



Thursday 2 March 2023

Committee Secretary
Senate Legal and Constitutional Affairs References Committee
By email: legcon.sen@aph.gov.au

Inquiry into current and proposed sexual consent laws in Australia

The National Catholic Education Commission (NCEC) is pleased to make a submission to the Inquiry into current and proposed sexual consent laws in Australia.

The NCEC notes the terms of reference for the inquiry.

This submission addresses paragraph f) of the terms of reference:
"f) the impact of consent laws on consent education."

Background

The NCEC is the peak body for Catholic education in Australia and is responsible for the national coordination and representation of Catholic schools and school authorities.

Working collaboratively with state and territory Catholic Education Commissions, the National Catholic Education Commission advocates through effective liaison with the federal, state and territory governments, and key national education bodies. Our role is to ensure the needs of Catholic schools are served through funding, legislation, and policy.

Our work is to foster a thriving Catholic Education sector that offers parents a choice of, and affordable access to, faith-based education for their children. Catholic Education continues to advocate for fair and inclusive funding that sustains both government and accessible faith-based schools across Australia.

Catholic schools are universal in reach and open to all families who seek a Catholic Education. Australia's 1,759 Catholic schools educate one in five, or over 794,000 students and employs over 104,000 Australians. This makes Catholic schools the nation's largest provider of education outside government.

Catholic schools make a significant contribution to the educational, moral, and social fabric of this nation. Our schools ensure that parents can choose an affordable education that is consistent with Catholic beliefs, values, and teachings. Catholic schools are committed to educational excellence and are underpinned by charisms of prayer, witness, catechesis, social justice, and pastoral care.

Consent Education and The Australian Curriculum

In April 2022 commonwealth, state and territory education ministers endorsed Version 9.0 of the Australian Curriculum.

The Australian Curriculum, Assessment and Reporting Authority (ACARA) noted that the updated curriculum included “strengthening the explicit teaching of consent and respectful relationships from F-10 in age-appropriate ways”.¹

One practical effect of the relevant changes to the Australian Curriculum, as publicly noted by several of the nation’s education ministers, is that consent education is now mandated across all Australian schools.

One of twelve focus areas of the updated health and physical education curriculum is titled “Relationships and Sexuality”.² This focus area provides that students will learn about:

“the nature of consent, seeking permission and setting boundaries, understanding the harm that can be caused when consent isn’t gained or is ignored”.

The change to the Australian school curriculum followed calls from the Teach Us Consent movement in 2021 to provide consent and sexuality education in schools. The campaign included an online petition. Many testimonies from young women emerged that raised awareness of the prevalence of sexual assault and sexual violence among young people.

The Teach Us Consent campaign originated in Sydney. In response, Catholic education joined with the other school sectors in New South Wales in March 2021 to adopt a statement of intent as the basis for action within school communities.³

The statement highlighted “the role of schools in strengthening children and young people’s understanding of consent and preventing and responding to sexual assault and sexual violence among young people.”

It noted the calls for better consent education at school.

The statement committed the three school sectors in New South Wales “to identifying and taking concrete actions that will strengthen children and young people’s ability to form healthy relationships and prevent harmful situations, both at school and outside the school gates.”

¹ [endorsement-ac-media-release-2022.pdf \(acara.edu.au\)](#)

² <https://v9.australiancurriculum.edu.au/content/dam/en/curriculum/ac-version-9/downloads/health-and-physical-education/health-and-physical-education-focus-area-descriptions-f-10-v9.docx>

³ [Statement of Intent: Our shared commitment \(csnsw.catholic.edu.au\)](#)

At the same time, the Queensland Government announced its own review of education addressing issues of sexual consent. The Queensland Catholic Education Commission welcomed that review.⁴ Catholic education has engaged co-operatively and consistently with reviews and reforms around consent education.

Relationships Education – the Catholic Perspective

It is imperative that Catholic schools' authorities and school communities continue to be involved in the development of core curriculum content and maintain oversight of what is taught, to ensure that what is taught in our schools is underpinned by our Catholic belief and practice.

Catholic schools teach and foster within their communities a theological, social, and moral understanding of life and culture and it is within this perspective that consent education is addressed in our schools.

Our students engage in learning experiences to deepen their understanding of, and formation in, the values of a Christian approach to sexuality and human relationships.

Catholic Education believes that sexual consent education is only one part of a broader education that need to be focused on building respectful relationships and family life.

Any failure to place consent education within this Catholic context could undermine the effectiveness and sustainability of such education in our schools.

Human Dignity

It is the duty and the privilege of Catholic school communities to teach and to explore the interconnectedness of love and sexual activity underpinned by mutual respect and human dignity within a safe and nurturing environment.

Sexuality education in Catholic schools has as its foundational principle the dignity of the human person. As Pope Francis says, "Every human story has an irrepressible dignity."

The social and moral teaching of the Church is presented as an invitation and opportunity to live a life of self-giving and love, respecting the dignity of the human person as created in the image and likeness of God.

In Catholic social and moral teaching, the dignity of the human being is paramount. This is because all human beings are created in the image and the likeness of God. Consequently, all human beings deserve to be treated with love and respect.

One way in which human beings show and give respect is through consent and it is in this context that Catholic educators address the topic of consent. Young people need to know the meaning of consent and its implications, and how to respect themselves and others while also knowing their legal responsibilities around consent.

⁴ [Sector welcomes consent education review – QCEC](#)

To focus on consent alone is to fall short of the full expression of Catholic moral teaching. Catholic teaching about human sexuality and the dignity of the human person promotes a high standard of how others are to be treated and their bodies respected. In Catholic schools, human sexuality, and its part in God's plan for humanity, is not reduced to solely matters of sexual consent.

Parents as First Educators

The Catholic Church teaches that parents are the first and primary educators of their children.

Gravissimum Educationis, the Second Vatican Council's Declaration on Christian Education, states that,

"Since parents have given children their life, they are bound by the most serious obligation to educate their offspring and therefore must be recognised as the primary and principal educators."

The Declaration goes on to say that parents need to provide a positive and prudent sexual education. They have a crucial role to play in educating their children about relationships. This is often done in partnership with the Catholic school community through pastoral care and other wellbeing programs that complement the materials in the mandated curriculum.

Catholic teaching about sexuality is presented across the various learning areas in an integrated and holistic way. To give one example, the biology of reproduction is taught in a way that honours the centrality of parental love and its fulfilment in marriage.

Catholic schools have a responsibility and a mandate to teach consent as detailed within current curriculum documents; and they are also required to present the fullness of Catholic moral teaching and family values.

Religious Education

Religious Education (RE) explicitly and implicitly forms an integral part of the total curriculum of Catholic schools. Across our dioceses and schools, the RE curriculum covers age and stage appropriate issues of human relationships, marriage, family, and sexual morality.

Religious Education content grounds right and respectful relationships within Catholic theological, social, and moral teaching.

Educating young people about healthy and respectful relationships founded in our belief in the dignity of the human person is embedded in the life of Catholic schools, both inside and beyond the classroom.

Pastoral care and wellbeing programs serve to nurture and foster respectful relationships and support young people as they grow in understanding themselves and others. There are inclusions in Catholic school pastoral care and wellbeing programs that address contemporary culture, right and respectful relationships and consent education.

Catholic education is committed to ongoing staff formation and professional development, particularly in terms of the Catholic perspective of human life, virtue, love, and relationships.

Australian Government Commitment

We note the policy announced by the Australian Labor Party prior to the 2022 Federal election, “Labor’s Plan to Teach Students Respect”.⁵ The NCEC welcomes the now government’s commitment to partner closely with school systems in the delivery of respect and relationships education.

The policy commits to training teachers how best to talk to students about respect and relationships, and to allowing principals to hire extra expert support and develop respect and relationships education programs that are based on evidence and tailored to their school.

The NCEC notes the commitment to establish a National Respectful Relationships Expert Group, which will work with school systems on the delivery of “tailored evidence-based respectful relationships education that suits their school community”. Catholic Education welcomes the opportunity to be part of this ongoing conversation.

Ongoing teacher formation and appropriate support materials within the broader context of a Catholic perspective on human relationships are essential.

Conclusion

Consent education is not taught in isolation.

Students in Catholic schools receive a comprehensive education in Christian morality and right and respectful relationships. This education is not limited to the content of the health and physical education curriculum. It is complemented by the religious education curriculum and pastoral care and wellbeing programs.

Catholic teachings, beliefs and values underpin the distinct Catholic culture of our schools and inform the formal and informal curriculum, the relationship with parents as first educators of their children and the modelling of right and respectful relationships, which have as their very essence the belief that each person is created in the image of their loving God.

We will continue to work with governments to develop respect and relationships education programs that are underpinned by our Catholic framework.

Yours sincerely

Jacinta Collins
Executive Director

⁵ [MEDIA RELEASE - ANTHONY ALBANESE & TANYA PLIBERSEK - LABOR’S PLAN TO TEACH STUDENTS RESPECT - TUESDAY, 8 MARCH 202](#)