



2 March 2023

Senator Paul Scarr
Chair
Senate Legal and Constitutional Affairs References Committee
PO Box 6100
Parliament House
Canberra ACT 2600

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Dear Senator Scarr,

Inquiry into current and proposed sexual consent laws in Australia

The Association of Heads of Independent Schools of Australia (AHISA Ltd) appreciates the opportunity to contribute to the Senate Legal and Constitutional Affairs References Committee's inquiry into current and proposed sexual consent laws in Australia ('the Inquiry').

In this letter we respond briefly to questions in the Committee's discussion paper on sexual consent culture and consent education in schools (page 4).

1 Sexual consent culture

Early in 2021, the Australian community was deeply shocked by confronting revelations of the extent of peer sexual assault experienced by adolescent Australians. There are now over 6,700 testimonies posted on the [Teach Us Consent](#) website, but the beginnings of the campaign and initial call for testimonies involved current and former students of several AHISA members' schools. Principals worked quickly to contact students and parents and reached out to alumni in their initial response. Principals also actively engaged with their communities to initiate cultural change, and participated in wider reviews of respect and consent materials and school-based programs.

As more information emerged, of particular concern to educators was the role of pornography in influencing the nature of the assaults and the role of alcohol and drugs in creating the opportunity for these crimes – in spite of comprehensive education programs delivered by schools on alcohol and drug abuse and 'pornification'.

It soon became apparent that the culture of rape and violence that was exposed by the Teach Us Consent campaign was not particular to one school sector in one state, nor even a solely Australian phenomenon. Following the posting of testimonies to [Everyone's Invited](#) (the British equivalent of the Teach Us Consent campaign, which to date has had over 50,000 submissions),

ABOUT AHISA

AHISA Ltd is a professional association for Heads of independent schools.

The primary object of AHISA is to optimise the opportunity for the education and welfare of Australia's young people through the maintenance of collegiality and high standards of professional practice and conduct amongst its members.

AHISA's 460 members lead schools that collectively account for over 450,000 students, representing over 70 per cent of total independent sector enrolments and 11.4 per cent of total Australian school enrolments. AHISA members' schools also educate a significant proportion of senior secondary students: some 20 per cent of Australia's Year 12 students attend AHISA members' schools.

the British Government initiated a [rapid review project to assess the extent of student sexual harassment and online abuse experienced by children and young people](#). Released in June 2021, the review report notes:

This rapid thematic review has revealed how prevalent sexual harassment and online sexual abuse are for children and young people. It is concerning that for some children, incidents are so commonplace that they see no point in reporting them. This review did not analyse whether the issue is more or less prevalent for different groups of young people, and there may well be differences, but it found that the issue is so widespread that it needs addressing for all children and young people. It recommends that schools, colleges and multi-agency partners act as though sexual harassment and online sexual abuse are happening, even when there are no specific reports.

As in Australia, pornography, alcohol and drugs were commonly found to be associated with incidents of sexual violence among Britain's school students. And, as in Australia, the British Government hastily reviewed the education programs available to students.

All that we have learnt from the Teach Us Consent and Everyone's Invited testimonies suggests that the issue of sexual consent culture is part of a much larger cultural problem.

2 *Consent education in schools*

As the Committee's discussion paper notes, the Australian Curriculum has been revised to require the teaching of consent education to all school students from Foundation-Year 10. AHISA also acknowledges the Australian Government's development of resources to help educate children and young people about issues of respect and consent through the [Respect Matters program](#) developed under the National Plan To Reduce Violence against Women and their Children.

It is of interest to note that Respect Matters resources, now hosted by [Student Wellbeing Hub](#), were in 2021 hosted on a platform named 'The Good Society'. Sexual assault, especially child-on-child sexual assault among adolescents, has a wide network of cultural roots. The prevalence of adolescent sexual assault, in particular, is linked to a range of social issues that have been accelerated by social media influences.

School-based education programs – while important and essential – are therefore not a 'silver bullet' to protect children. As seen with alcohol and drug education programs and respectful



relationships programs, many young people fail to apply the messages to their own behaviours when outside – and sometimes even inside – the school gates.

As our members can attest, parent education on social issues is an important means to augment school-based education programs and reinforce the messages of those programs. Any materials developed for school students should therefore be matched with accompanying material targeted at parents and carers.

A multi-faceted, whole-of-community response is required if we are to protect our young people. Like school education programs, legislation is an important way communities can define boundaries around the behaviours of those within them. Again, consistency in messaging is vital. The lives of young Australians are not confined by local community or jurisdictional borders; they communicate on international platforms. As a nation, however, we can control consistency in the way sexual consent is defined under law and in educational materials. On these grounds, AHISA supports national harmonisation of consent laws.

AHISA welcomes any inquiries the Committee may have about this submission.

Yours sincerely,

Dr Chris Duncan

AHISA Chief Executive Officer