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Ms Mama Fatima Singhateh

UN Special Rapporteur on the sale and sexual exploitation of children

By email: hrc-sr-saleofchildren@un.org

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Dear Ms Singhateh

Contribution to HRC61 Report

Feminist Legal Clinic Inc. is a community legal service based in Sydney and focused on advancing the sex-based rights of women and girls. Feminist Legal Clinic has been an organisation in Special Consultative Status with the Economic and Social Council (ECOSOC) since 2023.

Our responses to the questions you have posed are as follows:

- 1. What are the remaining gaps and obstacles in combatting the sale, sexual exploitation and sexual abuse of children? What are the challenges that limit the effective implementation and application of existing laws, policies and guidelines to prevent, detect, support and protect child victims and survivors?**

The gaps and obstacles in combatting the sale, sexual exploitation and abuse of children are expanding rather than narrowing.

First, there is a strong global push to promote the commodification of children through surrogacy arrangements. This is seen in Australia with ongoing attempts to weaken and dismantle the laws that protect against the commercial sale of children.

Second, laws such as family law provisions and discrimination protections are being used to undermine the safeguarding of children from male predatory behaviour. For example, this is apparent in the thousands of reports of sexual abuse in Australian childcare centres. Most alleged perpetrators are allowed to keep working.¹

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<https://www.theguardian.com/australia-news/2025/jul/28/thousands-of-reports-of-abuse-have-been-made-in-australian-childcare-centres-most-alleged-perpetrators-were-allowed-to-keep-working>

Meanwhile fraudulent sex change ideology is now being used to groom and exploit vulnerable children into harmful 'gender affirming' medical interventions.

2. Are there any trends and emerging threats defining the scope and extent of the sale, sexual exploitation and sexual abuse of children especially in view of evolving global contexts? How adequate are current systems and strategies in protecting children effectively against such threats?

We would like to highlight three very obvious trends which threaten the safety of children.

First, there is the trend to normalise and legalise the sale of children through surrogacy.

Second, family law provisions and discrimination legislation are being appropriated to allow males increased opportunities for unsupervised access to children, and to undermine women's ability to safeguard children.

And finally, there is the trend to deny the reality of sex and expose children to medical experimentation under the guise of 'gender affirming treatment' while failing to investigate their co-morbid mental health conditions and histories of trauma as victims of abuse.

All these trends operate to both facilitate abuse and ensure the safety and unaccountability of perpetrators.

3. Please provide information on concrete actions, initiatives and programs in engaging with children, youth, child-led and/or youth-led organizations and networks in the fight against the sale, sexual exploitation and sexual abuse of children. Please explain to what extent such actions, initiatives and programmes inform national policies.

Concrete actions that must be taken include:

- ban all surrogacy arrangements;
- implement the Nordic Model to limit the exploitation of women and children through prostitution;
- take effective steps to either ban access to pornographic content or restrict access to identified adults only;²
- ensure discrimination provisions are consistent with the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in providing for the protection and advancement of women, rather than being used as a means of ensuring males can access spaces and services previously reserved for women and children;

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https://assets.nationbuilder.com/collectiveshout/pages/11108/attachments/original/1738906971/FINAL_-_Submission_to_NSW_Parliament.docx.pdf?1738906971

- repeal all laws which uphold fraudulent sex change or gender identity ideology and restore accurate reporting of sex in official documents, statistics and the media;
- ban ‘gender affirming’ medical experimentation on children and prosecute those responsible for the harm done to date;
- overturn all education, health and social policies that suggest to children, and the public generally, that it is possible to change sex or that women can have penises, or any other harmful falsehoods;
- ban drag queen story time from public libraries and from under-age audiences.

4. How impactful has the mandate of the Special Rapporteur been in contributing to the fight against the sale, sexual exploitation and sexual abuse of children? What are some positive impacts of your/your Government’s engagement with the mandate? What are the gaps in the approach and implementation of the mandate? How can the impact of the mandate be further enhanced in the future?

We are unaware of any concrete gains made by the Special Rapporteur in preventing the sale, exploitation and sexual abuse of children. Rather than fighting various forms of exploitation, our governments are engaged in providing succour to those who sell children via surrogacy and groom children into gender identity ideology. Without addressing the main forms of harm and exploitation we have named, the mandate will continue to be ineffective.

5. How impactful have the roles of child protection actors been?

We are not sure to whom you are referring but we are concerned that many individuals masquerading as child protection actors may well be perpetrators of abuse.

6. How effective have accountability measures been in respective countries? Specifically, how effective have these measures been as it relates to private sector actors, including in technology, travel, and tourism industries? What gaps exist in ensuring accountability of relevant actors?

Looking at the rates of child sexual assault in Australia, we think it is fair to say that these accountability measures have been a total failure.³

7. How effective are current regional and international mechanisms in facilitating cross-border cooperation to combat the sale, sexual exploitation and sexual abuse of children? What forms of collaboration are further needed or should be strengthened?

Rather than combatting the sale, sexual exploitation and sexual abuse of children, ‘current regional and international mechanisms facilitating cross-border cooperation’

³ <https://www.aihw.gov.au/family-domestic-and-sexual-violence/types-of-violence/child-sexual-abuse>
<https://bravehearts.org.au/research-lobbying/stats-facts/prevalance-of-child-sexual-abuse/>

appear to be very effective in promoting these abuses. The Hague Convention against Child Abduction is just one example of a mechanism of cross-border cooperation that actively undermines the ability of women to flee with their children from perpetrators of sexual abuse. Countries have collaborated effectively to ensure that mothers and children have no effective means of escape.

It would be good to see this same cooperation work to combat the problem rather than facilitate it.

8. What are the current gaps in data collection and analysis on the sale, sexual exploitation and sexual abuse of children? What are child safeguarding considerations that should guide research and data collection involving child victims and survivors?

In Australia, an estimated 20,000 children are reported missing every year, many of whom may have been victims of sexual exploitation and sex trafficking. The unknown fate of these children is an unacceptably large data gap.⁴ Despite this, we still do not have a searchable national register of child sex offenders.⁵ Ironically, child safeguarding considerations are regularly used as a means of suppressing the details of male perpetrators. In fact, children would be better safeguarded if their assailants were publicly named and shamed rather than having their identities protected.

9. Other relevant information

There is no policing of those who seek to buy babies via surrogacy. We have had a number of cases in Australia where men have bought babies in order to sexually abuse them.⁶ We also have the notorious case of Baby Gammy, where a couple ordered a baby and when twins were born, they refused to take the male baby who has Down Syndrome. The little girl twin was taken and now lives with a man who is a convicted sex offender, in accordance with the orders of the Western Australian Family Court.⁷

The ability of child sex offenders to now change sex on their identity documents is yet another means of evading detection and reducing accountability for their actions.

Lenient sentences for child sex offenders are notorious in Australia as recently illustrated by the case of a Victorian father who was given a four-year and nine-month jail term (with a non-parole period of two-and-a-half years) after sexually abusing his five-year-old daughter on at least 19 occasions, as well as producing child abuse material. The lenient sentence took account of the fact that the man had later

⁴ <https://globalmissingkids.org/awareness/missing-children-statistics/>

⁵ <https://www.theguardian.com/australia-news/2025/oct/30/queensland-to-create-public-register-of-sex-offenders-as-daniel-morcombes-parents-hope-it-will-go-national>

⁶ <https://www.dailymail.co.uk/news/article-5087453/Cairns-gay-couple-Mark-Newton-Peter-Truong.html>

⁷ <https://www.abc.net.au/news/2014-08-05/baby-gammy-father-has-sex-offence-conviction/5649966>

transitioned to become a woman and is serving his sentence in a female prison.⁸
These laws and policies must change if we are serious about child safeguarding.

We are happy to expand on any element of this submission if required.

Yours faithfully



Anna Kerr

Principal Solicitor

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*Organization in Special Consultative Status with the Economic and Social Council
(ECOSOC) since 2023.*

⁸ <https://www.news.com.au/national/courts-law/monsters-liberal-leader-sussan-ley-calls-for-mandatory-sentences-for-pedophiles/news-story/41aa06b03e918a53f0cc518384d1acb1>