

20th October

Victims of Sexual Violence (Strengthening Legal Protections) Legislation Bill

Te Kāreti O Nga Kaiwhakawhanau Ki Aotearoa | New Zealand College of Midwives

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Te Kāreti O Nga Kaiwhakawhanau Ki Aotearoa | New Zealand College of Midwives (The College) is the professional organisation for midwifery. Our members are employed and self-employed and collectively represent over 90% of the practising midwives in this country. There are approximately 3,000 midwives who hold an Annual Practising Certificate (APC). These midwives provide maternity care to, on average, 60,000 women and babies each year. Aotearoa New Zealand has a unique and efficient maternity service model which centres care around the needs of the woman and her baby.

Midwives undertake a four-year equivalent undergraduate degree to become registered followed by a first year of practice program that includes full mentoring by senior midwives. The undergraduate curriculum meets all international regulatory and education standards. Midwives are authorised prescribers in relation to their Scope of Practice as determined by the Midwifery Council.

Midwives provide an accessible and primary health care service for women in the community within a continuity of carer model as Lead Maternity Carers. Midwives can also choose to work within secondary and tertiary maternity facilities, providing essential care to women with complex maternity needs.

The College offers information, education and advice to women and their whānau, midwives, Te Whatu Ora, Te Aka Whai Ora, health and social service agencies, and the Ministry of Health regarding midwifery and maternity issues. Midwives interface with a multitude of other health professionals and agencies to support women to achieve the optimum outcome for their pregnancies, health, and wellbeing.



New Zealand
College of Midwives
TE KĀRETI O NGĀ KAIWHAKAWHANAU KI AOTEAROA

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Tēnā koutou

Te Kāreti O Ngā Kaiwhakawhanau Ki Aotearoa | New Zealand College of Midwives (the College) are taking this opportunity to provide feedback on the Victims of Sexual Violence (Strengthening Legal Protections) Legislation Bill. Midwives in their professional role support women and families who are experiencing domestic and family violence every day in New Zealand, and understand the effect of abuse against pregnant women. We consider all abuse against women and children - including sexual violence - to be unacceptable.

During pregnancy violence | sexual violence against women is a risk factor that very likely will lead to adverse health outcomes, potentially for the baby as well as the mother. Legislation that is effective is critically important, but it is also essential to address the societal and environmental stressors that underpin all forms of violence, including financial hardship, unemployment, alcohol, drug, and problem gambling related issues. It is also necessary to address the issues that contribute to the low reporting of sexual crimes and the equally low conviction rates in crimes reported.

The College supports the Victims of Sexual Violence (Strengthening Legal Protections) Legislation Bill.

Feedback from the College is below. Thank you for this opportunity.

1. The Victims of Sexual Violence (Strengthening Legal Protections) Legislation Bill

- 1.1 The College supports the broad purpose policy of the Bill which is to strengthen protections during court processes for those affected by sexual violence.
- 1.2 Strengthening protections may support women and other victims of sexual violence to report these crimes.
- 1.3 The College supports all efforts being made to avoid re-traumatising victims of sexual violence in all processes, including during court processes.
- 1.4 The College strongly supports a move that will result in children under 12 not being subjected to questions in court about their 'consent' to alleged sexual activity.
- 1.5 The College would like to see further progress, however. For all sexual crimes under the age of 16 the victims should not be questioned in court about their 'consent' to alleged sexual activity. The legal age of consent to sex in Aotearoa New Zealand is 16 years of age.
- 1.6 We support the Section 203 amendment which gives the automatic right to complainants to have their name suppressed.
- 1.7 The College also considers that an adult complainant may at some point wish to apply for their name suppression to be lifted and we support their rights to do so.
- 1.8 Regarding imprisonment for sexual conduct with a child under 12 years. The College supports the amendment of the Crimes Act 1961 (Part 1) which will increase the maximum period of imprisonment from 14 years to 20 years under section 132, amended.

Thank you for the opportunity to make this submission.

Ngā mihi

Carol Bartle | Policy Analyst

New Zealand College of Midwives | Te Kāretī O Nga Kaiwhakawhanau Ki Aotearoa