



Robyn Preston MP

Member for Hawkesbury

MEDIA RELEASE

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COURT REFORMS TO PROTECT AND EMPOWER DOMESTIC VIOLENCE VICTIMS

Domestic violence complainants will have extra protections when giving evidence in court, while jurors will be educated on the complexities of abuse, under proposed court reforms to be introduced in NSW Parliament this week.

Member for Hawkesbury, Robyn Preston MP, said the reforms would allow complainants in domestic violence criminal proceedings to give evidence in closed courts or remotely via audio-visual link.

The changes build on existing arrangements for vulnerable witnesses, including child complainants and witnesses, sexual offence victims and those who are cognitively impaired.

“Sitting in the witness box under the glare of a defendant would be understandably very difficult for a domestic violence victim, in what are of course already terrible circumstances,” Ms Preston said.

“Giving evidence in front of a public gallery too, which may also include the defendant’s friends and family, can add to the trauma of the overall court process.”

Currently, domestic violence complainants can only give evidence remotely after a successful application to the court, but this is not always granted. These changes will provide a prima facie entitlement to give evidence remotely, should complainants so choose.

The reforms proposed this week also include a new jury direction, which will state that delayed reporting by a domestic violence complainant should not necessarily be viewed as evidence suggesting the allegation is false.

“Domestic violence is a complex crime due to the intimate nature of the relationships between victims and perpetrators,” Ms Preston said

“If you were robbed by a stranger, you’d have no reason to delay reporting that to police. But when you’re abused by someone who claims to love you, you have children together, you own property together and you’re terrified of retribution – that’s a very different story.

“When members of the Hawkesbury community are empanelled to serve on a jury for a domestic violence trial, there’s every chance they may never have been exposed to domestic violence before sitting in that court room.

“This new jury direction can help dispel any myths about abuse, so people understand why victims stay and how hard it really is to escape abuse.”

The reforms – which amend the *Criminal Procedure Act 1986* - are part of the *Stronger Communities Legislation Amendment (Domestic Violence) Bill 2020*.

Further details of the Bill will be on the [NSW Parliament website](#) from when Attorney General Mark Speakman delivered the second reading speech in the Legislative Assembly.

Media: Thera Hobbs | Hawkesbury Electorate Office | (02) 4578 0300