



Submission of Family Planning NSW

Australian Education Legislation Amendment (Prohibiting the Indoctrination of Children) Bill 2020

March 2021

Family Planning NSW welcomes the opportunity to make a submission to the Senate Education and Employment Committees regarding the 'Australian Education Legislation Amendment (Prohibiting the Indoctrination of Children) Bill 2020'.

We have a strong history of consulting with the Australian Government and encourage both Committees to ensure the provision of evidence-based education within Australian schools, and recognise the essential nature of inclusive, age-appropriate and evidence-based comprehensive sexuality education and its benefits for students.

About Family Planning NSW

Family Planning NSW is the leading provider of reproductive and sexual health services in NSW and Australia. We are experts in clinical service provision and comprehensive sexuality education. Our mission is to enhance the reproductive and sexual health and rights of our communities by supporting all people to have control over and decide freely on all matters related to their reproductive and sexual health. Our work is evidence-based and shaped by our research.

Each year we provide more than 31,000 clinical occasions of service to clients, information and health promotion activities to communities, and best practice education and training in reproductive and sexual health for health for doctors, nurses, teachers, disability support workers and other health, education and welfare professionals.

Our services are targeted to marginalised and disadvantaged members of the community, including young people, people from culturally and linguistically diverse and Aboriginal and Torres Strait Islander backgrounds, and people with disability. A key focus area for our organisation is enabling young people to achieve good reproductive and sexual health by providing youth-targeted services.

The services we provide to support young people include:

- youth-friendly reproductive and sexual health clinics across NSW
- health information and education through our bodytalk.org.au website
- community and school-based education for students and young people
- information for parents and carers on supporting their children

Family Planning NSW offers training, information and resources for teachers and educators to enable them to deliver holistic comprehensive sexuality education in accordance with the NSW curriculum. All Family Planning NSW professional development courses for teachers are endorsed by the NSW Education Standards Authority.

Implications of the Bill on evidence-based education

All students have a right to quality, inclusive and evidence-based education, including comprehensive sexuality education. The Australian Education Legislation Amendment (Prohibiting the Indoctrination of Children) Bill 2020, hereafter referred to as the Bill, infringes on the rights of Australian students to receive such education.

The Bill undermines the integrity of the scope and content of the existing curriculum, which has been developed in consultation with experts in the fields of education as well as subject matter experts in each Key Learning Area to meet the current and future learning needs of children and young people. Further, the Bill prioritises the teaching of 'opposing views' even when those views are not evidence-based and may be harmful, particularly regarding topics of gender and sexuality.

Recommendation

Family Planning NSW recommends that:

1. the Australian Government not pass the Bill. The Bill is unnecessary and has serious implications on the provision of evidence-based education in Australian schools.

Major concerns

It is our view that failure to adequately consider the broader implications of the Bill, both in terms of human rights and the provision of evidence-based education, will have significant impacts on the social, emotional and physical health and wellbeing of Australian students.

The Bill (which is widely unworkable) undermines the right of every student to receive quality, evidence-based education that supports the development essential life skills. Further, the Bill seeks to weaken the teaching of evidence-based topics, and instead, requires a 'balanced presentation of opposing views', even when those views are not scientifically accurate or evidence-based. The Bill also seeks to make federal education funding to a state or territory conditional on the state or territory having laws in place that prohibits teachers from promoting 'partisan views' on topics that are grounded in evidence.

Family Planning NSW does not support legislation which seeks to promote the provision of education that is not grounded in evidence. We urge both Committees to strongly oppose the Bill. Our position is evidence-based and focused on meeting and addressing the educational needs of Australian students from a community health and evidence perspective.

To inform the Committee's deliberations, our key concerns are listed below:

1. The Bill privileges the provision of 'opposing views' over evidence-based education

Family Planning NSW strongly believes that every student should receive a quality, evidence-based education. Similarly, Australian students, and their parents, have a right to expect that the education they receive is factual and grounded in evidence, rather than individual opinion.

The Bill undermines the integrity of the existing curriculum, which has been developed in consultation with field experts. The existing curriculum aims to meet the current and future learning needs of students and provide them with the skills that enable them to meaningfully participate in society. The amendments proposed in the Bill would undermine evidence-based teaching in Australian schools by requiring the teaching of 'opposing views' on topics that are factual and undisputed.

Education should not be based solely on the beliefs of a small minority, over the education and developmental needs of students. All students, especially those who are from vulnerable and marginalised backgrounds have a right to evidence-based information and education as per the Universal Declaration of Human Rights.⁽¹⁾

Maximising educational attainment and reproductive and sexual health outcomes for all young people requires a holistic and evidence-based approach to education that is inclusive of the provision of information about healthy relationships, puberty, consent, gender and sexuality. Supporting teachers to facilitate discussions about these essential topics should be a government priority to ensure the health, education and well-being of all young people.

2. The Bill restricts the provision of evidence-based education and encourages the delivery of unsubstantiated information

The Bill prohibits teachers from 'promoting partisan views' to students in Australian schools. Further, it makes federal education funding contingent on State's having laws in place that support this. This means that teachers will be unable to teach topics that are evidence-based, such as comprehensive sexuality education, climate change and Australian history, without providing unsubstantiated 'opposing views' in relation to those topics.

In essence, the Bill will have the effect of limiting education on contemporary topics, depriving students of essential, evidence-based education on bodies, consent, healthy relationships and sexuality. For example, if a teacher provides information on the importance of healthy relationships, they will be required to present 'opposing views' which may result in misinformation and confusion as to what

constitutes a healthy relationship. The provision of misinformation regarding topics of consent and healthy relationships is dangerous as evidenced by recent calls for action to improve evidence-based, quality consent education within Australian schools.

Comprehensive sexuality education is an evidence-based, age appropriate and culturally relevant approach to teaching and learning about sexuality and relationships, inclusive of the cognitive, emotional, physical and social aspects they encompass. Providing timely, holistic, age-appropriate and evidence-based comprehensive sexuality education promotes students' wellbeing, emotional development and safety.(2-4)

Comprehensive sexuality education includes provision of education on the following topics to support knowledge and skill development:

- the human body, development and integrity
- puberty and body image
- respectful relationships
- fertility, pregnancy, pregnancy options and contraception
- sexual health and sexual behaviour
- gender and sexual diversity
- the influence of technology and media
- health literacy and decision making

As an early intervention strategy, comprehensive sexuality education ensures not only the reproductive and sexual health and wellbeing of students, but supports students to develop lifelong protective skills including the ability to practice informed consent.(3, 5) Further, comprehensive sexuality education improves student health literacy, encourages the development of critical thinking skills and contributes to reduced sexual risk taking, including delayed initiation of sexual intercourse, increased use of contraception and condoms, and reduced engagement in gender-based violence.(3-5)

From a safety perspective, it is important that all students learn skills that enable them to develop, promote and preserve healthy interpersonal relationships from an early age.(6) Comprehensive sexuality education seeks to empower students, particularly young girls and other vulnerable and marginalised students, to identify signs of healthy and unhealthy relationships and make informed decisions about how to promote individual safety.(4) Comprehensive sexuality education has been found to be a protective factor and reduces risk of family, domestic and sexual violence in later life.(4, 6)

If comprehensive sexuality education, including information about consent, is not taught because of teachers' fears of being seen to promote views that may be considered as 'partisan', a large number of students will not reap its benefits and miss out on essential education.

Consistent implementation of comprehensive sexuality education is needed to ensure all student needs are met, including students belonging to diverse groups such as young people with disability, who are sexuality and/or gender diverse and young people from culturally diverse backgrounds.

3. The Bill may contribute to unsafe and ineffective learning environments for students, including those who are sexuality and/or gender diverse

Students who are sexuality and/or gender diverse currently experience unsupportive and potentially unsafe learning environments. All students have a right to feel safe in their learning environment. The *Writing Themselves In 4: A national survey of health and wellbeing among LGBTQA+ young people in Australia* report found that more than half (60.2%) of participants at Australian secondary schools felt unsafe or uncomfortable at school due to their sexuality or gender identity in the past 12 months.(7) Further, over 50% of participants had experienced verbal harassment based on their sexuality or gender identity.(7) Almost three-fifths (58.9%) of all participants had seriously considered attempting suicide in the previous 12 months, and 59.1% of those were aged 16-17. This is more than five times that observed within studies of the general population aged 16–17.(7)

The Bill may contribute to unsafe and ineffective learning environments, compromising students' right to an inclusive, relevant and evidence-based education. With reports acknowledging the current curriculum is overcrowded, requiring teachers to provide opposing views in all aspects of education will further dilute essential information that is provided to students and reduce quality of learning. Further, implementation of the Bill may result in teachers providing education and information that is not supportive of sexuality and gender diversity, contributing to negative student health and wellbeing implications.(7)

The Bill stands in stark contrast to the recommendations of health and education professionals to improve health, wellbeing and educational outcomes for all young people, including those who are sexuality and/or gender diverse. Recommendations centre around the need to create supportive, inclusive and affirming environment and provide staff with evidence-based training in appropriate, supportive behaviour and language towards all students.(7)

4. The Bill undermines Australia's international commitment to the provision of inclusive and equitable quality education

Australia has made a global commitment to ensuring inclusive and equitable quality education for all.(8) The Bill undermines the country's commitment as it calls for education that is not evidence-based, but consists of 'opposing views' to be provided to Australian students.

On 25 September 2015, the Hon Julie Bishop MP joined 193 global leaders to welcome and endorse the 2030 agenda for Sustainable Development, which includes a goal in relation to provision of inclusive education and opportunities. Australia openly participated in international discussions to not only design, but support, the 2030 Agenda.

The Bill starkly defies Australia's commitment to the 2030 Agenda of the Sustainable Development Goals, specifically Sustainable Development Goal 4: ensure inclusive and equitable quality education and promote lifelong learning opportunities for all; and, target 3.7 which calls for countries to ensure universal access to sexual and reproductive health-care services, information and education by 2030.

Australia has much to be proud of in regard to the high quality of education available to students across the country. However, there remains no consistent approach to the provision of essential evidence-based comprehensive sexuality education, and an alarming political discourse that seeks to limit the provision of an evidence-based and inclusive education, including comprehensive sexuality education, from the Australian curriculum.

We urge the government to focus on ensuring equitable access to high-quality and evidence-based education, including comprehensive sexuality education, within Australian schools. Schools play a central role in supporting students with the knowledge and skills they need to successfully participate in society. As such, the Government should focus on ensuring all students receive their education in an environment that is productive to their learning and one in which they feel safe, valued and supported. A safe school environment can be achieved through implementation of comprehensive sexuality education, recognition of diversity, and development of inclusive curricula.(9)

Conclusion

We strongly urge the Australian Government to not pass the Australian Education Legislation Amendment (Prohibiting the Indoctrination of Children) Bill 2020. The Bill is unnecessary, widely unworkable and vague in its implementation. Education is the responsibility of state governments, and not the Commonwealth. Further, it has significant negative implications on the provision of evidence-based education, including comprehensive sexuality education to Australian students.

References

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