



# Briefing

2018

## Responding to the Government Consultation on Relationships & Sex Education

**The deadline is November 7th**

### KEY POINTS OF CONCERN

- **Relationships education** will be compulsory in all Primary Schools. Parents will not be able to withdraw their child from these classes. Relationships education will be LGBT-inclusive, meaning children will be taught about homosexual, lesbian, bisexual and transgender relationships.
- **Relationships and Sex education (RSE)** will be compulsory in all Secondary Schools. The government plans to *integrate* lessons on “stable and healthy same-sex relationships” into RSA rather than address them “separately or in only one lesson.”<sup>1</sup>
- Parents will have a *right to request* withdrawing their child but subject to the judgment of the headteacher. As the primary educators of their children, the automatic *legal right* to withdraw a child from the harmful materials in sex education classes will disappear.
- **At age 15, children will be given the right to opt into Relationships and Sex education classes.** This will transfer a right, normally held by parents, to children.
- As primary educators of their children, human rights law recognises parents have the right to choose the education that conforms with their philosophical and religious conviction. This right to choose must be respected by the State.<sup>2</sup>

**When responding to the consultation please use your own words. Responses found to be written in the same words may be ignored by the government. The Guidance Notes below take readers through the questions the government raises and highlights important sections within the Draft Guidance. Suggested answers are offered but we stress you use your own words because each response submitted is made by an individual on their own behalf.**

Resources including the draft regulations and the draft guidance can be read [here](#):

Respond to the online survey [here](#).

# Guidance on responding to the Consultation:

- The first questions relate to confidentiality and to you. These are self-explanatory. Note that questions on the online form do not always follow in number sequence. Our notes below follow the given number sequence contained in the online form.

## Questions on the Draft Statutory Guidance

### Relationships Education in Primary School (para 50-57)

- There are two questions: First: Do you agree that the content of Relationships Education in paragraphs 50-57 of the guidance is age-appropriate for primary school pupils? Secondly: Do you agree that the content of Relationships Education as set out in paragraphs 50-57 of the guidance will provide primary school pupils with sufficient knowledge to help them have positive relationships?
- Before answering these questions, click on the dropdown arrow appearing above the answer options so that you can read the paragraphs referred to by the questions. The suggestions below are not designed to cover every section addressed by the consultation questions. They do, however, look at some of the key highlights, considered as highly relevant.
- We suggest that, for both, you choose: ‘disagree.’ This is because while many of the components included in these paragraphs are positive (honesty, truthfulness etc), there are more controversial points added that are elaborated upon in the learning outcomes further below paragraph 57. Presenting same sex relationships as holding an equal validity to man-woman relationships is clearly evident. It is stated:
  - that others’ families, either in school or in the wider world, sometimes look different from their family, but that **they should respect those differences** and know that other children’s families are also characterised by love and care for them.
  - that **stable, caring relationships, which may be of different types, are at the heart of happy families, and are important for children’s security as they grow up.**
  - that **marriage/civil partnership** represents a formal and legally recognised commitment of two people to each other which is intended to be lifelong.
- We ought to distinguish between *respect for all people*, and their actual *beliefs*. If we are free to reject other people’s beliefs (which must be allowed in a liberal, democratic society), we cannot therefore be compelled to celebrate them. It may sound non-controversial to speak of respecting people’s beliefs. However, the controversy is to extol all family forms, and the beliefs and behaviours underpinning them, as holding equal value. While Voice for Justice UK believes unreservedly that *all people*, irrespective of their sexual behaviours, beliefs or ways in which they perceive their identity, are entitled to the *same respect* as other people, it does not follow that same-sex relationships must be held in equal standing and value to opposite-sex married couples, because children need both a mother and father providing them with the most optimal life-outcomes that determine numerous life-prospects including education and health.

- In the explanation boxes, you may want to recognise that there are some good components included. However, others, like LGBT *lifestyles*, are controversial: they do not reflect the values of all families and young children should not have presented to them lifestyle choices and behaviours that raise serious public health concerns.

### **Sex Education in Primary School (para 61-64)**

- The question asked is: Do you agree that paragraphs 61-64 clearly set out the requirements on primary schools who choose to teach sex education?
- We suggest you choose ‘neither agree nor disagree.’ As with the preceding questions, while some points in these paragraphs are welcome, there are also serious problems.
- While sex education will not, under the incoming regime, be compulsory in primary schools, the Department for Education recommends that it be taught (para. 63).
- Where sex education is taught in primaries, the draft guidance advises that “teaching and materials are appropriate having regard to the age and religious backgrounds” of pupils (para. 64). What is evidently absent in these paragraphs is the legal obligation on the Secretary of State to issue guidance to primary schools that teach sex education, ensuring that they learn about the nature and importance of marriage for family life and the bringing up of children.<sup>3</sup>
- You may wish to recognise some of the positives: that parents must be consulted by schools about their overall policy (para. 63) is welcome. Parents must also be consulted about the “detailed content of what will be taught” before the final year of primary school (para 63). Primary schools that teach sex education must also “consult with parents on what is to be covered.” (para. 64)
- Note that parents have an automatic right to withdraw their child from sex education classes in primary schools. Legally, schools cannot object. (para. 64)

### **Relationships and Sex Education (RSE) in Secondary School (para 65-77)**

- The first of two questions asks if you agree that the *content* of RSE, as presented in paragraphs 65-77, is *age-appropriate* for secondary school children? The second, asks if you agree that the content of RSE in those same paragraphs will provide pupils at secondary schools with sufficient knowledge to help them have positive relationships?
- We suggest you choose ‘strongly disagree’ for both responses.
- The stated aims of RSE is to provide information designed to help young people develop healthy and nurturing relationships (para. 65). Again, many positive components are included such as what makes a good friend and a good marriage (para. 65). Yet information about what is described as “*safer* sex and sexual health...to ensure that young people are equipped to make *safe*, informed and healthy choices” (emphasis added, para. 67) illustrates **a series of dangerous, conflicting messages**.
- It is stipulated that contraception should be taught (para. 65). In the learning outcomes under paragraph 77, it is further explained: that the “full facts about the full range of contraceptive choices and options [should be made] available”; that “there are choices in relation to pregnancy” including abortion, information about which must be presented impartially. No mention is made of the fact that there are known risks to

mental health for some women, post-abortion.<sup>4</sup> While the scientific literature has not yet reached consensus about causal connections between abortion and adverse mental outcomes, a history of psychiatric illness is widely treated as a predictor of heightened risk. Also, it is irresponsible, if not disingenuous, of educators to ignore the fact that risks have been identified (even if they are differently interpreted). It would be more honest (and from a public health perspective, safer) to highlight that there are studies concluding a range of claims about whether there are risks and who is vulnerable. Instead, abortion is misleadingly treated as safe; the draft guidance merely parrots a mantra that conflicts with the fact that this is an area about which scientists are not all agreed, and pupils must, at the least, be told there are risks, even if not everyone agrees how the risks are to be forecasted.

- Condom use is said to reduce the risk of transmission of STIs. This is a small but specious improvement on earlier messages that treated condom use as ensuring “safe sex”. However, condom use neither protects against all sexually transmitted infections (STIs), nor is it guaranteed to prevent conception.<sup>5</sup> The danger and error is that condoms are presented as a safe tool that facilitates harm-free sexual behaviour.
- Sexual activity before, during or outside of marriage, whether intended as fleeting or possibly permanent, carries a range of risks including the fallout of emotional hurts, and if promiscuous, leads to risks of STIs, unwanted pregnancies, abortions, and a reduced future likelihood of a stable marriage.
- In this guidance, **no mention is made of the manifold dangers of multiple sexual relationships**. Instead, it is stated that “knowledge about safer sex and sexual health” must be “delivered in a non-judgemental, factual way”. (para. 67) Conveying warnings about harms to physical and emotional health need not only be about morality. A parallel example: societal attitudes to smokers are not about morally condemning their actions but rather giving informative messages designed to show how their habits place their health at risk.
- Effectiveness rates of female contraceptives may be high but ultimately depends on user compliance,<sup>6</sup> but is useless where STIs are concerned. The guidance says that the risk of contracting HIV “can be reduced through safer sex” which includes condom use. However, since a (disproportionate) majority of newly contracted HIV infections are among LGBT persons (even though this group represents a tiny percentage of the population), it is no surprise that anal penetrative sex is the riskiest form of transmission. Scientifically, this fact is not in itself controversial, yet when heterosexuals present it in a public health context, it becomes an “unsayable” medical fact in a politically correct culture.
- The age of consent is 16. Therefore, schools are colluding in the commission of an offence when they convey sexually-themed messages to under-16s, which includes promptings about either trialling or continuing with sexual experiences already begun. While the guidance denies that effective RSE will encourage early experimentation (para 66), it is all too apparent that highly explicit and graphic, permissive sexual materials are produced by government- or school-approved external agencies.<sup>7</sup>
- The draft guidance stresses the need for children to be kept safe from internet risks and harms. Acknowledging the dangers of cyberspace for young people is a necessary and vital starting point (paras. 76 & 77) but further below in the learning outcomes section, *Online and Media*, some statements send dangerous signals and illustrate a dereliction

of duty to children. It is stated that “specifically sexually explicit material *often presents a distorted picture* of sexual behaviours, *can damage* the way people see themselves in relation to others and negatively affect how they behave towards sexual partners.” (emphasis added) All of these points are true but to say pornography *often presents a distortion* of sexual behaviours implies that there are *some* pornographic depictions that are *not* distorting. Children must not be taken for fools. The message given here is clear: some pornography is bad (it distorts) while some is good (it does not distort). Public figures are already voicing the idea that children should be presented with ‘good’ pornography.<sup>8</sup>

## **Will parents still retain the right to withdraw their child from RSE in secondary schools?**

- You are asked if you agree that paragraphs 36-46, on the right to withdraw, provide sufficient clarity and advice to schools in order for them to meet the legal requirements? We suggest you choose ‘strongly disagree’ or ‘disagree’.
- There is a mix of points included here, some of which are welcome, while others airbrush parents from key aspects of their children’s education. The role of parents in their children’s development is stated as “vital”, that they are the “first educators of their children” (para 36) and that schools “should work closely with parents when planning and delivering” RSE, which includes them being informed about what is taught (para 37).
- Worryingly, all these positives are radically undermined, effectively rendering the ‘first educator’ role of parents meaningless, if not redundant: this guidance replaces the parental *right to withdraw* with a parental *right to request*. (para 37) This right to request will be subject to headteacher approval (para 41). In other words, parents are treated as being neither competent nor desirable in being the final arbiter as primary educators. This appropriation of parental rights violates the letter and spirit of UK, European and international law.<sup>9</sup>
- It should be noted that “except in exceptional circumstances, the school should respect the parents’ request to withdraw the child, up to and until three terms before the child turns 16” (para 43). This appears to suggest parents’ wishes will, in the main, be respected. But will parents who hold to traditional beliefs about sex, sexuality and marriage automatically have their wishes respected? Hostility to Christian values, plus a distorted understanding of equality law, often illustrates how parental wishes are bypassed; schools often explicitly reject biblically-guided morality, perceiving it as ‘bigoted’ and ‘old fashioned.’
- Take note of the fact that in the three terms *before the child turns 16*, the parental right to request withdrawal disappears (para 43). During this period, children’s wishes prevail over parents and if they choose to opt-in, schools must provide sex education during one of those terms (para 43).

## **Physical Health and Wellbeing Education in Primary Schools (para 86-92)**

- Two questions are asked: whether the content of physical health and wellbeing education is age-appropriate, and if you agree that the content of this field of education will

provide primary school pupils with sufficient knowledge to help them lead a healthy lifestyle?

- This part does not, on the surface, raise any obvious controversy. Potential points of concern might however include:
  1. In the learning outcomes section, “Internet safety and harms”, no mention is made of how pornography is harmful and should be avoided;
  2. The sweeping scope of points covering numerous aspects of life may raise unnecessary concerns from the school. For example, if a child is thought to be unhappy (an experience that all children can expect to face), this lack of wellbeing is capable of (unhelpfully) triggering a school’s concerns and subsequent interventions, especially when there is an existing hostility towards Christian families and their values.
  3. Education about puberty is included (see Changing Adolescent Body in learning outcomes). This appears totally non-controversial but it has been known that lessons on puberty can include talk and visual resources illustrating sexual behaviours (e.g. masturbation, sexual techniques).
- You might express any concerns you have in the boxes provided. We suggest you respond with ‘neither agree nor disagree’.

## **Physical Health and Wellbeing Education in Secondary Schools (para 93-99)**

- Two questions are asked which are replicated from the above two, the difference here being that the context is secondary schools.
- We suggest you choose ‘neither agree nor disagree’ for the reasons cited in the above section on primary schools.

## **Engaging with Parents and the Wider Community (para 36-46)**

- You will have already read the paragraphs for this section, above, when it was asked: Will parents still retain the right to withdraw their child from RSE in secondary schools?
- Here, you are being asked if you agree with the approach outlined in paragraphs 36-46 on how schools should engage with parents on the subjects? As indicated in this previous section above, while the primary role of parents is acknowledged, their *automatic right of withdrawal* is replaced with a *right to request*.
- We suggest you choose ‘strongly disagree’ or ‘disagree’.

## **Delivery and teaching strategies (para 108-109)**

- You are being asked if, regarding paragraphs 108-109, you agree with the approach outlined, describing the flexibility that schools would have to determine *how they teach* the *content* of Relationships Education, RSE and Health Education?
- We suggest you choose ‘neither agree nor disagree’.

- The necessity for school compliance with the Equality Act (para 108) might appear innocuous but a frequent misapplication of the law (where protected characteristics are concerned, including race, religion, sexual orientation, etc) raises more problems than it claims to solve. Religious sensitivities are often bypassed, even though religion is a protected characteristic and pupils' religious sensitivities must be accounted for (paras. 19 & 64) The vague term, 'sexual orientation' can mean many things (exclusive or mixed inclinations, some but not all behaviours that are acted upon or not, regularly, infrequently, or as one-offs). The term now carries legal weight but is all too often wrongly applied, when sexually-themed lessons are promoted, even when they conflict with health protection, general parental concerns and/or religious values).

## **Special Education Needs and Disabilities**

- We do not offer any comments on this section

## **Do you have any further views on the draft statutory guidance that you would like to share with the department? Do you think that the expectations of schools are clear?**

- This is your opportunity to briefly summarise some of the most urgent points you believe are of greatest concern in this draft guidance. Bear in mind that the government, having heard what is said from the consultation, will need to consider what kind of concerns people have when the final guidance on Relationships Education and RSE is published.
- Given the religious background of a child and their family values, various strands of Relationships Education and RSE will be conflicting (see paras.19 & 64). Presenting LGBT lifestyles and/or behaviours, including any talk or materials addressing sexual acts, violates the values of religious families and should be avoided.
- It is inadequate for lesson content to only cover internet risks and harms, unless it is made clear that pornography is *always* damaging to women, and to the viewer's perceptions of others. It is wrong to send any messages that either say or are capable of saying that that some pornography is not bad in some cases (see page 5 above). Pornography encourages a sense of male entitlement and this potentially feeds into a culture of sexual harassment. This neither facilitates a culture of safety for girls within school, nor is it capable of encouraging boys to consider the importance of stable, lifelong marriages and the bringing up of children.
- Children should be taught the importance of marriage and family life and the bringing up of children, which is a legal obligation. See page 3 above, the section: Sex Education in Primary Schools.
- Children will question their identity and may experience doubts about themselves, a natural part of growing up. Given this background, children of any age (primary and secondary) should not have introduced to them ideas that are capable of sowing seeds of doubt about their gender identity. Adult beliefs about children who may fit into certain ideological categories should not be superimposed on young, vulnerable minds. To do so, can dangerously encourage or facilitate a child along a path of lifelong medically hazardous consequences on physical health, that can result from hormone 'treatments' and gender reassignment surgery. Since regret is always a

possibility, this is another reason why children should not have introduced to them ideas, the decisions of which can leave a trail of medically irreversible outcomes.

## Financial Education

- We do not offer any comments on this section

## School Support

- The first of two questions asks if you agree that the resources and support currently available to *primary schools* will be sufficient to enable them to teach the new subjects? If you have choose ‘disagree’ or ‘strongly disagree’, you are then asked to rank the options provided, and to offer comments in the box below.
- For the reasons cited below, we recommended you choose ‘strongly disagree’. See page 35 of the draft guidance entitled *Annex B Suggested resources: Teaching resources*, for a list of some of the agency resources being recommended. It is clearly stated this list is not exhaustive.
- One government recommended resource from Stonewall, *Different Families, Same Love*<sup>10</sup> is designed for primary schools and seeks to celebrate and extol same-sex families and parenting. Stonewall’s ‘education resources’ are published online.<sup>11</sup>
- The second question, and the rankings below it, is essentially the same as above, but refers to *secondary schools*.
- One of the resources (Sexwise) being recommended here provides highly sexually explicit materials where you are asked to “create a list with all of the sex acts you can think of”.<sup>12</sup> It goes onto suggest that you should send the list “to your partner”, that you separately “write by each act a yes, a maybe or a no”, and finally “collate your results and let the sex begin!” This is just one of numerous illustrations of totally inappropriate content, given that the age of consent is 16.

## Draft Regulations

- This section concerns the draft Regulations (legal changes being proposed), not the draft guidance itself. You should first **read** the draft regulations.
- The first question asks whether you agree that the draft regulations clearly set out the requirement on schools to teach the new regime of Relationships Education, RSE and Health Education. We suggest you choose ‘neither agree nor disagree’.
- The second question asks you about the application of the draft regulations, and whether pupil withdrawal from RSE, subject to headteacher approval, is an “appropriate and workable option”. We recommend you choose ‘strongly disagree’. See paragraph 41-46 for details.
- The parental right to withdraw has been replaced with the right to request withdrawal, a request subject to headteacher withdrawal. This radically bypasses parents as the primary educators of their children. Explain your concerns in your own words.

We offer no comments here on the section, *Regulatory Impact Assessment*.

Finally, under *Almost Done*, you click *Submit Response*.



## References

<sup>1</sup> *Relationships Education, Relationships and Sex Education and Health Education, Guidance for governing bodies, proprietors, head teachers, principals, senior leadership teams, teachers*, Draft for consultation: July 2018, Para. 71.

<sup>2</sup> See: European Convention on Human Rights (Article 2, Protocol No. 1) and Human Rights Act 1998.

<sup>3</sup> Education Act 1996, s. 403, as amended.

<sup>4</sup> For an overview and critique of the scientific literature, see: *Abortion and Mental Health Outcomes: What Do the Studies Say?* by Robert S. Harris (pp. 57-65) in *Relationships and Sex Education: The Way Forward*, A Report from the Lords and Commons Family and Child Protection Group, Voice for Justice UK (2018). <https://vfjuk.org.uk/wp-content/uploads/2018/09/RSE-report-2018-webv2.0.pdf>

<sup>5</sup> For statistics of rising rates of STIs among young people and the physical risks flowing from hazardous sexual practices, see *Physical Health Vulnerabilities for Children* by Lynda Rose (pp. 29-32) in *Relationships and Sex Education: The Way Forward*, A Report from the Lords and Commons Family and Child Protection Group, Voice for Justice UK (2018). <https://vfjuk.org.uk/wp-content/uploads/2018/09/RSE-report-2018-webv2.0.pdf>

<sup>6</sup> For up-to-date medical information on the effectiveness and safety of various contraceptives, see: *Contraception for Adolescents: Failure Rates and Health Implications* by Dr Rick Thomas (pp. 49-56) in *Relationships and Sex Education: The Way Forward*, A Report from the Lords and Commons Family and Child Protection Group, Voice for Justice UK (2018). <https://vfjuk.org.uk/wp-content/uploads/2018/09/RSE-report-2018-webv2.0.pdf>

<sup>7</sup> For examples, see: *The Flaws in Some Current Practice of SRE* by Pippa Smith (pp. 33-35) and *Pornography and Sexting: A Public Health Crisis* by Pippa Smith (pp. 67-71) in *Relationships and Sex Education: The Way Forward*, A Report from the Lords and Commons Family and Child Protection Group, Voice for Justice UK (2018). <https://vfjuk.org.uk/wp-content/uploads/2018/09/RSE-report-2018-webv2.0.pdf>

<sup>8</sup> See reports on comments made by Dr Christian Jessen, doctor and television presenter:

<https://www.telegraph.co.uk/health-fitness/body/dr-christian-jessen-showing-pornography-schools-would-helpful/>

Also, see Dame Jenni Murray's comments: <https://www.telegraph.co.uk/news/2016/10/11/scrap-sex-education-and-make-school-children-watch-pornography-s/>

<sup>9</sup> See: European Convention on Human Rights (Article 2, Protocol No. 1, enshrined into the Human Rights Act 1998) which states: "In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions."

See also the Universal Declaration of Human Rights (1948), Article 26 (3) which states: "Parents have a prior right to choose the kind of education that shall be given to their children."

<sup>10</sup> <https://www.stonewall.org.uk/get-involved/education/different-families-same-love>

<sup>11</sup> <https://www.stonewall.org.uk/our-work/education-resources>

<sup>12</sup> See: <https://sexwise.fpa.org.uk/blog/can-lists-make-your-sex-life-better>



**We seek to support and equip our supporters. Included in our aims, we also seek to uphold the natural rights of parents as primary educators, and to protect children from harmful messages at school.**

**Ensure your voice is heard by the government.**

**Respond to the Consultation.**

**The deadline is November 7th.**