'she just changed her mind', as if consent granted once means consent granted for all sexual activities forever."

Please write to New Zealand First and National MPs in support of the Bill as it stands now, before parliament rises on the 6th August – a list of their email addresses is on the [parliamentary website](#). ■