



## Proactive Release

### Submissions on the Child and Youth Wellbeing Strategy

August 2019

The Department of the Prime Minister and Cabinet has released the following submission received during its public consultation on the child and youth wellbeing strategy.

Some of the information contained within this release is considered to not be appropriate to release and, if requested, would be withheld under the Official Information Act 1982 (the Act).

- Where this is the case, the information has been withheld, and the relevant section of the Act that would apply, has been identified.
- Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

#### Key to redaction codes and their reference to sections of the Act:

- **9(2)a** – Section 9(2)(a): to protect the privacy of natural persons, including deceased people.

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## Child and Youth Wellbeing Strategy – Submission Template

This document is intended for individuals or groups who wish to make a formal submission on the child and youth wellbeing strategy.

Please complete this template and email it to: [childandyouthwellbeing@dpmc.govt.nz](mailto:childandyouthwellbeing@dpmc.govt.nz)

A guide to making a submission is available on the DPMC website <https://dpmc.govt.nz/our-programmes/child-and-youth-wellbeing-strategy>

Submissions will close on **Wednesday 5 December**.

**Please provide details for a contact person in case we have some follow up questions.**

<b>Contact Name:</b>	Kathryn McPhillips
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<b>Organisation Name:</b>	Auckland Sexual Abuse HELP Foundation
<b>Organisation description:</b> (tell us about your organisation – i.e. who do you represent? How many members do you have? Are you a local or national organisation?)	<p>We were established in 1982 to provide services for adults and children harmed by sexual violence – initially this was a 24/7 call-out service for those reporting sexual assault to police or medical staff and 24/7 support line, but services quickly expanded to include support through criminal justice processes; counselling and therapy for children and their families, young people in local high schools, and adults and a drama education prevention programme for preschool children and their caregivers, We Can Keep Safe. More recently we have also developed a social media project, Dear Em, to support the resilience of teen girls facing sexual assault and other difficult issues;</p> <p>We are a local organisation providing services in the Auckland central, North Shore and Rodney areas, a population of about 1 million.</p> <p><a href="http://www.aucklandhelp.org.nz">www.aucklandhelp.org.nz</a> www.dearem.nz</p>

**Executive Summary:**

(Please provide a short summary of the key points of your Submission - 200 words)

*We support the intent of the vision, but reject the notion of “best” – as global citizens we would like all countries to be amazing places for children and young people to grow up in.*

*We support the outcomes framework, principles and areas of focus. However, we believe that children being “safe”, needs to be paramount. One of the ways they are not safe is from sexual abuse – up to 1 in 3 girls and 1 in 6 boys in NZ.*

*We are failing children who are sexually abused through the criminal court and the Family Court which focusses on the rights and needs of adults rather than the needs of children. It is important to note that supervised access does not protect a traumatised child from the harm caused by further exposure to the person who caused the harm.*

*We also need to be preventing sexual abuse and providing adequate resources for children and families to heal.*

*Teen girls are not being protected when abused by a peer in school. They can also be further harmed by the youth justice process as it tries to prevent further offending by the person who caused the harm. The impact of rape is not less because he was under 18 yrs. Both those who are harmed and those who cause harm need better access to assistance where they need it – online and in schools.*

## Submission Content

*We support the intent of the vision, but reject the notion of “best” – as global citizens we would like all countries to be amazing places for children and young people to grow up in.*

*We support the outcomes framework, principles and areas of focus. However, we believe that children being “safe”, needs to be paramount.*

*One of the key ways that many children and young people are currently not safe is because of sexual violence. As far as we know, around 1 in 3-4 girls and 1 in 6-7 boys in NZ may be sexually abused before their 16th birthdays. If they are, the likelihood that they will be abused again as teens and as adults is high. The impacts of such sexual abuse is both short and long-term as it robs children in every domain of their lives – educational achievement, development of loving and trusting relationships, mental health, being free of the need for tension reducing activities such as substance misuse, development of good sexual relationships and avoidance of teen pregnancy.*

*First up, we need to be preventing sexual abuse by educating parents and teachers, , teaching children the tools to respond to inappropriate behaviour and get help if they are put in this position, providing treatment for all of those with thoughts of sexual harm, and providing appropriate consequences for all of those who cause harm through their actions, including consuming images of child sexual abuse (child pornography).*

*Second, we also need to prioritise the safety of children and young people, once a disclosure has been made. We say we do this now, but we estimate that NZ fails to do so for as many as half of the children who are abused. We fail because we put children into a criminal justice system which is designed for adults making allegations against other adults. Children do not belong there – instead, if a child makes a credible disclosure, then the child should automatically be kept safe from the alleged offender through a child safety order. These could be reviewed periodically and orders changed based on alleged offender treatment and child needs.*

*We also fail because although we say that the Family Court protects children, it often does not. It seems so busy making sure that adults aren’t acting out their anger on each other, that it prioritises the rights and wants of adults over the rights and needs of children. For example, even in a recent judgement in which the Judge acknowledged that it was likely that the father had sexually abused the child, the child was still required to visit the father. This followed the father having breached a previous order in a way which risked the child’s safety with him. The court sometimes seems to assume that because a supervisor is supposed to be present, that no further harm will be done to the child. When any person, adult or child, has been traumatised by the inappropriate use of power over them, then being forced to be in the presence of that person again can be further traumatising. This is not a minor matter – the level of stress that traumatising creates can cause many difficulties for the child – self-blame and self-hatred, levels of cortisol which interfere with brain development, identification with the abuser as the only*

way to be a powerful person, and undermining of the safety of relationship with the other parent as they seem to “make “ the child spend time with the person the are frightened of are some of these difficulties.

*Third, we need to provide the children and their families with all of the resources that they need to heal. This includes counselling for them and the non-offending parent, counselling for other siblings and other members of the family with influence, such as grandparents, and treatment for the person who caused the harm. In some situations, reconciliation of family relationships can occur after the treatment. In Auckland, HELP works with SAFE (provide treatment for harmful sexual behaviour) to do this. This is critical to everyone being able to move forward safely with any shared family events and functioning, but note that we have not yet (over 10 yrs) been able to secure funding for this.*

*Many of those who are abused as teens, are abused by peers. However, we usually fail to keep teen survivors safe in the ways that they need. We work in local high schools and our experience is that most schools do not and will not keep the survivor safe. They tend to have policies which cover abuse by a teacher or recognition by the teacher of abuse by another adult, but most fail to have adequate policy and processes with regard to abuse by another student. They are usually left in the same class and break areas. Some teachers and principals have said things to us like - “well he can’t touch her with the teacher there”, or “she looks OK”, or “she hangs out in the same area of the school as he does so she must be OK”. The first misunderstands that the wound is psychological and there are a multitude of ways that the person can cause further harm through them being in the same space and through other psychological manipulations. The second indicates a lack of understanding of the nature of the school environment – she<sup>1</sup> must look OK at all costs, or she will appear vulnerable and then she is not only a target for the person who caused the harm, but every other student in the place. Even “best friends” will turn on a vulnerable survivor in order to keep their alignment with those who are powerful among the student group. The third misunderstands that she might feel a little safer if she can see him as then he can never take her off guard again. So many teen girls drop out of school because it has become unsafe and intolerable.*

*For those few who make a complaint about the peer who hurt them, and the few of those complaints which make it to a justice process, the youth justice process provides less protection for the victim that the criminal court does. The focus is on the young person who caused the harm, taking the opportunity to turn him back from a potential life of crime. The focus in the process and outcomes is on his needs. But that does not change things for the victim. She might still have a life sentence. Her body, mind and soul were not less harmed by the rape because he was a teenager. So the process of justice might cause her further harm as she is not protected in the process, and the*

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<sup>1</sup> We use the pronoun “she” for victims as most of those we work with are female and abused by males, but we acknowledge that female, gender diverse and male teens can all be victims and perpetrators of sexual abuse.

*offending is often diminished so she doesn't even get a feeling that at least justice has been done, a feeling which can have positive impacts on mental health and wellbeing.*

*Young people also need better access to resources to assist them to heal – we provide part time service to around 9 of the local high schools, but we need to be in them all in our area, about another 40.*

*MSD recently funded a multi-channel communication service for those impacted by sexual harm. During the process we and youth advocate 9(2)(a) pointed out the need for this to be branded and targetted towards teenagers. This was based on her experience and a research project HELP commissioned about what young people needed from a sexual assault service – some of them told us that they live on-line so they needed an on-line service. (Though these were from cultures in which parents did not check the young person's internet useage. The others wanted face to face services in the places they already were so they could access without parental knowledge – e.g. services we provide in schools). That communication service is Safe to Talk and is being accessed by some young people, but nowhere near the numbers who might need its assistance following sexual abuse. To have targetted it specifically to young people and ensured that those providing the service were specifically trained to work with teens could have seen a much higher uptake among young people. This could still be done.*

*As we work in local high schools, so we would also like to see services for those who are struggling with their sexual thoughts and experiences of perpetrating harm. Early intervention here could make significant differences. Nobody is born wanting to be a sex offender, so there must be many points in the development of this pathway at which a person could turn back if they got the help they needed. Getting this in place could prevent significant trouble in their life and the lives of those they otherwise go on to harm. This is needed now more than ever as the impacts of pornography which denigrates women, teens and children is rife. If the government can stop that, then please do so immediately. But if not, we need to be countering its impacts as much as we can. The kinds of sexual pressures that teen girls en masse are facing from teen boys en masse is unprecedented. It threatens to destroy the sexual relationships of many young people.*

Please note that your submission will become official information. This means that the Department of the Prime Minister and Cabinet may be required to release all or part of the information contained in your submission in response to a request under the Official Information Act 1982.

The Department of the Prime Minister and Cabinet may withhold all or parts of your submission if it is necessary to protect your privacy or if it has been supplied subject to an obligation of confidence.

Please tell us if you don't want all or specific parts of your submission released, and the reasons why. Your views will be taken into account in deciding whether to withhold or release any information requested under the Official Information Act and in deciding if, and how, to refer to your submission in any possible subsequent paper prepared by the Department.