



Office of the
Director-General

Department of
Education

06 APR 2022

The Honourable Margaret McMurdo AC
Chair
Women's Safety and Justice Taskforce
Email: taskforce@womenstaskforce.qld.gov.au

Dear Justice McMurdo

Thank you for your letter dated 9 March 2022 inviting the Department of Education to provide a written submission responding to the Women's Safety and Justice Taskforce's (the Taskforce) third discussion paper and to additional questions provided within your correspondence.

As noted in the department's letter to the Taskforce dated 22 March 2022, your correspondence was forwarded to Dr Lee-Anne Perry AM, Executive Director, Queensland Catholic Education Commission, and to Mr Christopher Mountford, Chief Executive Officer, Independent Schools Queensland, for their consideration and direct response to the Taskforce.

The department's response to relevant questions within Discussion Paper 3: Women and girls' experiences across the criminal justice system as victim-survivors and also as accused persons and offenders and to specific Taskforce queries is enclosed for your consideration. Also enclosed is the completed Organisation Submission Questionnaire.

My office will be in contact with the Taskforce Secretariat to organise a meeting to discuss the department's response.

Should you wish to discuss this matter further, I invite your office to contact Ms Hayley Stevenson, Acting Assistant Director-General, State Schools – Operations, on [REDACTED] or by email at [REDACTED].

Thank you for raising this important matter with me. I welcome the opportunity to further discuss the Taskforce's consultation findings.

Yours sincerely

MICHAEL DE'ATH
Director-General

Ref. 22/217055

Your Ref: 6126187

Enc

Discussion Paper 3: Women and girls' experiences across the criminal justice system as victim-survivors of sexual violence and also as accused persons and offenders

Taskforce Questions	Department of Education Response
<p>The results of the department's review of whether respectful relationships education in Queensland adequately addresses sexual harassment, assault and consent (announced by the Honourable Grace Grace MP, Minister for Education, Minister for Industrial Relation and Minister for Racing on 10 March 2021).</p>	<p>In March 2021, the Queensland Minister for Education wrote to the Federal Minister for Education seeking for consent education to be considered at an upcoming Education Ministers Meeting (EMM), and for the Australian Curriculum, Assessment and Reporting Authority (ACARA) to work with states and territories to ensure content on consent would be included in the Australian Curriculum. The Minister engaged in a strategic discussion on consent in the context of respectful relationships education at the 30 April 2021 EMM.</p> <p>The recent review of the Australian Curriculum specifically considered strengthened teaching of sexual consent in the Health and Physical Education learning area. Curriculum and subject matter experts in respectful relationships and consent education, including Ms Chanel Contos, of Teach Us Consent reviewed drafts to ensure sexual consent education was explicitly included in the revised Australian Curriculum Version 9, which was endorsed at the EMM on 1 April 2022.</p> <p>Between March and September 2021, the Department of Education, in collaboration with the non-government school sector consulted extensively with over 180 internal and external stakeholders, to ensure we have a full understanding of the status of Respectful relationships education (RRE), including consent education in Queensland.</p> <p>Stakeholders included state and non-government education leaders, principal representatives, unions, parent bodies, curriculum experts, representatives from the Queensland Sexual Assault Network, LGBTIQ+ organisations, key government agencies, culturally and linguistically diverse organisations, Aboriginal and Torres Strait Islander educational representatives; and other respectful relationships subject matter experts. Students were also consulted as part of the Ministerial Student Advisory Council.</p> <p>A review of other jurisdictions' programs and information also informed the review. In addition, extensive research was undertaken to inform revisions to the program, including examining resources developed by Our Watch, UNESCO and White Ribbon Australia.</p> <p>Feedback from stakeholders provided strong support for:</p>

- earlier, more explicit, age-appropriate, fit for purpose education on consent, help-seeking and reporting;
- high-quality professional development to build teacher capability;
- embedding of consent education, help-seeking and reporting within RRE; and
- support to build a culture that encourages reporting, help-seeking, and models healthy respectful relationships

In response to consultation feedback the department has undertaken significant work to strengthen the existing Respectful Relationships Education Program (RREP). The department has developed a strengthened program to ensure students are provided with the opportunity to build understanding of:

- coercive control;
- forms of abuse and their impacts;
- what constitutes healthy and unhealthy relationships;
- gender identity and gender-based drivers of violence;
- an introduction to human rights and support networks;
- consent education; and
- reporting of sexual assault.

The findings of the Our Watch Respectful Relationships Education in Primary Schools Queensland pilot also closely informed the outcomes and department's response to the review.

There are a range of RRE resources and programs available to schools. The department's RREP is one of these resources. Use of the RREP is not mandated. Principals make educational decisions that take into account the needs of students and the school community.

In addition to delivering RRE through the Australian Curriculum, all state schools have the option of using alternative programs such as the Daniel Morcombe Child Safety Curriculum, external providers and/or a school-based program tailored to local needs.

Parents, students and school staff also expressed that there would be a value in providing a centralised point of access to information on respectful relationships, consent and reporting of sexual assault.

In response to this feedback, the department has developed the Respectful relationships education (RRE) hub. It is anticipated this resource will be released in 2022.

	<p>Publicly available resources on the RRE hub includes information for parents, students and staff on respectful relationships, consent and sexual assault, information on help seeking and reporting strategies; and links to relevant departmental Education Television episodes and external websites. Information has been tailored for parents/carers, secondary school students and school staff.</p> <p>The purpose of the RRE hub is to assist schools in delivering RRE in a way that suits the needs of their individual school, the school community and provides supporting resources for parents and students.</p>
<p>How the February 2022 agreement of state and Federal Government education ministers to enshrine education on consent in the Australian curriculum will be implemented in Queensland state, independent and catholic schools.</p>	<p>On 1 April 2022, EMM agreed to a revised version of the Australian Curriculum. Version 9.0 of the Australian Curriculum includes strengthened guidance and content related to the teaching of respectful relationships, sexuality, consent education and help seeking behaviours. It contains a significantly strengthened developmental suite of content descriptions and content elaborations to support the teaching of consent education.</p> <p>Queensland state schools will continue to provide high quality consent education through the implementation of the revised Australian Curriculum: Health and Physical Education.</p>
<p>The manner in which consent is currently taught in Queensland state, independent and catholic schools and any updates that will occur as part of a revised curriculum.</p>	<p>The department's comments below refer only to the implementation of consent within the Queensland state school system.</p> <p>Since 2017, Queensland state schools have provided health and wellbeing education, including respectful relationships education, as part of delivery of the Australian Curriculum or as part of a school's pastoral care program. Respectful relationships education is inclusive of education on consent.</p> <p>Queensland state schools will continue to provide high quality consent education through the implementation of the revised Australian Curriculum: Health and Physical Education.</p>
<p>The manner in which respectful relationships education in Queensland currently deals with pornography and the non-consensual sharing of intimate images and any updates that will occur as part of a revised curriculum.</p>	<p>The department has developed information for parents and carers, students and school staff on technology-facilitated sexual violence, which includes information on the sharing of intimate images. It is anticipated this content will be published on the newly developed RRE hub, to be published in 2022.</p> <p>The RRE hub will also link users to relevant external websites, such as the e-Safety Commissioner's website for further information on technology-facilitated abuse, technology facilitated sexual violence and actions that can be taken when images have been shared without consent.</p>
<p>Discussion Paper Question</p>	<p>Department of Education Response</p>

Part 2: Women and girls' experiences as victim-survivors

Question 22. Is there a need to improve the general understanding of consent in the community? If so, how?

The Department of Education recognises that community attitudes towards sexual violence and gender equality, in particular stereotypes held about how men and women, boys and girls should behave and relate to each other, underpin disrespect and violence perpetrated against women and girls, including sexual violence.

The department notes some of the concerning views held by the community, including young people aged 16 years and over regarding consent and sexual violence against women, as identified in the 2017 National Community Attitudes Survey.

In collaboration with families, schools play an important role in supporting students to develop attitudes that promote respect, including providing students with a developmentally, culturally and age-appropriate understanding of consent.

Queensland Health, community-based health services, youth and family services also contribute to positively shaping family and young people's attitudes on respect, relationships and consent.

The views of specialist sexual health and sexual assault services on mechanisms to improve community understanding on this issue would be valuable to consider. In addition to supporting victims of sexual assault, a number of services provide proactive, educational programs for young people.

The issue of respect and engaging in respectful, consensual relationships is one that extends beyond the relationships young people form. The department is supportive of public, statewide campaigns to educate the community on consent laws within Queensland as well as the development of targeted educational campaigns, that provide tailored messaging to key cohorts, including young people.

The department also supports the delivery of preventative campaigns that provide all Queenslanders with the opportunity to examine and challenge commonly held gender stereotypes, that underpin disrespect and violence perpetrated against women and girls.

It's important that workplaces, schools, faith and sporting organisations, government, community organisations, business, educational institutions and the media actively play a role in promoting gender equality and affirming that disrespect, sexist behaviours, abuse and violence is not acceptable. Identifying the most prevalent attitudes on this issue in Queensland, through tools such as the Queensland Social Survey and through consultation and/or focus groups would provide valuable information that could be used when developing primary prevention campaigns and initiatives.

<p>Question 23. Are current school and community education programs about consent effective? What is working well? What needs to be improved?</p>	<p>Stakeholders who engaged in the department's recent review of consent and reporting education affirmed that consent education is most effective when:</p> <ul style="list-style-type: none"> • it is embedded within the school's broader RRE implementation and materials explicitly address age-appropriately the drivers of gender-based violence; • concepts are age-appropriate and examine real-life issues students experience; • materials are aligned with the Australian Curriculum: HPE and concepts are built upon from Prep to Year 12; • when teaching and learning materials use a strengths-based approach and provide students with the opportunity to develop and rehearse the skills needed to understand respect and consent; • materials are inclusive, able to be modified for diverse learners and contextualised to be culturally appropriate and to meet the needs of families and the school community, • schools use a whole-school approach that engages families and community organisations, that responds to disclosures of abuse, where staff, students and families model respect and gender equality; and • staff are provided with tailored professional development to support respectful relationships, including consent education delivery and support for the school's whole-school approach. <p>The department's strengthened RREP has a stronger age-appropriate, focus on gender stereotypes, the drivers of gender-based violence, consent, help-seeking and reporting of sexual assault or harm.</p> <p>The department has also developed supporting information and materials which will be released on the RRE hub for young people, families and school staff on the importance of respectful relationships, consent and reporting of sexual assault and harm. It is anticipated the RRE hub will be released in 2022.</p>
<p>Question 29. What can be done to reduce the barriers to women and girls reporting sexual violence to police and to other support services?</p>	<p>In its review of consent and reporting of sexual assault, the Department of Education spoke with a wide range of stakeholders, including students, parents and carer representatives, teachers, community organisations and government agencies about how to encourage greater reporting of sexual assault and harm to school staff and external agencies, including the police.</p> <p>Findings from this review indicated there was a lack of knowledge in relation to:</p> <ul style="list-style-type: none"> • the legal definition of consent and a lack of understanding that sexual activity without consent constitutes sexual assault or rape; • processes for reporting sexual assault to police and any subsequent criminal justice response;

- the availability and processes for accessing sexual assault services and helplines, particularly services for young people who are victims of sexual violence;
- the mandatory reporting requirements whereby school staff have to report disclosures of harm to students, including sexual harm; and
- the availability of specialist staff within schools able to support young people who have been sexually assaulted or harmed.

The barriers to reporting identified in Discussion Paper 3 are also likely to prevent or hinder young people from reporting sexual violence.

In response to stakeholder feedback, the department has strengthened content within the enhanced RREP on consent, reporting sexual assault, help-seeking and support services. Information has also been developed which will be available on the RRE hub on these topics, with links provided to relevant websites and to a range of specialist and general support services. It is anticipated the RRE hub will be released in 2022.

The department and the non-government education sector also considered as part of the review, barriers students might experience to reporting or disclosing sexual violence to school staff. The importance of establishing a school culture that seeks to prevent disrespect, abuse and violence, that works to promote attitudes of equality and respect and that actively encourages the reporting of all concerns was acknowledged.

Encouraging schools to use a whole-school approach to RRE which involves building a culture of respect and gender equality, establishing partnerships with community and government services to prevent and respond to sexual violence and providing staff professional development to more effectively respond to disclosures or concerns of harm are strategies that will hopefully reduce some of these reporting barriers.

In line with reporting obligations in legislation and departmental procedures, state school employees must immediately report suspected sexual abuse or likely sexual abuse, including sexual assault of a student or child to the Queensland Police Service and in some circumstances to the Department of Children, Youth Justice and Multicultural Affairs (Child Safety).

The Department of Education's Student Protection procedure also requires that all employees and visitors to a state school or state delivered kindergarten must report suspicions of harm or risk of harm to a student or child, including allegations of sexual abuse or likely sexual abuse.

<p>Question 80. How are women and girls who are involved in the criminal justice system supported and their needs met? What works? What could be done better in a cost-effective way?</p>	<p>In December 2018, the Department of Education launched the Education Justice Initiative (EJI) as a key action under the Queensland Government's <i>Youth Justice Strategy</i>. The EJI is a referral and advocacy service that assists young people involved with the criminal justice system to re-engage with education and/or training. The EJI specifically targets young people of compulsory school age who appear before the Children's' Court.</p> <p>Under the initiative, the department has established Court Liaison Officers to work directly with young people in priority locations across Queensland: Brisbane, Ipswich, Richlands, Gold Coast, Logan-Beenleigh, Townsville and Cairns. The initiative will be expanded to operate in the Toowoomba and Moreton Bay region in the near future.</p> <p>The EJI aims to:</p> <ul style="list-style-type: none"> • connect young people in the youth justice system with appropriate education and training pathways; • provide Magistrates with current education enrolment information to help guide sentencing and bail conditions; • operate using a multi-agency approach by collaborating with other government agencies and non-government organisations to provide tailored support and respond to the complex needs of young people; and • build the capability of schools and staff by providing information and advice on processes, policies and best practice relating to young people in the youth justice system. <p>The department acknowledges educational engagement remains a key protective measure in supporting young people. To that end, a Regional Youth Engagement Service operates in every region to reconnect children and young people who have been disengaged from education systems. In operation since 2018, the Regional Youth Engagement Service supports around 4,000 children and young people across Queensland every year.</p>
<p>Part 3: Women and girls' experience of incarceration/detention</p> <p>Question 93. What are your experiences or observations of women and girls in custody or detention accessing education? What works? What needs to be improved?</p>	<p>Under the <i>Youth Justice Act 1992</i>, the Department of Children, Youth Justice and Multicultural Affairs (DCYJMA) is ultimately responsible for the provision of education delivery to all young people held in a youth detention centre. Through a Memorandum of Understanding with DCYJMA, the delivery of education in detention is provided by on-site educational units staffed by the Department of Education.</p> <p>Brisbane Youth Education and Training Centre (BYETC), Cleveland Education and Training Centre (CETC) and West Moreton Education and Training Centre (WMETC), located within their respective youth detention centres, provide education and training programs focusing on literacy and numeracy skills and Vocational Education and Training (VET) programs for young people held in youth detention.</p>

The Department of Education provides teachers, teacher aides, transition support officers, administrative staff and operational grants to ensure all young people in youth detention centres have access to a quality education. From 2022, the department has committed to providing structured education services in each education and training centre for 48 weeks of the year, rather than the standard 40 weeks delivered in schools.

Under the VET in Schools program, young people in detention are able to participate in certificate courses or short-term skill learning courses which are required to commence work in certain industries. Young people are able to choose which courses they would like to participate in. BYETC, CETC and WMETC work closely with Vocational Training Queensland to ensure young people exiting detention are given the opportunity to complete their qualifications to give them the best chance at gaining employment in the community.



Women's Safety and Justice Taskforce

Your submission

The Taskforce is interested to hear from you in relation to either or both of the following:

- The experience of women across the criminal justice system:
 - as victims-survivors of sexual violence
 - and also as accused persons and offenders.

The full Terms of Reference for the Taskforce are available at the following link:

https://www.justice.qld.gov.au/data/assets/pdf_file/0010/672706/womens-safety-justice-taskforce-tor.pdf

Privacy Statement

The Women's Safety and Justice Taskforce (the Taskforce) is an independent taskforce established to examine: coercive control and the need for a specific offence of commit domestic violence; and the experience of women across the criminal justice system.

The Taskforce is collecting your personal information in this form, including information about your experiences, work, and opinions, to inform the Taskforce's review. Your name and contact details (if you choose to provide them) may be used to update you about the work of the Taskforce including any further opportunities to participate.

You do not have to disclose any information you don't want to. The form gives you the option of providing an anonymous submission and asks you about how you would like your information treated. We will only use your information in the way that you agree to. However, in line with our legal obligations, we may need to disclose, or keep confidential, certain information. For instance, if your submission discloses immediate or imminent harm to a person, we may be obliged to refer the matter to police.

The information you provide in this form will be disclosed to the Taskforce and the Taskforce Secretariat provided by the Department of Justice and Attorney-General and will be managed in accordance with the Information Privacy Act 2009.

Questionnaire

Please complete all of the following questions.

What is your name?

Title: **(Please circle)** Ms

Given Name: Hayley

Family Name: Stevenson

I do not wish to provide my name

Note: submissions may be made anonymously

What is your preferred contact number?

Contact Number: [REDACTED]

I do not wish to provide a telephone number

What is your email address?

Email Address: [REDACTED]

I do not wish to provide an email address

What is your postal address?

Street Address: C/- Department of Education, Level 15, 30 Mary Street,

Suburb: Brisbane

State: **(Please circle)** QLD

Postcode: 4000

I do not wish to provide a postal address

Who are you making this submission for? (please tick one of the options below)

- I am providing information on behalf of an organisation or institution

What is the name of the organisation? Queensland Department of Education

What is the core work of the organisation? (please select from the options provided)

- Legal assistance
- Domestic and family violence support service
- Sexual violence support service
- Prisoner support service
- Youth support service
- Aboriginal and Torres Strait Islander community controlled organisation
- Primary prevention (e.g. education)
- Research
- Advocacy
- Private business
- Other, please specify: State education department

What is your position in the organisation? Acting Assistant Director-General, State Schools - Operations

Do you have authority from the organisation to make a submission on its behalf? (please select from the options provided)

- Yes, I am authorised to make this submission on behalf of the organisation I represent
- No, I have not obtained the consent of the organisation to make this submission
- Other, please specify: _____

How would you like us to use your information?

As stated in the Privacy Statement on page 1, we will only use your information in the way that you agree to. However, in line with our legal obligations, we may need to:

- Redact (black out) part of your submission
- Pseudonymise (use different names); or
- Not publish your material, even if you would like us to do so.

If your submission discloses immediate or imminent harm to a person, we may be obliged to refer the matter to police.

(please tick one of the options provided below)

Identified – published on website

If you select this box, your submission may be published on the Taskforce's website. Your submission may also be referenced in reports and any other public document prepared by the Taskforce.

Your name and other identifying details about you may be included. However, your contact details including your phone number and address will not be published.

The whole or part of your submission may be quoted or paraphrased. Your submission may also be developed into a brief narrative to tell your story, without mentioning your name or other details that would identify you.

Anonymous – published on website

If you select this box, your submission will only be published on our website, or used in other public reports or materials, in de-identified form (your real name and any information that would identify you would not be used)

The whole or part of your submission may be quoted or paraphrased. Your submission may also be developed into a brief narrative to tell your story, without mentioning your name or other details that would identify you.

Using your information in a de-identified way will help to give the community an understanding about your experiences without identifying you.

Anonymous – not published on website

If you select this box, your submission will not be published on the Taskforce website, but may be used in a de-identified form in other public reports or materials.

De-identified means that your real name and any features that would identify you will be removed. Anyone reading the material would not know that it refers to you.

The whole or part of your submission may be quoted or paraphrased. Your submission may also be developed into a brief narrative to tell your story, without mentioning your real name or other details that would identify you.

Using your information in a de-identified way will help to give the community an understanding about your experiences without identifying you.

Restricted

If you select this box, your submission will not be published in any way in any format. This means that we will not refer to the information you have provided in any public document, in any way.

Even if you select this box, once the Taskforce has come to an end, your information may be accessed under legislation such as the Information Privacy Act 2009 and Right to Information Act 2009 or under court order or subpoena.

Unsure

Some people may be concerned about providing certain types of information to the Taskforce. If you are concerned about the confidentiality of your information, you should seek legal advice.

If you are unsure about providing information to the Taskforce, please select this box and we will contract you to discuss your options.

About you

The following questions are optional.

What is your age range?

- I am under 18 years old
- I am between 18 – 25 years old
- I am between 26 – 35 years old
- I am between 36 – 45 years old
- I am between 46 – 55 years old
- I am between 56 – 65 years old
- I am 65+ years old

What is your gender?

- Female
- Male
- Intersex
- Transgender
- Indeterminate, unspecified
- Prefer not to say
- Other, please specify: _____

What is your current postcode? 4000

What is your main language other than English spoken at home?

N/A

In which country were you born? Australia

Do you identify as a member of any of the following groups? (Please tick all that apply)

- Aboriginal and Torres Strait Islander person
- Person from culturally and linguistically diverse background
- Person who identifies as LGBTIQ+
- Person with disability