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MEDIA RELEASE

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NSW PARLIAMENT PASSES REFORM BOOSTING PROTECTION FOR COUNSELLORS AND SUPPORT FOR VICTIMS

Counsellors as well as friends or family of adults who disclose sexual and domestic violence will no longer face prosecution for respecting a victim's wishes on whether to report the crime, thanks to an amendment passed by NSW Parliament this week.

Attorney General and Minister for the Prevention of Domestic Violence Mark Speakman said this successful reform now means that victims can receive the support they need without fearing that the person helping them may act against their wishes or face criminal prosecution.

"This important amendment had widespread support in Parliament and I'm very pleased that it's given our dedicated frontline services and traumatised victims who seek their help, some much-needed peace of mind," Mr Speakman said.

The Bill amended section 316 of the *Crimes Act 1900*, which requires a person who knows or believes that a serious indictable offence has been committed to report it to the police.

Under the previous legislation, failure to do so without reasonable excuse is an offence, and carried a maximum penalty of between two and five years imprisonment.

"This was potentially creating a terrible predicament and possibly driving a wedge between those who needed help and the services and loved ones offering support," Mr Speakman said.

"The previous law may have also been deterring victims from seeking any support. This was the last thing we wanted to see when sexual and domestic violence crimes are already widely underreported across the state."

The amendment clarified what is included as a 'reasonable excuse' for failing to bring relevant information to the attention of authorities. A person will now have a reasonable excuse where:

- the information relates to a sexual offence or domestic violence offence;
- the alleged victim is an adult at the time that they have the information; and
- the person believes on reasonable grounds that the alleged victim does not wish to have the information reported to authorities.

"This strikes the right balance between ensuring people are able to respect the wishes of victims while continuing to encourage people to report serious offences," Mr Speakman said.

Further details on the Bill are available on the [NSW Parliament website](#).