

FAMILY AND COMMUNITY SERVICES (FACS)
QUESTIONS ON NOTICE
INQUIRY INTO THE SEXUALISATION OF CHILDREN AND YOUNG PEOPLE

QUESTION 1:

Are you aware of examples where restorative justice has been used to resolve complaints about sexting or revenge porn?

ANSWER:

During 2014/15, there were four offences that resulted in a Youth Justice Conference and one offence during 2015/16. These offences are classified as 'disseminate/ produce/ possess child abuse material' and 'use carriage service to publish/ disseminate child abuse material'. It is not possible to identify from the offences whether sexting or revenge porn were involved.

These figures are a count of offences and not young people. The offences in 2014/15 may have been committed by one young person or more than one young person on one or more occasions.

QUESTION 2:

What is the legal authority for issuing take-down notices or orders to internet service providers?

ANSWER:

The Australian Communications and Media Authority (ACMA) can issue a take-down notice to a hosting service in respect of prohibited content or potential prohibited content under Part 3 Division 3 of Schedule 7 of the *Broadcasting Services Act 1992* (Cth), provided that the service is hosted in Australia.

In relation to internet content hosted outside Australia, under Division 4 of Schedule 5 of the *Broadcasting Services Act 1992* (Cth), ACMA can make a notification of content that it considers sufficiently serious to warrant referral to a law enforcement agency to the Australian Federal Police or another police force with which ACMA has an arrangement.

QUESTION 3:

How has the ThinkUKnow campaign been rolled out in NSW? How many people from NSW have accessed the ThinkUKnow website?

ANSWER:

ThinkUKnow Australia is a partnership between the Australian Federal Police, Microsoft Australia, Datacom and the Commonwealth Bank of Australia, and is proudly supported by the New South Wales Police Force, and other law enforcement jurisdictions.

The ThinkUKnow Corporate Report provides data on the number of presentations and participants. The report also contains useful data on the number of hits / likes / followers of the ThinkUKnow social media platforms. This report can be found at

http://www.thinkuknow.org.au/site/sites/thinkuknow.org.au.site/files/reports/TUK_2014-15_CorporateReport.pdf

QUESTION 4:

How many people access resources to assist parents in managing children's internet use of exposure to pornography on FACS' website?

ANSWER:

Since October 2015, resources relating to cybersafety on the FACS website have been accessed approximately 80 times.

A number of other government funded websites which would be commonly referenced provide comprehensive information for parents and carers in helping to manage children's internet usage and the possibility of being exposed to inappropriate material such as pornography. Websites include:

- Raising Children Network - http://raisingchildren.net.au/articles/internet_safety.html
- Office of the Children's eSafety Commissioner - <https://esafety.gov.au/esafety-information/esafety-issues>

QUESTION 5:

Are resources for parents and caregivers provided in other community languages?

ANSWER:

A number of resources on the Department of Family and Community Services website relating to parenting and child protection are available in a variety of community languages and can be found at www.community.nsw.gov.au

The Resourcing Parents website, which is a jointly funded project of Families NSW, also provides a comprehensive list of resources on parenting (including kids and media) which are available in different community language. The website can also be viewed in eight different languages and can be found at www.resourcingparents.nsw.gov.au

QUESTION 6:

Who coordinates the provision of sexual health education in NSW schools? Are you able to provide further detail in relation to the syllabus for sexual health education in NSW schools?

ANSWER:

The Board of Studies, Teaching and Educational Standards NSW (BOSTES) is responsible for developing syllabuses to be taught in New South Wales schools, from Kindergarten to Year 12.

Sexuality and sexual health education is an important part of the mandatory Personal Development, Health and Physical Education (PDHPE) curriculum. It is taught in an age-appropriate way within the broader context of Growth and Development, Interpersonal Relationships, Safe Living and Individual and Community Health.

Sexuality and sexual health education is embedded in the broader context of positive relationships and wellbeing which provides a holistic view on sexuality. Sexuality education provides opportunities for students to develop skills in media literacy that are essential to help young people understand, interpret and evaluate media messages and imagery related to sexuality, relationships and gender.

While the content relating to sexuality and sexual health education within the PDHPE syllabus is prescribed, schools have the flexibility to treat sensitive and controversial issues in a manner reflective of their own ethos. Where appropriate, schools work in partnership with parents and involve them in decisions around the PDHPE program, especially when addressing sensitive issues such as sexuality and sexual health education.

The Department of Education provides ongoing support to teachers of sexual health education through the Teaching Sexual Health website, which can be found at www.learning.schools.nsw.edu.au/teachingsexualhealth, and ongoing professional learning.

**FAMILY AND COMMUNITY SERVICES (FACS)
SUPPLEMENTARY QUESTIONS
INQUIRY INTO THE SEXUALISATION OF CHILDREN AND YOUNG PEOPLE**

QUESTION 1:

In your submission you state that “there is not enough evidence to show that exposure or objectification directly causes harm [to children and young people].” What research is necessary in order to determine the impact of exposure on children and young people?

ANSWER:

Our review of literature identified that there was evidence to suggest that sexualisation was a factor in contributing harm to children and young people, but that it was difficult to isolate the direct cause and effect of sexualisation removed from other factors. It is clear that there is sufficient evidence to warrant attention to this issue as well as other issues.

Further research is required to clarify what is considered appropriate across contexts and age groups. As indicated in our submission, one area that requires further investigation is that of the perspective of children and young people themselves on how children and young people of different ages consume material and their interpretations of that material. It is important to consider a child or young person’s perspective, rather than rely solely on the adult perspective, and the moral panic that material may generate.

QUESTION 2:

Are you able to provide the Committee with further information about the syllabus for PDHPE in NSW schools, relating to the development of healthy and respectful relationships?

ANSWER:

The mandatory Personal Development, Health and Physical Education (PDHPE) curriculum from Kindergarten to Year 10 provides students with the knowledge and skills needed to build and develop positive and respectful relationships. It is provided in the broader context of interpersonal relationships, safe living and personal health choices.

In the Years K–6 curriculum, students learn about respecting different values, establishing and building positive relationships, understanding their rights and responsibilities in relationships, challenging discrimination and harassment, communicating effectively and seeking people who can help them and others.

In the Years 7–10 curriculum, students learn to develop equal and respectful relationships that are caring and respectful, recognise abuse in relationships, understand the roles power, bullying and harassment play in relationships, affirm diversity, identify strategies to deal with change and challenges, propose and develop strategies to effectively manage personal safety and advocate and support themselves and others.

There are additional opportunities for students to learn about positive and respectful relationships in Years 11 and 12 through programs developed and administered by various educational sectors such as the NSW Department of Education’s Crossroads program.

Further information relating to the PDHPE syllabus is publicly available on the BOSTES website at www.boardofstudies.nsw.edu.au.

QUESTION 3:

What is the Department of Education's policy in relation to obtaining parental consent for sexual health education?

ANSWER:

Active consent is not required for students to participate in sexuality or sexual health education as part of mandatory PDHPE.

Sexual health education may be considered a controversial issue in schools and is managed under the *Controversial Issues in Schools* policy, which requires parents to be informed of the content of the PDHPE program before beginning the program, so that parents have time to exercise their rights of withdrawing their child from a particular session on certain controversial issues. In this regard, a parent's wish must be respected.

QUESTION 4:

What is the Department of Education's policy in relation to the use of internet filters on computers in schools?

ANSWER:

The Department of Education's internet browsing service provides filtered access to the Internet to provide a safe online environment for students and staff, and to minimise the risk of accessing websites that contain inappropriate material.

Websites are classified according to subject matter into various filter categories, and access to these categories is either allowed or blocked according to the year level, group, or role of the staff or student. The main criteria against which websites are blocked are whether they pose a risk to child protection, liability or network security, and whether they are relevant to curriculum or business requirements.