

NSW Youth Parliament

2024

**Women's Security and
Empowerment Youth Act
2024**

**Women's Affairs
Committee**



NSW Youth Parliament

Women's Security and Empowerment Youth Act 2024

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Youth Minister for Women
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- Crossbench:** Estar Constable, Youth Member for Tweed

Summary of Debate

On Wednesday 10 July 2024, the Women's Affairs Committee debated their Youth Bill, *Women's Security and Empowerment Bill 2024*, on the floor of the Legislative Assembly; presided over by The Hon. Jodie Harrison, Minister for Women, Seniors and for the Prevention of Domestic Violence and Sexual Assault, MP for Charlestown.

Results of the Vote

The results of the amendments were 24 Ayes, 32 Noes, and 3 Abstentions. As such, the amendments were resolved in the negative.

The results of the vote on the Bill were 51 Ayes, 7 Noes, and 1 Abstention. As such, the Bill was passed.

The *Women's Security and Empowerment Bill 2024* (NSW) was **passed in its original form**.

Explanatory Notes

This explanatory note relates to this Bill as introduced into Parliament.

Summary

The object of this Bill is to implement mandatory educational and support measures which specifically target school-aged children and people of diverse backgrounds, with the aim to decrease violence against women across NSW.

This Bill comes at a time where women face significant dangers that impact their daily lives. Despite numerous initiatives aimed at preventing violence against women, there is a pressing need to enhance their effectiveness to address the persistent fears women experience.

This Bill aims to provide preventative education to all school-aged children and destigmatise norms surrounding intimate partner violence that exists in diverse cultures; intending to decrease rates of violence against women.

Overall, the Bill establishes educational and support measures for people of diverse backgrounds and young people; introducing preventative measures which encourage individuals to challenge inappropriate behaviour and aims to decrease violence against women.

Overview of provisions

Part 1 sets out the short title, commencement, objects, and definitions of the act.

Part 2 intends to prevent violence against women in diverse cultures Through the implementation of a comprehensive social media campaign displaying laws and potential escape plans. Part 2 also aims to provide free and readily accessible counselling services to all women with a focus on cultural inclusivity and anonymity.

Part 3 ensures the mandatory introduction of educational programs into primary and high schools, through the revision of the PDHDE syllabus, consultations and partnerships with professionals and non-government organisation to aid in the creation of new programs and introduction of a new taskforce which aims to equip teachers with enough knowledge of gender-based violence.

Background

Introduction

Throughout New South Wales, women face significant dangers that impact their daily lives. Despite numerous initiatives aimed at preventing violence against women, there is a pressing need to enhance their effectiveness to address the persistent fears women experience. From a fear of walking alone on the streets, to a fear of going home at night, women are positioned to feel unsafe during even the most basic activities. This widely accepted aspect of daily life and deeply ingrained social issue must be addressed comprehensively and quickly. Ensuring the safety of all women tomorrow, we must start today by strengthening existing measures and implementing new, impactful solutions.

The Australian Government Department of Social Services, 2022 defines violence against women as “any act of gender-based violence that causes or could cause physical, sexual or psychological harm to women, including Domestic Violence, Family Violence and Sexual Assault”. Gender-based violence is a serious and detrimental issue affecting an estimated 8 million Australians (Australian Bureau of Statistics, 2023), with 1 in 4 Australian women having experienced violence by an intimate partner or family member since the age of 15 (Australian Bureau of Statistics, 2021-22). These forms of violence have not been adequately addressed, with a severe lack of awareness and access to resources for education and support. Rates of violence against women are alarmingly high, affecting individuals across all social, economic, and cultural backgrounds.

Failure to adequately address the issue of violence against women results in ongoing problems for victims. When surveyed, students who had experienced sexual harassment and/or sexual assault within a university context described the detrimental impacts of this violence on their mental health, university attendance, performance, and participation (The Social Research Centre, 2022). This issue affects not only a woman's physical and psychological wellbeing, but their educational opportunities and ability to foster trusting future relationships. Moreover, domestic or family violence is a leading driver of homelessness for women (Australia's National Research Organisation for Women's Safety, 2019), with women nearly three times more likely to have experienced intimate partner violence than men; and eight times more likely to experience sexual violence by a partner (NSW Domestic and Family Violence Plan, 2022).

Addressing the ubiquitous issue of violence against women in New South Wales requires immediate and comprehensive action to strengthen existing measures and implement new, impactful solutions. Ensuring the safety and wellbeing for all women tomorrow, must start today.

Existing Initiatives and Education and the Importance of these Programs

Education is a powerful tool in combating violence against women by serving both as a preventive measure and a means of empowerment (Australia's National Research Organisation for Women's Safety Limited, 2023). These programs exist because violence against women is an issue that affects the wellbeing and safety of all individuals and communities. By educating all genders about the dynamics of violence, promoting respectful relationships, and debunking harmful stereotypes, these initiatives help prevent violence before it starts. Incorporating topics related to non-violence against women into curriculums can help discourage attitudes and behaviours that perpetuate violence (Australia's National Research Organisation for Women's Safety Limited, 2023).

Programs like 'Love Bites' in Australia, educate young people about healthy relationships and the impact of domestic violence and sexual assault. Similarly, the *Domestic and Family Violence Prevention and Early Intervention Strategy, 2017- 2021* focuses on altering

community attitudes and improving responses from services dealing with domestic violence. Such initiatives are crucial in challenging harmful societal norms and stereotypes and promoting a culture of respect and equality.

Furthermore, education enhances women's economic independence, which is vital for those needing to leave abusive environments. Educational programs can significantly reduce violence by raising awareness of legal rights and support mechanisms. This is vital, given that 1 in 5 women have experienced sexual violence since the age of 15 (Australian Institute of Health and Welfare, 2021–22). Additionally, education empowers victims by giving them the knowledge and resources needed to seek help and support. Such education is critical in breaking the cycle of violence that can perpetuate across generations and ensuring that future generations grow up in a culture that values equality and respect.

Despite the strengths of these programs, there are areas that require further attention. For instance, there is a significant need for comprehensive education on consent and healthy relationships in schools, as current education is often insufficient (Australia's National Research Organisation for Women's Safety Limited, 2023). Additionally, programs must focus more on engaging men and boys, as promoting a cultural shift towards gender equality and respect is crucial in preventing violence.

Thus, educational programs addressing violence against women are vital for creating a safer and more equitable society. By enhancing and expanding these initiatives, we can address current gaps and work towards a future where violence against women is significantly reduced.

Domestic Abuse Concerning Young People

Gender-based violence is a prevalent issue that impacts individuals across all demographics, including young people. Adolescents are at a critical stage of development where attitudes and behaviours are formed, making education on gender-based violence essential as the relationship between domestic abuse and youth must be identified to eliminate factors of harmful exposure, victimisation, and perpetuation.

Statistics reveal that 1 in 15 children are exposed to intimate partner violence each year (National Coalition Against Domestic Violence, 2011). This exposure can lead to a range of negative outcomes, including behavioural issues. Children learn by observing and replicating behaviours (Michigan State University Extension- March 30, 2015). Consequently, witnessing domestic abuse can normalise violence for young children, creating a pathway where these behaviours persist into adolescence and adulthood. This perpetuates a system where they may become victims or perpetrators of violence themselves.

Moreover, adolescents are not just passive witnesses; many are direct victims of domestic violence. Statistics demonstrate that 1 in 5 women and about 1 in 18 men have experienced physical and/or sexual violence from a current or previous partner since the age of 15 (Australian Institute of Health and Welfare, 2021–22). Given the significant impact of domestic abuse on young people, education plays a crucial role in prevention. Comprehensive education programs targeting adolescents and young children can aid in breaking the cycle of violence by promoting healthy relationships, teaching conflict resolution skills, and fostering an understanding of consent and respect. These efforts are essential for creating a safer, more equitable, and better-educated environment for all Australians.

Importance and a Need for a Prevention of Violence Against Women Act

The implementation of the Prevention of Violence Against Women Act is crucial for addressing the issue of violence against women. Such legislation would not only provide legal recourse and protection for victims, but also create a framework for preventing violence through education, support services, and societal change.

Through sufficient acknowledgement, the underlying causes of this violence can be recognised through the correct education and support systems. The passing of this Bill will provide the necessary resources that will be allocated to the survivors. This would increase the awareness of this issue and allow victims to speak up without any impediments.

Current legislation

The Crimes (Domestic and Personal Violence) Act 2007 (NSW) was created to protect people against personal and domestic violence. However, significant gaps remain, as they have effectively failed in the prevention of violence against women. This Act lacks preventative measures and coherent strategies to address the fundamentals of the matter. Effective prevention methods require proactive approaches such as mandatory education and early intervention programs. The only real protection methods outlined specifically are the apprehended domestic violence orders and apprehended personal violence orders, both of which are not new innovative procedures, lacking substantial constructive prevention, with no criminal offence, it creates space for the defendant to reoffend or escalate their violence, which in many cases they do.

To successfully address violence against women a consolidated approach is necessary, terminating the matter from the beginning, healthcare, social services but specifically, education, ensuring the next generation does not repeat the same mistakes, none of which this Act sufficiently responds too. Ultimately this Act lacks effective measures to combat violence against women and by addressing these gaps, legislation can better protect women, making society safer. The Crimes (Domestic and Personal Violence) Act 2007 is not the only act that has failed to provide safety for women, The Bail Act 2013 (NSW) is a law that is inadequately protecting women, rather with charged individuals, releasing them on bail to re-offend.

It is clear that there needs to be prevention methods, addressing primary issues to stop violence before it starts. The Bail Act 2013 (NSW) has failed to protect women from perpetrators and is an injustice to victims. As a result, countless victims have tragically been lost. An urgent reform to the policy landscape is imperative. Women should not suffer the consequences of an exposed law. Currently legislation surrounding violence against women is falling short, and clear amendments are necessary.

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I certify that this public Bill, which originated in the Youth Legislative Assembly, has finally passed the Youth Legislative Assembly of New South Wales.

Hamani Tanginoa, Youth Voice Coordinator



NSW Youth Parliament

Women's Security and Empowerment Bill 2024

Act no. 4, 2024

A Bill for

An Act to educate, empower and inform young people on gender-based violence and respectful relationships, create mechanisms to support women; and for other purposes.

I have examined this Bill and find it to correspond in all respects with the Bill as finally passed by the Youth Legislative Assembly.

Joshua Shaw, Youth Governor of the NSW Youth Parliament

The Youth Legislature of New South Wales enacts—

Part 1 Preliminary

1 Name of Act

This Act is the *Women's Security and Empowerment Act 2024*.

2 Commencement

This Act commences on 8 March 2025.

3 Relationship with other Acts and laws

This Act prevails to the extent of an inconsistency with another Act or law.

4 Objects

The objects of this act are to—

- (a) equip children and young people to build and recognise healthy and respectful relationships,
- (b) encourage individuals to challenge inappropriate behaviour, with a focus on destigmatising norms,
- (c) establish a taskforce to equip educators with the skills and knowledge to effectively teach and support students on issues of personal violence prevention and respectful relationships,
- (d) integrate compulsory programs surrounding respectful relationships and violence prevention measures into both the primary and high school curriculum, and
- (e) launch a social media campaign to spread awareness surrounding violence against women to a youth demographic.

5 Dictionary

In this Act—

anonymity means an individual's right to not have their identity disclosed when it is not necessary.

domestic abuse has the same meaning as in the *Crimes (Domestic and Personal Violence) Act 2007*.

domestic relationship has the same meaning as in the *Crimes (Domestic and Personal Violence) Act 2007*.

domestic violence is an abuse of power perpetrated mainly, but not only, by men against women both in relationship and after separation. It occurs when one partner attempts physically or psychologically to dominate and control the other.

domestic violence offence has the same meaning as in the *Crimes (Domestic and Personal Violence) Act 2007*.

personal violence offence has the same meaning as in the *Crimes (Domestic and Personal Violence) Act 2007*.

respectful relationship involves mutual respect, support and clear communication in which both partners feel valued and encouraged, respecting each other's opinions.

stigma is the cultural and societal imposition of a negative mark or designation to an individual, group, or trait deemed to deviate from the norm as perceived by dominant consensus, leading to assignment of reduced status, discrimination, and segregation and enforcement of stereotypes that limit opportunities, enforce prejudice and irrational fear or contempt from the so-labelled groups.

victim survivor means someone who has experienced physical, sexual, emotional, psychological, or financial abuse from a current or former intimate partner or family member.

Note— The *Interpretation Act 1987* also contains definitions and other provisions that affect the interpretation of this Bill.

Part 2 Prevention of violence against women in diverse cultures

Division 1 Diverse culture awareness campaign

6 Campaign

- (1) There shall be the launch of a comprehensive social media campaign aimed at destigmatising norms and beliefs surrounding intimate partner violence and violence against women specifically in diverse cultures.
- (2) The campaign must aim to address common misconception and victim-blaming attitudes associated with intimate partner violence by identifying different cultural perspectives surrounding violence against women.

7 Methods of distribution

The campaign will encompass a series of social media posts which display the laws and plans in place to break-free from intimate partner violence.

8 Culturally diverse specific

- (1) The campaign must be aimed to educate women from culturally and linguistically diverse backgrounds about the different types of violence against women by defining, giving examples and making awareness of support available.
- (2) This must be done in multiple languages to ensure accessibility for non-English speaking communities.
- (3) The campaign must showcase a diverse range of women from different backgrounds, including—
 - (a) cultural,
 - (b) racial, and
 - (c) socio-economic backgrounds.

9 Call to action

The campaign shall provide insight into support available for victims through both traditional and social media.

Division 2 Accessible counselling services

10 Easily accessible counselling services

Through this Act, the Government shall ensure that counselling services are readily accessible to all women with a focus on cultural inclusivity.

11 Requirements

- (1) These services shall have at least one female professional to provide culturally sensitive counselling and support to victims, ensuring these services are integrated into routine medical care.
- (2) These counselling services will be designed to be discreet and respectful cultural differences, allowing women to seek help without fear of stigma or exposure.

12 Anonymity

- (1) All support services will maintain strict confidentiality and privacy standards, with an understanding of cultural sensitivities.
- (2) Information about individuals seeking help will be kept anonymous, unless the individual consents to the disclosure of their identity, with special consideration given to cultural contexts where privacy concerns are heightened.

Part 3 Mandatory introduction of programs in schools

13 PDHPE syllabus curriculum

- (1) The NSW Department of Education shall revise the PDHDE curriculum for years 1 to 10 to include comprehensive education on the signs, impacts, and prevention of violence against women.
- (2) This shall be in addition to the existing respectful relationship program that runs within the PDHPE syllabus.

14 Consultation

- (1) The reviewed syllabus shall be input in all stages to include comprehensive education on the signs, impacts, and prevention of violence against women.
- (2) The Government shall consult trained professionals to help develop new programs to be added to the syllabus and aid in the creation of new programs.

15 Promotion of healthy, respectful relationships that is age appropriate

This revision shall align with the *Education Act 1990* objectives, in which their aim is to equip students with essential life skills, whilst promoting overall wellbeing and ensuring safety.

16 Mandatory Introduction into high school

- (1) The Department shall make changes to the PDHPE syllabus for high schools to specifically educate about violence against women.
- (2) Necessary educational and preventative measures must be thoroughly carried out in high school.
- (3) The government will extend existing programs and create new programs in high schools, ensuring they are mandatory for all students in years 11 and 12.
- (4) The modifications to the syllabus and mandatory programs for years 11 and 12 should come into action within 2 years of the commencement of this Act.
- (5) The program shall be subsidised until 31 December 2030.

17 Partnerships with existing programs

- (1) The Government must partner with non-government organisation to gain professional insight into existing programs and how to carry out their mandatory introduction into schools.
- (2) The Government will review these programs and organisations to decide the best course for students to prevent and inform them of this issue.

18 Commencement of partnership

- (1) The implementation of these partnership programs must be introduced within two years of the commencement of this Act.
- (2) The partnerships shall be funded until 1 January 2032.

19 Introduction of review taskforce

- (1) There shall be the establishment of a taskforce to ensure that teachers are equipped with enough knowledge of gender-based violence.
- (2) The taskforce shall be tasked with equipping educators with the necessary knowledge and skills to deliver gender-based violence education and respond to students.
- (3) The taskforce shall develop a state information package to be sent to all schools.
- (4) This package must be taught to all educators during a staff development day and renewed every year.

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