

## Submission to the Tasmanian Government's proposed amendments to Community Protection Offender Reporting Act

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Body Safety Australia (BSA) is grateful for the opportunity to provide input to the Tasmanian Government's proposed amendments to Community Protection Offender Reporting Act.

BSA believes it is essential for law enforcement agencies to approach monitoring with sensitivity, considering the unique needs and challenges faced by vulnerable individuals and communities. This may involve developing culturally competent strategies, providing access to support services, and fostering collaborative partnerships with community organizations to address the root causes of offending behaviour. The result of such practices is a decrease in sexual offending against children, safer communities, and a more successful community protection program.

### RECOMMENDATIONS:

1. All court and police responses to youth offenders must include age appropriate rehabilitation and therapeutic responses.
2. Any court ordered monitoring of vulnerable cohorts, such as Aboriginal and Torres Strait Islander people, people with disabilities, people from the LGBTIQ+ community, and people from CALD background must include culturally appropriate rehabilitation and therapeutic responses.
3. In a truly effective preventative and protective approach to child sex offenders, equal weight must be given to monitoring and rehabilitative solutions.

### ABOUT BODY SAFETY AUSTRALIA

**Our Values: Inclusion. Compassion. Safety. Excellence. Responsiveness. Empowerment.**

Our commitment to supporting these values is reflected in the fact that we are a women-led organisation, with a commitment to addressing and reducing bias against marginalised peoples. Our team is comprised of individuals from varied communities including: LGBTIQ+, Aboriginal, disability, and culturally and linguistically diverse.

Body Safety Australia (BSA) was founded in 2015 and has delivered childhood sexual abuse prevention, consent, respectful relationships, diversity, and body image education programs to approximately 98,000 children, young people, teachers, educators, parents, and carers in schools and preschools around Australia.

BSA is Victoria's leading not-for-profit organisation delivering education programs for the prevention of childhood sexual abuse and gender-based violence. We work with government and education experts to ensure that our evidence-based programs align with curriculum and legislation, and are trauma informed, best practice, culturally sensitive, and inclusive of all Australian children and young people.

## THE ROLE OF POLICE MONITORING IN PREVENTING CHILD SEXUAL ABUSE

Police monitoring can play a role in protecting children from sex offenders, but it's just one part of a larger strategy - police monitoring alone may not fully protect children from sex offenders. Other measures, such as comprehensive sex offender registration and notification systems, effective rehabilitation programs for offenders, support services for victims, and education on child safety are also crucial components of a holistic approach to preventing child sexual abuse. Additionally, communities must address underlying social issues that contribute to the prevalence of sexual offenses against children, such as poverty, unresolved trauma, and distorted and problematic beliefs about child abuse.

No single approach works for every individual, and a combination of these strategies tailored to the specific needs of each offender is likely to be the most effective approach. BSA is also aware that the success of rehabilitation programs depends on a variety of factors, including the offender's motivation, level of commitment, and willingness to change, as well as the availability of resources and support in the community. We strongly urge Tasmanian police and legislators to be proactive in implementing and encouraging rehabilitative and therapeutic approaches alongside monitoring.

It is particularly important that when responding to youth offenders that we don't take a monitoring/punitive approach. Youth offenders have much lower reoffending rates than adults and are more open to rehabilitation<sup>1</sup>. Investing in rehab rather than criminalisation and surveillance recidivist rates decrease prevention work to reduce offending.

## VULNERABLE COHORTS

BSA is also concerned that police monitoring could have a significant impact on vulnerable cohorts unless it is aligned with robust community-based rehabilitation practices for First Nations, CALD, LGBTIQ+, and disabled offenders.

Offenders from these vulnerable cohorts may already experience heightened surveillance due to systemic biases, cultural/communication barriers, and discrimination. Police monitoring of sex offenders within these communities can intensify feelings of stigma, isolation, and mistrust within their communities. This can increase stressors, which in turn may increase the likelihood of reoffending as well as exacerbating tensions and increasing the risk of harm to already marginalized populations.

This is why we are recommending that any police monitoring is conducted alongside community, culture, and faith based organisation providing appropriate and culturally informed services. We believe this will assist protection and prevention programs to stay connected with community, which could increase the likely success of rehabilitation.

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<sup>1</sup> Dowling C, Morgan A, Pooley K; Australian Institute of Criminology: Trends and Issues, No. 628 July 2021, Reoffending Among Child Sexual Offenders <https://doi.org/10.52922/ti78085>