

DR MARISA PATERSON MLA SPEECH

10 Feb 2022

Affirmative Consent in the ACT – it's time

Thank you, Madame Speaker.

What a start to the year!! It's been a big week for substantial reform regarding sexual assault and sexual violence in the ACT. There's been a groundswell of coincidental and fortuitous timing on a range of activity in this space.

The importance of these things happening in the first sitting week for this Legislative Assembly and for Federal Parliament cannot be overstated. Both levels of Government have chosen to start the year with legislative reform and cultural and workplace changes regarding sexual assault – which highlights that we are at a pivotal and crucial moment.

However, there is a long road ahead.

I'm pleased to play my part in the journey that we, as a community and as a nation, have commenced.

Madame Speaker, I want to summarise the activities of this week through a very brief curation of what's taken place:

On Tuesday I tabled in the Assembly the long-awaited Crimes (Consent) Amendment Bill 2022 to introduce an affirmative model of sexual consent in the ACT. Since tabling the Bill, I've received an overwhelming amount of support, from stakeholders, from colleagues and from victim-survivors; of which I'm incredibly grateful and thankful.

Also on Tuesday, the Prime Minister, as well as Labor Leader Anthony Albanese, issued a formal apology in Federal Parliament to Brittany Higgins and other former political staff who have experienced sexual assault, harassment and bullying in their parliamentary workplace.

The apology was the first action taken by the Federal Government in response to the 28 recommendations of the Jenkins review – a comprehensive review undertaken by sex discrimination commissioner, Kate Jenkins, into Commonwealth Parliamentary workplace culture.

As Grace Tame observed of the apology and the formal acknowledgement of sexual offences, we also need more than just words. We need action.

I'm pleased that this Assembly has a robust Code of Conduct in place, and that important changes were made last year to strengthen our workplace culture and ensure a zero-tolerance approach to workplace bullying, harassment and abuse.

Yesterday, I had the honour of attending the National Press Club's address by Grace Tame and Brittany Higgins – our leading national advocates on issues of sexual assault and sexual abuse; and both with very powerful stories to tell from their own lived experience as victim-survivors.

The address focused on the radical shift that is needed across our workplace culture and in our community more broadly, for which we are ALL responsible. We must ALL take a stand that sexual assault and sexual abuse are not tolerated, and ensure that our institutions, workplaces and homes do not perpetuate protections for perpetrators.

I have been humbled to have received great support from both Grace Tame and Brittany Higgins for the introduction of law reform through the Bill I introduced on Tuesday. I would also like to thank Saxon Mullins, another nation leading voice and advocate for sexual assault victim-survivors, who has been incredibly supportive.

Continuing this strong theme across the week, today, Minister Rattenbury as Attorney-General introduced to the Assembly important changes to the *Crimes Act 1900* which clearly articulate that the grooming of a young person is not a 'relationship' but is 'sexual abuse'; in fact, it is 'persistent sexual abuse'.

This change has arisen as a direct result of recommendation late last year by Grace Tame, to all Australian Attorney-Generals, noting that the wording of 'relationship' in the context of a child sexual abuse implies consent and diminishes the real nature of the offence.

The ACT, together with Queensland, South Australia and the Northern Territory, all have the word 'relationship' in legislation about this offence. I commend Minister Rattenbury for acting quickly to rectify this in ACT legislation.

Madame Speaker, in closing, - It's time for change. Enough is Enough.

In fact, it's beyond time for change. The Chinese proverb says the best time to plant a tree was 20 years ago. The second-best time is now.

I look forward to the day that sexual assault and child abuse is of much less concern and of much less headline news-worthiness than it has been this week, not because it's a neglected issue, but because it simply doesn't happen very much anymore.

Unfortunately, sexual assault is an issue that is very real today; and an issue that very much needs a spotlight and a continuing discourse – in our homes, our workplaces; with family, friends and colleagues; in government policy and legislation; in our schools and education systems. We need to keep having these conversations. We need to continue to hold each other to account.

We need to continue to empower and support people to talk about their experiences and to seek help and support. We need to hold perpetrators to account.

I look forward to attending the March 4 Justice rally again this year and to keeping attention and pressure on this issue. We are making positive steps forward. This year's March 4 Justice rally will be held on Sunday 27 February, and I encourage everyone – men and women – to please join me on Parliament Lawns for a show of solidarity on this important issue; and to show our support for all victim-survivors in the ACT and across Australia.

Thank you.