

# Inquiry into family, domestic and sexual violence Youth Wellbeing Project Supplement to Submission 221

This submission includes information pertaining to:

- Neurodiverse conditions and subsequent vulnerabilities to porn's influence
- Legislation relating to the illegalities of minors being shown pornography by adults
- Training and awareness regarding the protection of children

Further to Submission 221, the following information provides additional context for the points raised at the inquiry hearing, 17.11.2020

Youth Wellbeing Project is a social enterprise based in Brisbane Australia with a global vision to positively impact youth sexuality and wellbeing.

Youth Wellbeing Project supports schools and community with safety and wellbeing education to build online literacy and counter hypersexualised harms. Endorsed as a trusted eSafety provider, we provide classroom curriculum, professional training, student presentations and resources for schools and families. We aim to prevent porn and other sexual harms, enhance children and young people's online, social and emotional relationships, and fortify children and youth within our hypersexualised culture.

youthwellbeingproject.info

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- 1 Neurodiverse conditions and subsequent vulnerabilities to porn's influence
- CHAIR: That comment you've just made about those who may have autism creates a certain degree of discomfort for me. Can I get you to explain a little bit more about that. Where's the research to back you up on that statement?
- Mrs Walker: I will need to take that on notice and provide additional research for you, but I know that there have been notations from clinicians who have noticed that link and connection. We do know that children with mental health vulnerabilities are more likely to pick up on those scripts.
- CHAIR: I'd certainly appreciate you providing some evidence to that effect, because that's a pretty concerning statement, I'd have to say—one that I think probably needs to be challenged. So I'd be quite keen to see your evidence to support it.

#### Understanding Neurodiverse people

- 1.1 Neurodiversity is defined as the range of differences in individual brain function and behavioural traits regarded as part of normal variation in the human population. These include but are not limited to individuals with Autism Spectrum Disorder (ASD), Asperger's Syndrome (AS) and Attention Deficit Hyperactivity Disorder (ADHD)<sup>1</sup>.
- 1.2 Neurodiverse people are typically challenged in social interactions and communication. Those with autism spectrum disorders—as well as having limited ability to understand and appreciate socially expected behaviours and cues—are characterised by restricted and repetitive patterns of behaviour and interests<sup>2</sup>.
- 1.3 People with autism are often misunderstood as lacking empathy when in fact this is only true to a certain extent. Professor Simon Baron-Cohen<sup>3</sup>, a leading professor in psychology and psychiatry, ascertains that people with ASD are rather impaired in exhibiting 'cognitive empathy' which is the ability to understand one's thinking and identify what they are feeling from their emotional expressions. However, 'affective empathy', which refers to one's ability to feel empathy once they have understood what someone is feeling, is a functioning capability of people with ASD. This is an important distinction to be aware of, especially in the context of uncovering the additional harms people with ASD face when viewing pornography—and in terms of people with ASD facing the justice system (addressed in sections 1.12-1.17).

#### Asperger's Syndrome and sexuality

1.4 In a comprehensive exploration of AS sexuality from adolescence to adulthood, Henault & Attwood<sup>4</sup> indicate that individuals with AS develop sexually just as neurotypical people do, including hormonal increases, pilosity and genital maturation. The authors explain that while

<sup>&</sup>lt;sup>1</sup> Exceptional Individuals (n.d.) Retrieved from: https://exceptionalindividuals.com/neurodiversity

<sup>&</sup>lt;sup>2</sup> Brereton, A. V. (2009). Restricted, repetitive and stereotyped patterns of behaviour, interest and activities. Part Two: Managing routines, rituals and repetitive motor mannerisms. ACT-NOW Fact Sheet 48. Centre for Developmental Psychiatry & Psychology. Monash University. Retrieved from: <a href="http://www.med.monash.edu.au/assets/docs/scs/psychiatry/autism-routines-rituals.pdf">http://www.med.monash.edu.au/assets/docs/scs/psychiatry/autism-routines-rituals.pdf</a>

<sup>&</sup>lt;sup>3</sup> Baron-Cohen, S. & Wheelwright, S. (2004). The empathy quotient: an investigation of adults with Asperger syndrome or high functioning autism, and normal sex differences. *Journal of Autism and Developmental Disorders*. 34(2):163-175. DOI: 10.1023/b:jadd.0000022607.19833.00

<sup>&</sup>lt;sup>4</sup> Henault, I., & Attwood, T. (2005). Asperger's Syndrome and Sexuality: From Adolescence Through Adulthood. Jessica Kingsley Publishers.

they do not differ from the general population in their sexual interests and needs, differences exist with communication difficulties, and decoding and labelling emotions. This lack of social skills can result in a higher likelihood that inappropriate sexual behaviours will emerge.

- Henault & Attwood also consider several factors that have an additional impact on people with AS sexuality: *lack of sociosexual knowledge, sexual segregation, inconsistencies and intimacy.* 
  - i. Firstly, young people with AS have not typically acquired the maturity of the average young adult, therefore they have not had the same experiences or interactions with those their age and those of the opposite gender. With minimal experience and knowledge, their sexuality goes unrecognised (the process of social asexualisation), often reinforced by their surrounding familial and social environment that denies their sexual needs. Limiting opportunities for people with AS to express their sexual needs and discuss sexuality further adds to their isolation in social situations.
  - ii. Sexual segregation is another factor that impacts people's with AS sexuality, due to it being rare for them to interact with those of the opposite sex who also have AS. These lack of interactions can result in same-sex experiences and masturbatory behaviours. While the authors did not expand on this point, this finding provides context for the increased risk of people with AS turning to online pornography.
  - iii. Finally, *inconsistencies* and *intimacy* respectively refers to the inconsistency across environments in messages or 'rules' about sex that leave people with AS confused, and to the rarity of people with AS engaging in intimate relationships.

### Vulnerabilities of neurodiverse people that lead them to using porn

- 1.6 It is important to recognise that neurodiverse young people are particularly vulnerable to the influence of pornography. As already explained, people with autism have difficulty in forming real-life relationships and tend to be socially behind due to their impaired cognitive skills. Therefore, navigating the process of socialisation is challenging and often results in people with ASD removing themselves from in-person interactions and at times, turning to screens.
- 1.7 As someone who has Asperger's, American author John Elder Robison<sup>5</sup> is strongly concerned about pornography and its influence on people with ASD, especially in regards to the increased risks they face being people who already struggle to connect in the real world.
  - i. Robinson firmly states that people with ASD are not, by nature, sexual predators; and that they are far more likely to be victims rather than perpetrators of crime (both general and sex crimes).
  - ii. Since people with autism experience significant developmental delays [that are] often imbalanced and even offset by exceptionalities in other areas, Robison indicates that this delay leads to some people with ASD considering younger kids as their peers—a harmless and innocent misunderstanding in most cases.

<sup>&</sup>lt;sup>5</sup> Robinson, J. E. Autism and Porn: A Problem No One Talks About. (Online article, Psychology Today. August 6, 2013). Retrieved from: <a href="https://www.psychologytoday.com/us/blog/my-life-aspergers/201308/autism-and-porn-problem-no-one-talks-about">https://www.psychologytoday.com/us/blog/my-life-aspergers/201308/autism-and-porn-problem-no-one-talks-about</a>

- iii. According to Robison, more often than not, young men with low-functioning autism have trouble in building connections and intimate relationships and have not had a prior sexual experience—therefore, they go online. Considering that some people with ASD deem that children are their peers due to their similar cognitive ability, they are more inclined to identify with child exploitation material. The particular vulnerability highlighted here is that a person with severe autism may not comprehend the risks or the moral issues associated with their viewing of child exploitation material.
- iv. Robison recommends that the additional risks for people with ASD who view porn can be addressed by sex and behaviour education PRIOR to something going wrong, as opposed to punishing young people after an incident (or patterns of behaviour) has occured.
- 1.8 Regardless of neurodiverse or neurotypical status, there is substantial evidence<sup>6</sup> that describes the common, intentional young viewer of pornography—typically male—as introverted, less satisfied with their lives and possessing a lower self-esteem. While this evidence provides an abundance of problems in itself, it highlights how much greater the risk for people with ASD is, because unlike neurotypical people, they still remain unable to form online friendships and are generally not viewing porn with the same intentions. Their disabilities still inhibit them from forming those types of connections, therefore they are more likely to go further down the rabbit-hole of online pornography.
- 1.9 Another reason explaining why neurodiverse people are more vulnerable to porn's influence is their tendency to be habitual and for their actions to become perseverations<sup>7</sup>. A perseveration is the *repetition of a meaningless action over and over again where the person is seemingly unable to stop.* For people with ASD, this can be a method of calming or relieving themselves and due to the physical response and stimulation that pornography triggers for anyone—it is a common and appealing habit to achieve this relief.
- 1.10 Black and white thinking is the norm<sup>8</sup> for people with ASD, therefore understanding figurative or sarcastic language—indirect dialogue—is more difficult. This proves to be concerning, particularly given that main-stream porn is often violent and sexist<sup>9</sup>, normalises extreme themes, and portrays women as seemingly enjoying being the object in these sexual behaviours. Therefore, young people with ASD who have trouble interpreting this sort of content and the degrading nature of it, see it for its face-value—which is, portraying 'pleasurable experiences'—even when evidence exists of harmful or violent activities.
- 1.11 This inability to determine what is real and what is not can even extend to their formation of online sexual relationships and leave them more vulnerable to online predators or alternatively, to understand the concept of consent<sup>10</sup>. When notions of consent are misunderstood, people

<sup>&</sup>lt;sup>6</sup> Peter, J. & Valkenburg, P.M. (2016). Adolescents and pornography: A review of 20 years of research. *The Journal of Sex Research*. 53(4-5):509-531. DOI: 10.1080/00224499.2016.1143441

<sup>&</sup>lt;sup>7</sup> Rudy, L. J. Repetitive Behaviors in Autism. (Online article, Very Well Health, January 15, 2020). Retrieved from: https://www.verywellhealth.com/repetitive-behaviors-in-autism-260582

<sup>&</sup>lt;sup>8</sup> Protect Young Minds (2020, May 12). Autism and Porn: A 5-Step Game plan for Protecting Special Kids. *Protect Young Minds*. Retrieved from: <a href="https://www.protectyoungminds.org/2020/05/12/autism-porn-5-step-game-plan-protecting-special-kids">https://www.protectyoungminds.org/2020/05/12/autism-porn-5-step-game-plan-protecting-special-kids</a>

<sup>&</sup>lt;sup>9</sup> Walker, S., Temple-Smith, M., Higgs, P. & Sanci, L. (2015). It's always just there in your face: young people's views on porn. Sexual Health. 12(3):200-206. DOI: 10.1071/SH14225

<sup>&</sup>lt;sup>10</sup> Fight the New Drug. Autism and Child Porn Access: A Growing Issue in our Porn-Saturated Society. (Online article, April 2, 2019). Retrieved from: <a href="https://fightthenewdrug.org/autism-and-child-porn-a-problem-for-our-time">https://fightthenewdrug.org/autism-and-child-porn-a-problem-for-our-time</a>

with ASD are more at risk of becoming victims of sexual assault or abuse or perpetrating these acts.

#### Neurodiverse people and the judicial process

- 1.12 In a study of the characteristics of child and adolescent sexual abusers, it was found<sup>11</sup> that 38% of cases had a learning disability. The study did not define which conditions were considered to be categorised as a learning disability, nor did it measure for the influence of pornography.
- 1.13 Previously explained vulnerabilities such as perseverance or repetitive and obsessive behaviours may contribute to pornography-related offences<sup>12</sup>—there exists an urgent need for the development of assessment guidelines.
- 1.14 It is common for misunderstandings to surface in the judicial and magistrate courts if neurodiverse conditions are not assessed<sup>13</sup>. This can result in ASD individuals being inadequately evaluated, receiving ineffective rehabilitation, and facing harsher judgements in the future if they are caught offending<sup>14</sup>—a significant problem given that some people with ASD may find it difficult to understand the severity of the crime.
- 1.15 Young people with AS are not necessarily deviant and are not necessarily attracted to children—rather, they may just be curious about these images or an aspect of those images<sup>15</sup>.
  - i. Further to this, the article that outlines the legal complexities of this matter states:

    Adult pornographic magazines and videos capitalize on the youth-obsessed culture by photographing and recording young women who are barely 18-years old or women who are made to look like younger teenagers. Moreover, the widespread practice of presenting erotic models with glabrous genitals and/or minimal physical development, explicitly referencing the prepubescent stage of development with "adults" thus depicted as "children," it becomes harder to say that what appears to be a "child" is not really an adult. This would be baffling to an AS individual.
- 1.16 Those with ASD who download child exploitation material are unlikely to progress to contact offending or commit more serious physical offences. They are usually too afraid to have such physical contact and are unlikely to be dangerous.<sup>16</sup>

<sup>15</sup> Mahoney, M. (2009). Asperger's Syndrome and the Criminal Law: The Special Case of Child Pornography. Retrieved from: https://www.harringtonmahoney.com/content/Publications/AspergersSyndromeandtheCriminalLawv26.pdf

Hackett, S., Phillips, J., Masson, H., Balfe, M. (2013). Individual, Family and Abuse Characteristics of 700 British Child and Adolescent Sexual Abusers. Child Abuse Review. 22(4). DOI: <a href="https://doi.org/10.1002/car.2246">10.1002/car.2246</a>

<sup>&</sup>lt;sup>12</sup> Ilely, C. Sexual Offending Behaviours: Urgent Need for 'Autism Sensitive Risk Assessment Guide'. (Online Article: Gillberg's Blog. 27 February 2018). Retrieved from: <a href="https://gillberg.blogg.gu.se/en/2018/02/27/725">https://gillberg.blogg.gu.se/en/2018/02/27/725</a>

<sup>&</sup>lt;sup>13</sup> Hydrari, G. Porn and Autism. (Online article, *The Reward Foundation*. July 10, 2018). Retrieved from: <a href="https://rewardfoundation.org/porn-autism">https://rewardfoundation.org/porn-autism</a>

<sup>&</sup>lt;sup>14</sup> Allely, C. S., & Cooper, P. (2017). Jurors' and judges' evaluation of defendants with autism and the impact on sentencing: a systematic Preferred Reporting Items for Systematic Reviews and Meta-analyses (PRISMA) review of autism spectrum disorder in the courtroom. Journal of Law and Medicine, 25 (1), pp. 105-123. Retrieved from: <a href="https://usir.salford.ac.uk/id/eprint/44869">https://usir.salford.ac.uk/id/eprint/44869</a>

<sup>16</sup> The Reward Foundation. A Mother's Story. (Online article: November 4, 2018). Retrieved from: https://rewardfoundation.org/arrested-and-charged

1.17 In order to create effective communication processes within the legal system, a toolkit<sup>17</sup> has been developed: *Planning to question someone with an autism spectrum disorder including*Asperger syndrome. Developed by The Advocate's Gateway: this toolkit aims to provide a practical guide for advocates about questioning either a witness or a defendant with autism spectrum disorder. The toolkit brings together policy, research and guidance relating to definitions of autism, how autism can affect communication, and what should be done to facilitate someone with autism's effective participation in the court process. It includes examples of good practice. The Advocate's Gateway hosts a range of toolkits relating to questioning vulnerable people in court. Many of the approaches recommended in these toolkits are also relevant for people with autism.

#### Expert contribution: Queensland Police Service

- 1.18 This contribution is made by Ashley PHELAN | Manager | Forensic Behavioural Services | Child Protection Offender Registry | Child Abuse & Sexual Crime Group | Crime and Intelligence Command | Queensland Police Service.
- 1.19 The Queensland Police Service's (QPS) Child Protection Offender Registry (CPOR) is responsible for reducing sexual recidivism amongst reportable offenders (ROs) in the Queensland community. In meeting this responsibility, CPOR police are supported by forensic behavioural services (FBS) officers with expertise in the assessment and management of sexual and other violent offenders.
- 1.20 Shortly after the introduction of FBS officers in July 2019, it was identified that a significant minority of ROs were on the autism spectrum, and that in mitigating their respective risks for sexual recidivism, many were receiving the wrong type and quantity of service. Of particular concern to QPS, is that many of these ROs, all of whom are adults, have not been previously identified by other service providers.
- 1.21 Importantly, examination of the relevant literature (e.g., Fernandes et al., 2016; Mogavero, 2016) reveals that individuals with ASD, due to significant social communication deficits, are vulnerable to both sexual victimisation and sexual perpetration. These social deficits include significant challenges in the ability to interpret others' beliefs, intentions and emotions. This often leads to social marginalisation, particularly during adolescence, a period typically associated with sexual exploration and development of adult-like sexual relationships. Unfortunately for individuals with ASD, not only do they tend to struggle with day-to-day social interactions, they are often ill-equipped to navigate the subtleties and complexities associated with initiating and maintaining sexual relationships. For a significant proportion of such individuals, they retreat to pornography on the Internet to learn about and engage in sexual activities, exposing them to unhealthy, unsafe, deviant and potentially illegal images and messaging around sex. Anecdotal evidence from both CPOR police and forensic behavioural services officers reveals that a consequence of this is an increased likelihood of those with ASD engaging in harmful sexual behaviours. For those whose sexual behaviours result in convictions

 $\frac{\text{https://www.theadvocatesgateway.org/images/toolkits/3-planning-to-question-someone-with-an-autism-spectrum-disorder-including-asperger-syndrome-2016.pdf}$ 

<sup>&</sup>lt;sup>17</sup> The Advocate's Gateway. Toolkit 3. Planning to question someone with an autism spectrum disorder including Asperger syndrome. Retrieved from:

- and prison sentences, they do not have the social skills to safely navigate prison life and are often victimised in jail. This of course complicates their clinical and forensic risks, and for some, increases their sexual recidivism risk following release back into the community.
- 1.22 In response to the challenges associated with policing ROs with ASD, the QPS has initiated a collaborative research project with Griffith University's Autism Centre of Excellence and Centre for Investigative Interviewing. In broad terms, this project aims to develop and evaluate training to improve officers' ability to identify ROs with ASD; to communicate effectively with such individuals; and where appropriate, refer them to services to reduce their likelihood of engaging in future harmful sexual behaviours.
- 1.23 Looking beyond QPS's responsibility in investigating and disrupting sexual offences, and in reducing the sexual risks posed by ROs, the QPS is welcome of efforts by other service providers to educate the broader population in safe and respectful sexual relationships, including the Guidance, *Porn in Schools: It's a Matter of Child Protection*, and various other training packages in development or currently being delivered by *Youth Wellbeing Project*.
- 2 Legislation relating to the illegalities of minors being shown pornography by adults
- CHAIR: Mrs Walker, I will give you an opportunity to fact check me on this, but I'm not entirely convinced that it is, in fact, an offence for a person to show porn to a child. Obviously, if the porn is involving images of children, then I'm sure that that is illegal. But if Mum and Dad, for instance, were to sit down and show their child under the age of 18 porn, I'm not sure that that's illegal.
- 2.1 It is our advice that any ambiguous messaging that creates uncertainty around adults showing children pornography is highly problematic. Children—minors—are particularly vulnerable to pornography harms.
  - i. eSafety Commissioner, Julie Inman Grant, indicates<sup>18</sup> that from July to September, there was a 118 per cent increase in reports to their Cyber Report hotline, most of which involved child sexual abuse material.
  - ii. Youth Wellbeing Project detailed in our submissions the ways in which pornography makes children vulnerable to grooming, and normalises grooming behaviour by adults (also see Diagram 1 in section 3.6).
  - iii. As such, we opinion that all people with a public voice on this matter should be careful to not create 'grey areas' whereby adults receive the idea that it is somehow permissable to show children pornography. In some instances, this behaviour may be deemed criminal—and at the very least, it presents ethical and safeguarding issues.

<sup>&</sup>lt;sup>18</sup> Inman-Grant, J. The Sydney Morning Herald. I've never been more fearful for our children. Online Opinion: November 29, 2020. Retrieved from: <a href="https://www.smh.com.au/national/i-ve-never-been-more-fearful-for-our-children-20201124-p56he3.html">https://www.smh.com.au/national/i-ve-never-been-more-fearful-for-our-children-20201124-p56he3.html</a>

- 2.2 Disparity between Federal and State laws exist across Australian jurisdictions. Cybersafety educator, Safe On Social<sup>19</sup>, explains that generally speaking, it is not illegal for someone under the age of 18 to view pornography when it is done so personally and in private. However, there are some circumstances where exceptions may be evident.
  - i. When the material is classified as child exploitation/abuse/pornography nude and sexual images of an individual under the age of 18.
  - ii. When pornographic material is sent to other people who are under 18.
  - iii. When pornographic material is shown to others under 18. This applies to your home as well.
  - iv. When pornography is sold to someone under 18.
  - v. When an individual attends a showing of an 18+ film when they are under 18+.
- 2.3 The disparity between state legislations to determine whether an offence has occurred when an adult or other minor shows porn to a child creates considerable confusion. However, showing pornographic material to a minor may be considered sexting and/or grooming, to which legislative prohibitions clearly exist.
- 2.4 The NSW Police Force<sup>20</sup> website, when answering the question: *What is 'online procuring and grooming'*? states that (emphasis added):
  - i. Online Procuring is where an adult contacts a child online (usually via the Internet or mobile telephone) and by the words and actions during this contact encourage, entice, recruit or induce the child to engage in sexual activity.
  - ii. Online Grooming is conducted in a similar fashion and is often a preliminary step to procuring, where the adult through the words and actions attempt to lower the child's inhibitions regarding sexual activity or heighten their curiosity by sending pornographic material or talking about sexual matters.
  - iii. Online 'groomers' often use child pornography or other pornography to 'groom' the child, it is shown to lower the child's inhibitions concerning sexual activity and to generate conversation regarding such activity.
- 2.5 Some state government websites indicate the illegal nature of adults (or other young people) showing porn to a minor; and a sample of child protection focussed organisations pose that this action is a sign of sexual abuse. A cross-section of examples is provided:
  - i. The Legal Services Commission<sup>21</sup> website of the South Australian government states:

<sup>19</sup> Safe On Social. Young people and online pornography Cheat Sheet. Retrieved from: https://richmondri-h.schools.nsw.gov.au/content/dam/doe/sws/schools/r/richmondri-h/safe-on-social/2019/SoS\_Cheat\_Sheet\_ Youth\_Online\_Pornography\_2019.pdf

<sup>&</sup>lt;sup>20</sup> https://www.police.nsw.gov.au/crime/sex\_crimes/child\_abuse/child\_abuse\_categories/faqs

<sup>&</sup>lt;sup>21</sup> https://lsc.sa.gov.au/cb\_pages/young\_people\_legal\_issues\_sexting.php

- Generally speaking, it is illegal to send, show, or supply pornographic films to a young person under 18 years old, even if you're showing them in a private place like your house. This means that a young person showing another young person a porn film or clip could be committing an offence.
- ii. The Department of Health<sup>22</sup> website of the Western Australian government states:
  - It is illegal to show porn to people who are under 18. This means that if a young person is showing another young person a porn video, they could be committing an offence.
- iii. The Communities & Justice<sup>23</sup> website of the New South Wales government states:
  - Sexual abuse "signs in parents or caregivers" includes:
    - (i) exposing a child or young person to prostitution or pornography or using a child for pornographic purposes
    - (ii) intentional exposure of a child to sexual behaviour of others.
- iv. Act for Kids<sup>24</sup>, a national Australian charity providing free therapy and support services to children and families who have experienced, or are at risk of child abuse and neglect, states:
  - Sexual abuse includes exposing a child to pornography or sexual acts.
- v. Stop it Now!<sup>25</sup>, an overseas charity that aims to prevent the sexual abuse of children by mobilizing adults, families and communities to take actions that protect children before they are harmed, states that:
  - Showing pornographic pictures to a child is considered sexual abuse. Child sexual abuse can include non-touching behaviors.
  - Purposely exposing a child to adult sexuality is considered a form of child sexual abuse, whether or not a child is touched. Non-touching behaviors can be just as upsetting and emotionally harmful to a child as some touching behaviors.
- 2.6 Keeping in mind the potential that showing pornography to a minor is prohibited (section 2.3), we opinion that legislation within the state criminal codes relating to child exploitation material, non-consensual material and grooming offences should take precedence when providing messaging to the community and frontline workers about this matter.
- **3** Training and awareness regarding the protection of children

Mr SIMMONDS: So do you think similar training would be required as well for police in terms of making it clear to people that it's an offence, but also for child protection services, in that sharing

<sup>&</sup>lt;sup>22</sup> https://gdhr.wa.gov.au/-/is-it-illegal-to-watch-porn-if-you-are-under-18-

<sup>&</sup>lt;sup>23</sup> https://www.facs.nsw.gov.au/families/Protecting-kids/reporting-child-at-risk/harm-and-neglect/chapters/signs-of-abuse

<sup>&</sup>lt;sup>24</sup> https://www.actforkids.com.au/the-issue/child-abuse-and-neglect

<sup>&</sup>lt;sup>25</sup> https://www.stopitnow.org/advice-column-entry/is-it-considered-child-sexual-abuse-if-someone-shows-a-child-pornographic

pornography, particularly with young people from 12 to 14, is a form of abuse, essentially? ... it sounds like it is and it sounds like it's a training issue ... If there's anything else on that issue or what other jurisdictions are doing well or suggestions in terms of what training would be required, I'd be grateful for any extra info you can furnish the committee with.

- As a reminder of the imperative nature to properly address this issue, we restate section 3.18 from our initial submissions. A practitioner who treats children with harmful sexual behaviours commented to the Australia Royal Commission into Institutional Responses to Child Sexual Abuse<sup>26</sup>: "I can't think of anything that is going to impact us or what is actually happening for our young kids as much as the easy access of quite hardcore pornography." Additionally, the reference from section 3.19<sup>27</sup> indicates that children see pornography as young as seven—and anecdotal reports indicate even younger. We highlight this to emphasise that this issue affects children much younger than ages 12 to 14.
- 3.2 Liz Walker reached out to colleagues around the world working on the issue of pornography harms, to inquire of available training—specifically directed at police, justice departments, child safety services—or any organisation that is commissioned to protect children, including policy focus. Our search was not extensive; that said, our network is well connected. Minimal information was found:
  - i. The Reward Foundation<sup>28</sup> (based in the UK, previously Scotland) presents a workshop accredited with the Royal College of General Practitioners. Participants have included psychologists; counsellors; psychiatrists; GPs; sexual health clinicians; nurses; general social workers; criminal justice social workers; police officers; civil and criminal lawyers; anti-child abuse charity officers; domestic violence counsellors; civil servants from child safety services; teachers; religious leaders; politicians; youth leaders; LGBTQ+ group leaders etc. The workshop is professionally accredited so they can gain continuing education credits (if their professional body allows) but it is broad enough to be suitable for a wide range of people. They hope to have it available as an online course early next year.
    - The Reward Foundation also reached out to the main UK anti-child abuse charity they work with in Scotland and not only do they not have training on it aimed at that sector but they don't know of any either elsewhere.
  - ii. Jason Mahoney from Ireland-based charity, Children of the Digital Age<sup>29</sup>, presents various training to police- and child-protection focussed entities on this subject matter.
  - iii. Kayelene Kerr (an ex member of the police force) of eSafeKids<sup>30</sup> in Western Australia, also presents various training to police- and child-protection focussed entities on this subject

Royal Commission into Institutional Responses to Child Sexual Abuse. Final Report (2017). Volume 10, Children with harmful sexual behaviours, p. 66. Retrieved from: <a href="https://www.childabuseroyalcommission.gov.au/sites/default/files/final\_report\_-\_volume\_10\_children\_with\_harmful\_sexual\_behaviours.pdf">https://www.childabuseroyalcommission.gov.au/sites/default/files/final\_report\_-\_volume\_10\_children\_with\_harmful\_sexual\_behaviours.pdf</a>

<sup>&</sup>lt;sup>27</sup> BBFC. Children see pornography as young as seven, new report finds. Press Release, 26 September, 2019. Retrieved from: https://www.bbfc.co.uk/about-bbfc/media-centre/children-see-pornography-young-seven-new-report-finds

<sup>28</sup> https://rewardfoundation.org

https://childrenofthedigitalage.org

<sup>30</sup> https://www.esafekids.com.au

- matter. Organisations such as Safe4Kids<sup>31</sup> under the direction of Holly-Ann Martin also provide child-safety focussed training (with a lens of porn harms), as does Youth Wellbeing Project.
- iv. It is presumed that there are various other small organisations nationally and internationally who deliver training on this subject matter, although knowledge of whether this training has been specifically created for police, justice departments and child safety services appears to be sparse.

#### Training package in development

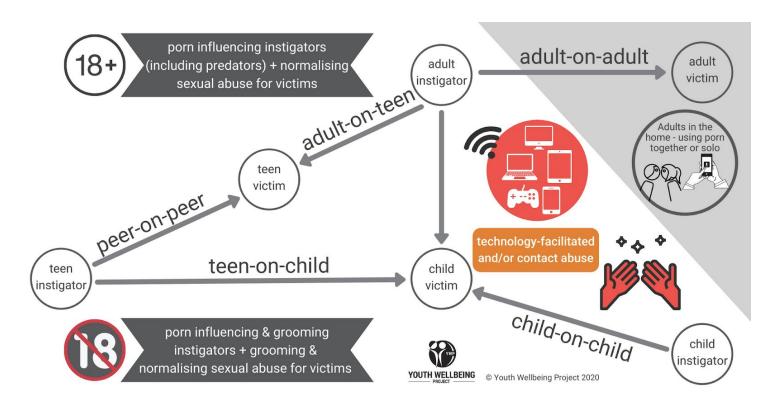
- 3.3 In response to what seems to be a shortfall in the provision of training to frontline workers to support them in understanding how pornography puts young people's safety and mental wellbing at risk:
  - i. Youth Wellbeing Project is consulting with child safety personnel from within the Queensland Police Service to develop a training package specifically tailored for police, justice departments, correctional services, and child safety services. As part of the development, we are also consulting with Jason Mahoney of Ireland (see 3.1 ii), who is trained in Forensic Computing and Cyber Crime, and is an Online Child Exploitation specialist. This training package is expected to be available in the second quarter of 2021.
- 3.4 The implementation of the recommendations to the Royal Commission into Institutional Responses to Child Abuse provides a timely opportunity to apply a porn harms lens to this essential child protection work.
  - i. In line with this objective, Youth Wellbeing Project is in initial discussions with a large government-appointed organisation with the view to providing training specific to policy makers across child-safety, schooling and educational sectors.
  - ii. We advise that until there are changes at the policy level that incorporate a porn harms lens, wide-spread changes to address this child safety vulnerability within organisations who serve children and youth will not be possible.

## Additional context to understand the influence of pornography on abuses

- 3.5 Further to Submission 221, the following information and graphics provide additional context for the key points raised by Youth Wellbeing Project. As stated in paragraph 2.3 (i to vii) of submission 221, pornography contributes to:
  - i. shaping sexual scripts, thereby influencing child and youth attitudes and behaviours and as such, their social environment.
  - ii. a "how to" manual for children engaging in sexually abusive behaviours toward other children.
  - iii. an influencer for youth sexual violence towards peers and children.

<sup>31</sup> https://safe4kids.com.au/

- iv. influencing sexual harassment, gender-based norms and other harmful social norms.
- v. a model for technology-facilitated abuse such as image-based abuse.
- vi. a grooming tool for use by sexual offenders and a tool in and of itself that grooms children and normalises abuses.
- vii. motivating sexual offences such as rape, sexual harassment, strangulation and other ("consensual" and non-consensual) sex acts that cause emotional and physical harm.
- viii. (additional point consistent with submission) normalising technology facilitated abuses, including sexting, "up-skirting", "down-blowsing", image-based abuse.
- 3.6 Diagram 1 visually describes the ways that porn influences instigators and grooms victims.

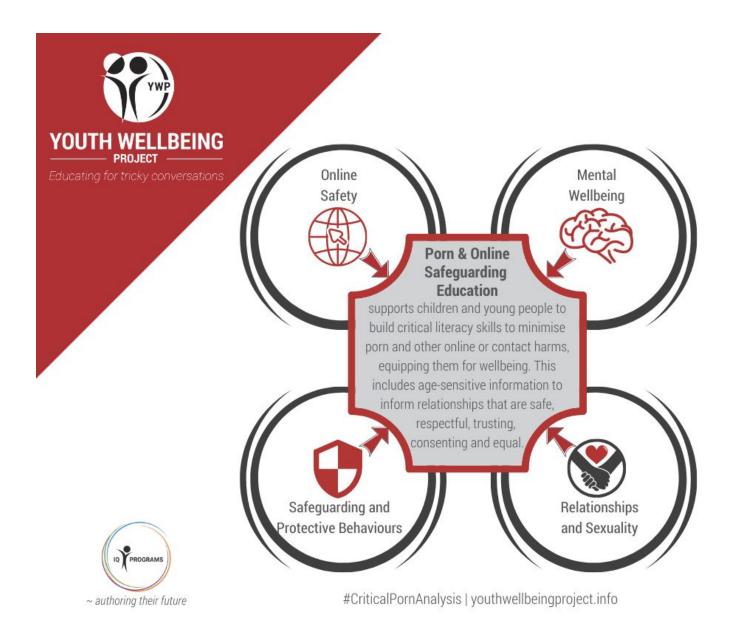


3.7 Pornography's role in potentially contributing to each of these areas of abuses (Diagram 1) is often not acknowledged, understood or responded to.

#### Additional training recommendations

- 3.8 In addition to the recommendations made in sections 5 & 6 of our initial submissions, the following advice is provided relating to coordinated training, awareness.
  - i. Further to the role of pornography in influencing sexual violence, this is a child protection matter—all measures must be taken to ensure child safety & mental wellness.

- ii. Targeted coordination of policy, therapeutic and justice responses, and education framing recommendations should be implemented across the Commonwealth, state and territory governments, local governments, non-government and community organisations.
- iii. Updated policies & procedures should be developed for all "people helping" organisations
- iv. Awareness, education, data collection & standardised guidance should be prioritised for:
  - mental health & wellbeing professionals
  - hospitals, general practice & domestic violence shelters
  - Child Safety services
  - instigators & victims receiving therapeutic intervention
  - police and courts pertaining to porn's role in motivating sexual violence
- v. Justice and rehabilitation services should receive training on how porn viewing contributes to offending.
- vi. Sexual health organisations should receive training and update their education to ensure it is non-conflicting (with protective behaviours principals) and non-harmful (not minimising porn's role in sexual violence, addiction, other mental health issues, etc.).
- vii. Coordinated awareness campaigns should be delivered by ACCCE, eSafety and other leading organisations with consistent messaging on porn & predators.
- 3.9 To effectively frame porn education within other well-established educational frameworks, Youth Wellbeing Project has defined the term: Porn & Online Safeguarding Education (POSE) Diagram 2 on the following page. This approach prioritises prevention and is well situated to be centred in protective behaviours, online & child safety frameworks.
  - i. POSE supports children and young people to build critical literacy skills to minimise porn and other online or contact harms, equipping them for wellbeing. This includes age-sensitive information to inform relationships that are safe, respectful, trusting, consenting and equal.
  - ii. We make the recommendation that a robust framework such as POSE be considered in educational sectors focussed on children and young people.



3.10 In closing, Youth Wellbeing Project restates section 6.1 of our initial submissions and urges acknowledgement of the normalising and motivating effects that pornography has on sexual violence. This matter requires urgent attention to improve the safety of individuals—particularly women and children—within communities across Australia.

This supplement submission to the Parliament of Australia House of Representatives Standing Committee on Social Policy and Legal Affairs Inquiry into family, domestic and sexual violence was authored by Youth Wellbeing Project Managing Director, Liz Walker, with the assistance of Louise Chung and Julia Di Salvatore. 28.12.2020