



YWCA CANBERRA

Submission to the Australian Curriculum Review 2021
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Acknowledgement of Country

YWCA Canberra proudly recognises the rights of Aboriginal and Torres Strait Islander peoples to own and control their cultures and pays our respect to these rights. YWCA Canberra acknowledges the need to respect and encourage the diversity of Indigenous cultures and to respect Indigenous worldviews, lifestyles and customary laws. We extend our respect to the Aboriginal and Torres Strait Islander women who for thousands of years have preserved the culture and practices of their communities on country. This land was never surrendered, and we acknowledge that it always was and will continue to always be Aboriginal land.

About YWCA Canberra

YWCA Canberra is a feminist not-for-profit organisation that has provided community services and represented women's issues in Canberra since 1929.

Our mission is 'We strengthen communities by supporting girls and women through our services and advocacy' and our vision is 'Girls and women thriving'.

We provide essential, quality services for women, girls and families in the ACT and surrounding regions. We work in the areas of children's services, community development, homelessness and affordable housing, youth services, personal and professional training, women's leadership and advocacy.

We are externally accredited against the [Quality Improvement Council \(QIC\) Health and Community Service Standards \(7th Edition\)](#). Accreditation against the QIC standards support us to improve client and community engagement, diversity and cultural appropriateness, management systems, governance and service delivery, while committing to a cycle of continuous quality improvement. In addition to the QIC standards, we are accredited against the following external client related service standards for our key areas of work:

- [Australian Charities and Not for Profit Commission](#)
- [National Quality Standard for Early Childhood Education and Care and School Aged Care](#)
- [National Regulatory System for Community Housing](#)
- [Registered Training Organisations Standards](#)

Through our national Affiliate Association with YWCA Australia, we are part of the World YWCA network, which connects 120 countries across the globe.

Introduction

YWCA Canberra welcomes the opportunity to contribute to the review of the Australian Curriculum conducted by the Australian Curriculum and Reporting Authority (ACARA). As a feminist not-for-profit organisation with a 90-year history in Canberra, one area of our work is providing therapeutic and support services to women who have experienced gender-based violence. In delivering these services, we witness first-hand the impact of gender inequality in terms of safety and wellbeing across the lifespan. As expert practitioners in researching and responding to gender inequality, we have been persistent advocates for comprehensive and embedded Respectful Relationships Education, lobbying both the ACT and Federal Government on policy reforms and resource allocation. The potential of the formal education setting, as both a workplace and community hub, in concert with the curriculum to embed the behaviours and life skills necessary to create generational and workplace change to eliminate gendered violence is enormous.

While this submission provides guidance relevant to the Health and Physical Education (HPE) learning area and in particular the strand '*personal, social and community health*', there is evidence to support an embedded and whole-of-school approach to respectful relationships education.¹ This approach recognises the school as a workplace, a community hub and a place for learning and means that policies, rules, practices and instruction must consistently shape and promote a culture that prioritises gender equality and respectful relationships.

Public discussion relating to the dynamics of respectful relationships, consent and sexuality has undergone substantial transformation in recent times, particularly since the last Curriculum review several years ago. The social reflection currently taking place in Australia in regard to the endemic levels of violence against women and children has not come about by accident, however; rather, it is the product of decades of cross-sector advocacy by groups representing an intersection of women and children, a growing evidence base as well as the overwhelming need to respond to the continuing high levels of violence, abuse and trauma directed by men towards women and children.

Both the shifting discussion and emerging policy expertise co-exist, however, with evidence demonstrating the persistence of norms, practices and beliefs that excuse and drive gender-based violence. Among young people, this counter narrative can manifest in exposure to sexual content reinforcing myths around consent such as “women say ‘no’ when they mean

¹ Our Watch “a whole of school approach” <https://education.ourwatch.org.au/a-whole-of-school-approach/>

'yes'² that is not being countered by high-quality and systemised relationships and sexuality education.

YWCA Canberra broadly supports the efforts of the revised curriculum to strengthen and explicitly incorporate instruction on consent, sexuality, and respectful relationships however we use this submission to draw attention to those areas which require improvement and to share insight into our respect and sexuality education teacher training.

Content Gaps

YWCA Canberra broadly supports the renewed emphasis in the personal, social and community health strand that revises content relating to consent, sexuality and respectful relationships. These proposed changes transition the HPE curriculum toward a holistic approach incorporating social, physical, and sexual wellbeing. Despite these improvements, YWCA Canberra draws attention to the following shortcomings which should be addressed to better prepare young people for healthy relationships and sexuality in their futures as well as preparing and supporting teaching staff for delivery:

1. Consent education
2. Exploring gender and social norms that drive gender-based violence
3. Protective behaviours
4. Respectful Relationships Education and teacher support

1) Consent education

Addressing gender-based violence in our community and preparing the next generation of adults for the realities, responsibilities and nuances of adulthood requires long-term investment at all levels of education. In this regard, it is disappointing that it is not a requirement to provide instruction on consent until years 7-8.

While the National Community Attitudes towards Violence against Women Survey (NCAS)³ indicates that attitudes towards physical violence against women are improving, there remain concerning trends. Specifically, belief that allegations of violence as used by women for

² Australian Institute of Family Studies (2017) *The effects of pornography on children and young people*.
<https://aifs.gov.au/publications/effects-pornography-children-and-young-people-snapshot#:~:text=violence%20against%20women-Exposure%20to%20pornography,and%2017%25%20of%20someone's%20genitals.>

³ ANROWS (2017) Australia's attitudes to violence against women and gender equality
<https://20ian81kynqg38bl3l3eh8bf-wpengine.netdna-ssl.com/wp-content/uploads/2019/12/anr001-NCAS-report-WEB-1019.pdf>

tactical purposes, and scepticism among young men that using technology to badger, harass and stalk constitutes forms of violence.

Our concerns are two-fold: the delayed introduction of required consent education; and the likelihood that teachers, possibly uncertain of how to approach issues of consent among young children, will defer this content until the required entry point. For many young people, possibly already exposed to gender inequality as it manifests among other relationships in their lives, such as between parents, siblings, and peers, deferring this education until early high school can come too late while more harmful norms and practices are gradually embedded. Teaching children from foundation level how to gain, refuse and grant consent to others in their peer group as well as adults is both a protective measure against harm and an investment in an equal and violence free future.

Regardless of where consent education enters the curriculum, in those year levels where the intention is for consent to be instructed as it relates to sexual encounters, there is a need for the curriculum to ensure quality content and guidance. YWCA Canberra recently conducted a survey of young people aged 16-24 which captured their exposure to and quality of consent education.⁴ The responses to our survey reflect that an outdated and binary model of consent underpins instruction in ACT Schools. In particular, '*yes means yes and no means no*', was repeatedly referred to by respondents as a common instruction message used to communicate consent in a real setting. This mantra has limited relevancy today as victim responses such as freezing or acquiescing to avoid escalating the situational violence at hand are recognised as valid fear responses.⁵ The role of teachers in communicating nuanced and contemporary understandings of consent cannot be understated and we urge any reforms to the curriculum be reinforced with system-wide responses to support and cultivate a confident and competent consent education base among teachers.

Recommendation: Incorporate age-appropriate content descriptions relating to respect, consent, empathy, and respectful relationships (AC9HP8P03) in the Foundation-Year 6 (F-6) bracket as a required achievement standard.

⁴ Given the age of the survey respondents, we are confident that the responses reflect a contemporaneous view of consent education in the ACT. Highlights from this survey are found at Appendix A of this submission.

⁵ In their advice to the NSW Attorney General regarding consent in relation to sexual offences the NSW Law Reform Commission (2020) recommended the *Criminal Procedures Act* (NSW) include a direction to incorporate the ways people respond to threats of sexual assault including "freezing or by not saying anything at all" <https://www.lawreform.justice.nsw.gov.au/Documents/Publications/Reports/Report%20148.pdf>

2) Exploring gender and social norms that drive gender-based violence

We hold similar concerns with regards the delayed entry of content related to exploring harmful gender and social norms and stereotypes at years 5-6, noting also that while these themes are suggested content, they are not a requirement at *any* point in the curriculum. While the reviewed curriculum includes the improved achievement standard AC9HP10P04 'propose strategies (...) to challenge biases, stereotypes, prejudices and discrimination', the entry point for this standard at years 9-10 is delayed. With reference to the suggested content, under this achievement standard, to 'analyse gender norms' (AC9HP10P04_E4) and explore gender-based violence and mitigating strategies (AC9HP10P04_E5) we note these elements are suggested as opposed to a requirement. As with the late introduction of consent education, we question the rationale of the delayed introduction of these standards to the curriculum until an age bracket where young people are not only exploring intimacy but also likely to be participating in or witnessing harmful behaviours in their peer group.

The education setting is pivotal in embedding the long-term and generational strategies to identify and address the underlying drivers of gender-based violence. We recommend the curriculum avoid delaying the introduction of important themes exploring the factors underpinning violence against women, including harmful gender stereotyping and expectations.

Recommendation: Incorporate age-appropriate content descriptions relating to exploring and analysing gender norms, stereotyping and prejudice (notably, AC9HP10P04_E4 and AC9HP10P04_E5) to the Foundation-Year 8 (F-8) bracket as a required achievement standard.

3) Protective behaviours

The comparative document indicates that content relating to establishing protective behaviours has been removed from Foundation- Year 10 (F – 10) in the reviewed curriculum. We note the removal of ACPPS002 and ACPPS003 at Foundation where children learn about parts of their body and how to identify people, protective behaviours and feelings to keep themselves safe. While we recognise that the reviewed curriculum does include the potential for content on trusted adults and help-seeking strategies (AC9HPFP03_E6), these elements are not a requirement and most concerningly, content on bodily awareness has been removed entirely.

Bodily autonomy at a young age is a protective factor against abuse. Teaching children the correct terminology for parts of their body mitigates against feelings of taboo or secrecy which

can increase the risks of predation.⁶ A child who is conscious of physical boundaries, in control of their body, and able to distinguish between those who will keep them safe and those who threaten harm, is more likely to report instances of abuse by peers or adults. A child who can unambiguously name parts of their anatomy is also less likely to have their allegations misinterpreted or minimised when reporting transgressions against their body to adults.

Recommendation: Reinstate content descriptions that establish protective behaviours in children as well as bodily descriptions and awareness as requirements for Foundation – Year 4 (F-4).

4) Respectful relationships education and teacher guidance

These proposed reforms, as well as our recommendations, to the achievement standards and content descriptions include subject matter that can be challenging for teachers to deliver. Many parents remain uncomfortable talking to their children about their bodies and sexuality and in the absence of instructional confidence and guidance, young people are likely to turn to online resources, peer groups and social media for instruction and advice.⁷ We believe educators, students and school administrators would benefit from stronger guidance in the curriculum on the delivery and content of a whole-of-school approach to respectful relationships education. In line with an earlier evaluation of respectful relationships education, a best-practice delivery model would include material that accommodated unique learning settings and needs, be delivered in concert with experts in the field and ensure staff support and training.⁸

4a) YWCA Canberra training programs on respectful relationships education

YWCA Canberra's services towards preventing violence gender-based violence have recently expanded to include ACT accredited teacher training programs to equip educators with the skills to deliver respectful relationships education to students aged 9-18. Since December 2020, we have run two training programs for educators working with children and young people. These training programs focused on respectful relationships education, ethical approaches to relationships and sexuality, and responding to harmful behaviours. Participants in the training programs held to date have included 29 people working in the school system across the public and independent sectors in the ACT and nearby regional NSW. Participants

⁶ Australian Institute of Family Studies (2015) 'A parent's guide to talking to children about safety' https://www.aifs.com.au/static/media/uploads/childwise_parentsguide.pdf

⁷ Our survey of young people aged 16-24 revealed the home to be the least likely place a young person learnt about consent. See Appendix A.

⁸ Our Watch (2021) Respectful relationships education in schools, evidence paper <https://media-cdn.ourwatch.org.au/wp-content/uploads/sites/2/2021/03/29130252/RRE-Evidence-paper-accessible-100321.pdf>

have included teachers in primary and secondary schools, youth workers, school administrators, pastoral care workers and support staff.

Feedback received in these trainings has revealed that educators working with children and young people in these areas would value greater emphasis on specific guidance, clear structures for progression of learning, common language and agreed expectations. Educators also told us that having a common language about expectations of behaviour and learning would support them in working with families to strengthen respectful relationships. These outcomes will be best achieved with whole-of-school approaches and supporting strategies across all community settings. Given the resistance that HPE teachers often experience in relation to instructing on the personal, social and community health strand of the curriculum, a demonstrable whole-of-school commitment to embedding respectful relationships would be a significant supportive factor. As part of this broader framework, clear curriculum-based guidance is a key element needed to embed, organise, and legitimise respectful relationships education in school settings.

4b) The broader education system in achieving change

In the Australian education setting, the curriculum represents only one lever available to federal, state and territory policy makers in designing school-based programs to address gender-based violence in our community. Despite being a commitment under the National Plan to Reduce Violence against Women and their Children, the implementation and delivery of Respectful Relationships Education remains inconsistent across state and territory education settings. Without unequivocal and nationally consistent guidance on the design, delivery, and evaluation of respectful relationships education we will continue to see examples of poorly executed efforts that are not informed by best-practice. In this regard, the limits of the revised Australian Curriculum in ending violence against women are evident. In order to move on from the patchwork model of Respectful Relationships Education, we call for sufficient resourcing, best-practice training and accreditation support for teachers, evaluation, and system-wide guidance for school administrators.

Recommendation: Evidence-based and best-practice respectful relationships education be embedded at all stages of the Australian Curriculum currently undergoing revision.

Recommendation: ACARA engage expert practitioners of Respectful Relationships Education and Our Watch in designing quality and age-appropriate achievement standards and content to achieve nationally consistent delivery and outcomes.

Recommendation: Teachers and school administrators be supported in delivering and achieving a whole-of-school framework of respectful relationships education through access to accredited training, sufficient resourcing, and program evaluation tools.

APPENDIX A

Summary of Survey on Consent Education in the ACT

YWCA Canberra recently reached out to our community to gauge the current level of awareness among young people of 'stealthing', their understanding of the law around consent and, their exposure to consent education more broadly. We sought their feedback on the quality of consent education and the impressions of whether this education provided an adequate footing into managing and navigating sexual development. The survey received 101 responses in total, with 44 responses eliminated due to ineligibility based on the age-bracket (n=32) or not residing in the ACT (n=12). The analysis presented here is derived from the remaining responses (n=57).

The survey was deliberately targeted to young people aged 16-24 years. The decision was made to capture those who are still in the formal education setting as well as others whose age meant they had only recently exited formal education and their consent education, in the event they received some, reflected a contemporaneous model.

Consent Education

YWCA Canberra are longstanding advocates for comprehensive consent-based education that is evidence based and age-appropriate in a setting that allows the messages of negotiation and personal boundaries to be reinforced and respected.

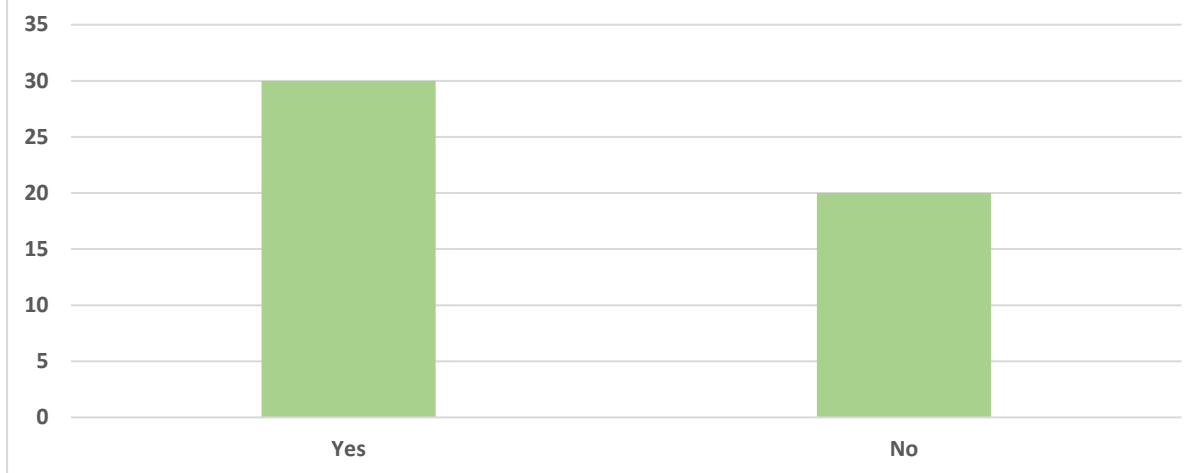
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“Consent was always taught as if you are having sex you need to say yes or no and that was all” - Respondent 19-24

The survey reveals that 98% of respondents had received education on sexual consent. Further exploration of these responses however reflect a

concerning trend in the content of consent education and subsequently, in how consent is understood by young people.

Table 1: Did you learn about consent as an evolving state between sexual partners?

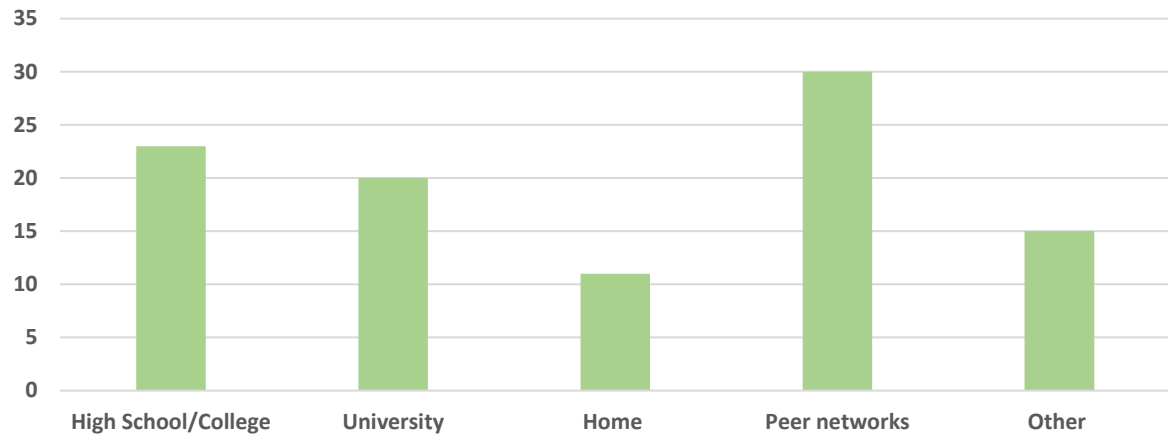


The survey responses indicate an outdated model of consent continues to underpin consent education in ACT Schools. This model presents consent as a binary. In particular, ‘yes means yes and no means no’, was repeatedly referred to by respondents and appears to be a common instruction used to communicate consent in a real setting. This mantra has limited relevancy today as victim responses such as freezing or acquiescing to avoid escalating the situational violence at hand are recognised as valid fear responses.⁹

‘Stealthing’ occupies a unique position in the dynamics of consent. Because it takes a previously consented to arrangement (sex with a condom) and changes the terms of that arrangement (sex without a condom), it highlights consent as an ongoing negotiation between parties and that consenting to one specific act does not imply consent to other acts. This distinction of consent as an evolving agreement is important in countering public discourse that can lend itself to victim blaming and recognising the validity of reactions to assault including freezing or acquiescing out of fear.

⁹ In their advice to the NSW Attorney General regarding consent in relation to sexual offences the NSW Law Reform Commission (2020) recommended the *Criminal Procedures Act* (NSW) include a direction to incorporate the ways people respond to threats of sexual assault including “freezing or by not saying anything at all” <https://www.lawreform.justice.nsw.gov.au/Documents/Publications/Reports/Report%20148.pdf>

Table 2: Setting where you learnt about consent (multiple option select)



We also sought to understand the settings where respondents learnt about consent. Unsurprisingly the role of informal peer-networks was significant. The ‘other’ category promoted further input from the respondent to provide detail on the setting of their consent education. In these responses we can see the influence of social media in cultivating awareness of sex and consent with nearly 70% of responses referencing ‘social media’, ‘Instagram’ or ‘online communities.’

As the community’s understanding of consent has transformed, so too must our instruction of it. Promulgating ‘yes means yes, no means no’ is not only no longer reflective of acknowledged victim responses it is also not reflective of the Crimes Act 1900 s 67.2 where ‘the absence of physical resistance shall not (...) be regarded as consenting to the sexual intercourse’.

“They explained in school that it's an agreement before sex, but not that you can revoke it at any time. I learnt the second part online” – Respondent 19-24

“That consent actually has to be a yes or no, you can’t just go ahead even if the person isn’t stopping you” - Respondent 16-18

“[Consent was] just about saying yes but not on what terms you are saying yes to – Respondent 19-24

Conclusion

Young people are exploring their own sexual development and establishing a nuanced understanding of sexual consent in the absence of formal education settings. The very nature of sexual development and exploration relies heavily on the influence of informal peer networks. Responses to our survey however indicate there remains immense scope for formal education to have a role in facilitating an understanding of the dynamics of consent and the realities of less overt forms of sexual assault among young people.