

## **Legitimate Sexpectations: The Right to Sex-Ed**

### **Authors:**

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### **Background/Purpose:**

High-profile allegations and a social media petition where thousands of young Australians shared their experiences of sexual violence saw Australia debating whether education may better prevent sexual violence, and the national curriculum increased its focus on *consent*. However, the years since have arguably demonstrated that conceptualising such education as primarily a tool for harm-prevention may hinder its capacity to materially protect against sexual violence and safeguard sexual health/wellbeing. A rights-based approach may better ensure relationships and sexuality education (RSE) is comprehensive, and implemented effectively.

### **Approach:**

The author undertook a 2019 Churchill Fellowship across Europe and North America, researching RSE implementation. A sexual offences prosecutor, researcher & advocate in RSE, the author has been able to compare international approaches with those in Australia.

### **Outcomes/Impact:**

A sexual offences prosecutor, the author began her overseas research of RSE implementation from a harm-prevention perspective, determined to find the preventative solution to the sexual offences she saw daily. However, she found a rights-based approach to RSE, as observed in some European and American jurisdictions, was better justified and more effective.

### **Innovation/Significance:**

Arguably, a right to access comprehensive RSE exists beyond protection from sexual violence. A human rights framework for RSE, rather than a harm-prevention/risk-aversion approach, impacts decision making about, and implementation of, RSE – by governments, policy makers and educators. For example, focus on identifying population groups who ‘need’ RSE more, based on a perceived likelihood of enacting sexual violence, distracts from the notion that everyone is entitled to access it. A harm-prevention approach also has a material impact on RSE content (e.g. emphasising legalities of consent, neglecting broader concepts of wellbeing), delivery and outcomes in safeguarding sexual wellbeing. This has significance for activism and advocacy strategies, which ought to adopt a rights-based approach, even if the catalyst for action is desire to prevent harm.