

Immediate Release
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Sexual violence advocates call for reform to consent law now – not after the election

TOAH-NNEST ([Te Ohaakii ā Hine - National Network Ending Sexual Violence Together](#)), the national peak body representing more than 40 specialist sexual violence support and prevention organisations across Aotearoa New Zealand says reforming New Zealand's sexual consent laws is well overdue after years of campaigning by advocates.

However, the network says survivors should not have to wait, Minister Goldsmith should do the right thing before the general election. It is calling on the Government to progress reform now by establishing clear rules of law around respectful sexual relationships and accountability.

Russell Smith, from [Ngā Kaitiaki Mauri governance](#) of TOAH-NNEST says survivors and the sexual violence sector have campaigned for affirmative consent reform for many years.

"Clearer legislation would not only improve how sexual violence cases are understood in court, it would also contribute to wider cultural change. This is too important to delay. We are calling on all parties in Parliament to support reform. With Māori disproportionately represented in sexual violence victim statistics, urgent action is needed," he said.

"We are pleased this issue is finally on the political agenda, but survivors should not have to wait any longer. Consent law reform is about justice, accountability and creating clearer expectations for respectful relationships. Consent must involve active, mutual and ongoing agreement - not assumptions, silence or the absence of resistance."

New Zealand remains behind countries including Canada, Australia and the United Kingdom, which have adopted affirmative consent laws known as a 'communicative model of consent', that clearly establish consent must be actively communicated, not assumed.¹

"This is an issue of justice, not politics. Consent law reform should happen now with cross-party support," said Maggy Tai Rākena from [Tauīwi Caucus](#) of TOAH-NNEST.

"While Court of Appeal decisions have provided guidance, this is not consistently reflected in court proceedings and does little to educate the wider public about the law. Clear legislation would improve understanding for everyone."

"People accused of sexual violence should not be able to rely on assumptions or a lack of resistance as evidence of consent. As the Police campaign reminds us; 'Don't Guess the Yes'," she said.

¹ <https://www.aic.gov.au/media-centre/news/new-aic-report-reviews-sexual-violence-and-abuse-offences-across-australia>

The organisation says the law should require a person claiming consent to show they took reasonable steps to ensure the other person had freely agreed. This would not reverse the burden of proof but would bring New Zealand closer to comparable international standards.

Sexual violence advocates say survivors continue to face distressing courtroom scrutiny about their behaviour, including why they did not fight back or say "no", despite many people experiencing an involuntary "freeze" response during sexual assault.

Their character and truthfulness are routinely questioned, while trauma responses are too often misunderstood or ignored.

The sector says affirmative consent does not require awkward or scripted conversations. Consent can be communicated through words or clear actions, but it must be active, mutual and ongoing, not based on silence, assumptions or the absence of resistance.

Clearer legislation would help courts, communities and young people better understand what consent means, while strengthening expectations around respectful relationships and accountability.

TOAH-NNEST backs National's proposal to remove "good character" sentencing discounts for sexual offending, saying these discounts can be deeply distressing for victims and undermine confidence in the justice system.

It is also calling for Government funding to be restored for comprehensive relationships, consent and sexual violence prevention education for all children and young people, recognising prevention as a critical long-term response to sexual violence.

ENDS

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