

Your Ref:
Our Ref: 891

8 July 2021

Australian Curriculum Assessment and Reporting Authority
Level 13, Tower B
280 Elizabeth Street
Sydney NSW 2000

Email: engagement@acara.edu.au

To whom it may concern

Re: Review of Australian Curriculum

Thank you for the opportunity to contribute to the review of the Australian Curriculum. I understand the review aims to improve the Australian Curriculum by refining and realigning the content to make sure it continues to meet the needs of students and teachers, and covers all learning areas from Foundation to Year 10 across Australia.

While I do not intend to address the learning areas specifically, I do wish to highlight in this submission the importance of:

- 1) engaging children and young people in review processes to ensure the curriculum is truly responsive to their needs; and
- 2) the inclusion of mandated, universal and consistent approaches to teaching consent, respectful relationships and related matters in schools.

Role of the Commissioner for Children and Young People

My role as Tasmania's Commissioner for Children and Young People is established under the [Commissioner for Children and Young People Act 2016 \(Tas\)](#) (CCYP Act). My functions are set out in section 8(1) of the CCYP Act and include:

- advocating for all children and young people in Tasmania generally;
- researching, investigating and influencing policy development into matters relating to children and young people generally;
- promoting, monitoring and reviewing the wellbeing of children and young people generally;



- promoting and empowering the participation of children and young people in the making of decisions, or the expressing of opinions on matters, that may affect their lives; and
- assisting in ensuring the State satisfies its national and international obligations in respect of children and young people generally.

In performing these and other functions, I am required to do so according to the principle that the wellbeing and best interests of children and young people are paramount. I must also observe any relevant provisions of the United Nations' *Convention on the Rights of the Child* (CRC).

My work must also be performed according to the principles that the contributions made by children to the community should be recognised for their value and merit, and that the views of children on all matters affecting them should be given serious consideration and taken into account.

I may also make recommendations in respect of the effects of any legislation, proposed legislation, documents, government policies, or practices or procedures, or other matters relating to the wellbeing of children and young people.¹

Consistent with my functions and powers as Commissioner for Children and Young People, my comments below focus on matters relevant to the promotion of the rights and wellbeing of children and young people in Tasmania.

Participation of children and young people in curriculum reviews

Article 12 of the CRC provides that children and young people aged less than 18 years have a right to express their views in all matters that affect their lives:

- 1) State parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.
- 2) For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Curriculum is constructed with the learner as its central focus. Yet traditionally the voice of the learner has been largely excluded from the curriculum design and implementation process.

Consistent with Article 12, children and young people should be provided with meaningful opportunities to influence their education. Children and young people are not passive consumers of education. They are keenly interested in what they learn and how they learn. They often have strong views and want to have genuine opportunities to convey those views.

¹ CCYP Act, s11(2)(d).



This includes having a voice in the design of the curriculum, how that content is delivered, and its systematic and ongoing review. Evidence shows there is stronger potential for increased learning when students are included in curriculum design, thus upholding Article 12 of the CRC and empowering children and young people to have a say in their education.²

As Commissioner, I regularly hear from children and young people who indicate a strong desire for curriculum reform, and a keenness to be consulted on and to participate in reform processes. In particular, many indicate that they would value the opportunity to have more of a say in decisions about what they learn and how they learn it.

By way of example, late last year I conducted consultations with children and young people aged 0-18 years on child and youth wellbeing to inform the development of the Tasmanian Government's Child and Youth Wellbeing Strategy. Learning was one of the wellbeing domains explored with the participants. When participants were asked about their learning experiences, including whether or how these could be improved, they offered a range of views, just a small sample of which I provide here:

"I am learning what I need to now I am in college [and have the subject choices available]."

"There should be a greater range of subjects in primary school."

"We should have tax education included in the curriculum."

"Weekend educational opportunities should be offered... to provide more enrichment opportunities."

"Stop NAPLAN."

"We need programming or IT opportunities starting in primary school."

"The science curriculum is just repeated each year. It's boring. It's not until later in high school that we really start learning new things."

It is clear to me that children and young people are extremely interested in and passionate about ensuring that the curriculum is relevant and otherwise appropriate to their needs as learners and also as future contributors to the nation's cultural and economic success. As experts in their own lives and consumers of the curriculum, children and young people have valuable insights to offer and perspectives to consider that can only be proffered by those seated behind a school desk.

Furthermore, given the disproportionate impact of the COVID-19 pandemic on young people's current and future job prospects, it is also very clear that their engagement in the review of the curriculum is more important than ever before to ensure it is relevant to their needs.

I acknowledge that the current consultation has been open to all community members. However, I also note with concern that no specific mechanism appears to have been

² Jagersma, J., & Parsons, J. (2011). Empowering students as active participants in curriculum design and implementation. *New Zealand Journal of Teachers' Work*, 8(2), 114–121.



developed to directly seek the views of students as consumers of the curriculum. Furthermore, the available consultation materials are neither child-friendly nor available in a range of developmentally appropriate formats.

For the curriculum to provide greater consumer satisfaction and engagement, subject relevance, and quality outcomes for students and the community at large, it is imperative that mechanisms are embedded within this and future review processes to enable and actively encourage student participation in the development, implementation and ongoing review of the curriculum.

Respectful relationships, sex education and consent

As noted above, children and young people are keen to offer their unique perspectives and lived experiences of learning as well as their needs for a responsive curriculum. I would like to offer one example of the range of valuable perspectives which children and young people, as consumers of curriculum, can offer to any review process.

As part of my regular consultations with young Tasmanians, I meet with members of the CCYP Ambassador Program. The CCYP Ambassador Program provides an opportunity for children and young people to have their voices heard on how things could be improved for young Tasmanians. Ambassadors range in age from 9 to 17, come from all regions in Tasmania and from varied backgrounds. More information on the Ambassador Program is available at: [CCYP Ambassador Program \(childcomm.tas.gov.au\)](http://childcomm.tas.gov.au).

During my discussions with Ambassadors, they frequently highlight the importance of feeling accepted, enjoying a sense of belonging and feeling safe. In this context, Ambassadors in discussions this year expressed a desire to learn and understand more about gender, sexual diversity and gender equality, and, in particular, raised diverse views on mandatory respectful relationships, sex education and consent education.

The Ambassadors were generally in support of education to further strengthen their existing knowledge of respectful relationships, sex education and consent from an early age, but as with any group in society, views were not homogenous:

“There needs to be a lot more [education on consent in school]. Definitely probably around the start of the year and definitely at every year level rather than just senior [down] to Grade Ten because we want to get this into little kids early just as much as getting it to kids at high school level.”

“I think it would be a really good idea because I think a lot of people need to learn about consent and all that before they just do stuff without asking other people.”

“I think consent is something that people should have to develop on their own. I think we would be moulding character too much [for there to be mandatory consent education in schools].”

The children and young people participating in the discussions described their experiences of existing programs and campaigns that aim to teach students about respectful relationships and consent. Young people consistently mentioned that, although these programs are important, it is just as important to consider the ways in which these programs



are delivered each year to maintain engagement and comprehension of the content being delivered.

“It’s like a meal. If you have a good meal that has the right stuff in it, you are healthy. But if you eat it over and over again, it gets plain and bland and no one wants to eat it.”

“We kind of briefly went over this in health but I think it was only one lesson long. We didn’t really go much into depth. It was kind of just ‘ask for consent’ but there wasn’t really much depth like ‘you can’t give consent if you are under the influence’ and stuff like that.”

“I actually learnt more on that topic when I went to state hockey. They had to do this whole consent thing due to things that happened years and years ago with coaches...so they had a professional come and speak but that was on the mainland.”

“At school they often try to dance around the subject. They will go into it a little bit but they don’t go deep enough to give it any meaning.”

“Because the way values and ethics are taught in my school, I feel like – this kind of sounds extreme – but it is kind of brainwashing... it just seems like we are not really allowed to have our own input into the way it is being taught.”

“I think we need professional people to come in and speak to us who know exactly how to give us the information without them feeling like, ‘Oh I might say the wrong thing’ or ‘I feel uncomfortable presenting this’. I think we need trained people to come in and give us the information.”

I strongly support the inclusion of a mandated, universal and consistent approach to teaching consent, respectful relationships and related matters in schools. It is important that respectful relationship education covering consent is embedded into the curriculum. By providing the most relevant, up-to-date and age-appropriate education on consent and related matters to promote respectful and equal relationships, we can prevent and address disrespectful attitudes that can lead to gendered violence and discrimination.

For more information on the views expressed by Tasmanian children and young people in relation to the curriculum, please also see the following two CCYP consultation reports:

- *We Call It Happy*: [Wellbeing-Consultation-Report-We-Call-It-Happy.pdf](https://childcomm.tas.gov.au/Wellbeing-Consultation-Report-We-Call-It-Happy.pdf) (childcomm.tas.gov.au)
- *Listening to Children and Young People in Tasmania 2019*: [CCYP-Listening-to-Children-and-Young-People-Report-2019-WEB.pdf](https://childcomm.tas.gov.au/CCYP-Listening-to-Children-and-Young-People-Report-2019-WEB.pdf) (childcomm.tas.gov.au).



Thank you for the opportunity to contribute to this review process. I am available to discuss my comments in more detail. I would also welcome the opportunity to discuss any future opportunities for Tasmanian children and young people to influence the future of their learning.

Yours sincerely

Leanne McLean
Commissioner for Children and Young People

cc Hon Sarah Courtney MP, Minister for Education, Minister for Children and Youth
cc Mr Tim Bullard, Secretary, Department of Education