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Children and Youth Services Tasmania
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Multicultural Council of Tasmania submission re children displaying harmful sexual behaviours

The Multicultural Council of Tasmania (MCOT) welcomes the opportunity to make a submission in response to the consultation paper on children displaying harmful sexual behaviours.

MCOT is the peak body representing more than 70 multicultural organisations in Tasmania.

This submission outlines some views from Tasmania's culturally, linguistically and religiously diverse communities on the issues raised in the consultation paper. We nonetheless note that Tasmania's culturally, linguistically and religiously diverse communities are no more or less affected by the issue of children displaying harmful sexual behaviours than the broader Tasmanian community.

Consultation question 1: What should national leadership for responding to children and young people's harmful sexual behaviours look like? And what would it achieve?

There is a significant risk that national leadership would do more harm than good.

The States have primary responsibility for child protection and criminal justice, and employ social workers and police officers who deal directly with children demonstrating harmful sexual behaviours. The Commonwealth does not.

Assigning a leadership role to the Commonwealth regarding children displaying harmful sexual behaviours could serve as an excuse for State Government inaction.

Moreover, any Commonwealth role is likely to skew funding towards public information campaigning (which is the only activity where the Commonwealth has some experience) relative to therapeutic services (where the need for funding is more certain and urgent). Worse still, any deal with the States could require the States to similarly skew their commitment of resources.

Consultation question 2: What should a public health response look like? What might a primary prevention response look like?

The consultation paper defines a public health response as involving three levels of prevention:

- primary (stopping behaviours before they start);
- secondary (early intervention to curb escalation); and
- tertiary (ceasing children displaying harmful sexual behaviours).

The consultation paper presumes support for a primary prevention response, stating that:

- “all families and children should be included in a universal approach to educating parents and their children about normal child development, including sexual development”; and
- the education should “outline the difference between developmentally appropriate and harmful sexual behaviours” and “give children clear guidance on what sexual behaviours are acceptable”.

MCOT considers that it would be both harmful and wasteful to pursue a universal primary prevention response where the Government outlines to all children sexual behaviours it considers to be acceptable and developmentally appropriate, as well as sexual behaviours it considers to be harmful.

Harmful

Harms would arise under a ‘universal’ approach to communicating the five types of childhood sexual behaviour referred to in the consultation paper: ‘normal’, ‘inappropriate’, ‘problematic’, ‘abusive’ and ‘violent’.

‘Normal’ childhood sexual behaviour

Having the Government educate all children about ‘normal’ childhood sexual behaviour will inevitably involve the adoption of an overly permissive approach from the perspective of some parents and an overly repressive approach from the perspective of other parents. Such education contrary to the wishes of parents should be considered to be harmful.

- The consultation paper fails to outline what exactly the Government considers to be ‘normal’ childhood sexual behaviour, and there are no specific examples provided of what the Government considers to be ‘normal’ childhood sexual behaviour.
- Government assertions about ‘normal’ childhood sexual behaviour would go beyond the biology of sex education, and into the more ephemeral realm of social theory. Many parents, including parents who support sex education, would oppose the Government asserting what it considers to be ‘normal’ childhood sexual behaviour, and would consider this to be the domain of the family, not government.

‘Inappropriate’ childhood sexual behaviour

The consultation paper essentially defines ‘inappropriate’ childhood sexual behaviour as generally consensual and reciprocal childhood sexual behaviour that is nonetheless inappropriate. This definition is circular, vague and unhelpful. A campaign that essentially said ‘behave appropriately’ would do nothing but confuse.

‘Problematic’ and ‘abusive’ childhood sexual behaviour

The consultation paper defines ‘problematic’ and ‘abusive’ childhood sexual behaviours partly through reference to a lack of consent. This suggests that a campaign against ‘problematic’ and ‘abusive’ childhood sexual behaviour may essentially involve messaging that ‘no means no’.

However ‘no means no’ messaging implies that ‘yes means yes’. This implication may be acceptable when communicating to adults, but it is unlikely to be acceptable when communicating to children, at least some of whom may be incapable of consenting to sexual acts, either in reality or in a legal sense.

‘Violent’ childhood sexual behaviour

A universal campaign encouraging all children to avoid sadism, even when consensual, would be distressing and is presumably not in contemplation.

Wasteful

In addition to being harmful, it would be wasteful to pursue a universal primary prevention response where the Government outlines to all children sexual behaviours it considers to be acceptable and sexual behaviours it considers to be harmful.

A universal campaign is unlikely to be cost-effective given that resources will be directed to all children, the great majority of whom will not display harmful sexual behaviours.

Given resource constraints, every investment in primary prevention is at the expense of secondary and tertiary prevention. Investment in secondary and tertiary prevention services is of utmost importance given that:

- these services involve making a specialist therapeutic response available to individual children who are displaying sexual behaviour ranging from 'problematic' to 'abusive' and 'violent'; and
- the consultation paper makes clear that these services are not currently available to all individual children who need them.

Given the limited number of school hours, every minute in school devoted to the issue of children displaying harmful sexual behaviours is a minute not devoted to improving the general quality of school education.

Recommendations

MCOT recommends that the State Government develop a program addressing harmful childhood sexual behaviours without waiting for, or pre-committing to, an approach developed by the Commonwealth Government.

MCOT recommends that the program focus on secondary and tertiary prevention services, as primary prevention services (i.e. education campaigns directed at all children that outline what the Government considers to be acceptable and harmful childhood sexual behaviours) would be harmful and wasteful.

Yours sincerely,



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