

## **New Zealand Law Favours Child Rapists**

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If you get most of your information about sex crimes from watching international television, you might have been shocked to hear that a 26-year-old Christchurch man just had his rape conviction squashed on the basis of warm and friendly text messages from the 13-year-old girl he was originally convicted of raping.

Many of us would expect New Zealand to have a statutory rape law, meaning that consent could not be argued if the victim was under 16 years of age. But no such law exists here.

The brutal reality of our current justice system is that the consequences for raping a child are much less than for raping an adult. While there are particular laws against sexual connection with a person under 16 or under 12, these carry much shorter sentences than a conviction for sexual violation such as rape.

Those of us working at the frontline with survivors of sexual violence were not as stunned by Ian Hitchcock getting his sentence overturned. This sad precedent was set in the “Christian case” in which a pastor and de facto guardian of a child repeatedly raped the kid in his care. The Supreme Court overturned his conviction on the basis that the judge should have directed the jury about grounds for belief in consent, even though the perpetrator denied that the sexual activity with the child had even taken place.

Our higher courts are constrained by laws which allow serial child sexual offenders to present grooming as a warm relationship and as indicative of consent. This needs to change. New Zealand must improve access to justice by reforming the sex crime law and the trial process.

We should all be shocked when a 26-year-old faces no consequences for raping a 13-year-old. Consent is inconceivable when the victim is a child. She was drunk, blindfolded, and handcuffed by someone twice her age who got away with it. Not only is a child [groomed into a position](#) where the rape is possible, they are then blamed for it by the New Zealand judicial system that should be protecting them.

Those who have been sexually assaulted should have a right to support and advocacy through the justice system. Extending this service to children and young people across the country could improve justice in response to sexual violence.

We say in this country that we value children. That their well-being is paramount. The current state of our sex crimes legislation says otherwise. We need an urgent review of this legislation to allow our courts to protect our children and for those who prey upon them to face the appropriate consequences.