

## One Nation Sheet 56CD.2

### Amendments to the Children's Guardian Amendments (Child Safe Scheme) Bill 2021

1. Page 3, Line 28, after 'Standards' and before 'as', insert 'as specifically determined by the Royal Commission Into Institutional Responses to Child Sexual Abuse'
2. Page 3, Line 28, omit 'primary'
3. Page 3, Line 39, omit subsection (iv)
4. Page 3, Line 43, omit subsection (B)
5. Page 4, Lines 1-2, omit subsection (C)
6. Page 4, Line 3, omit subsection (vi)
7. Page 4, after Line 7, insert new subsection (c), as follows:

Ensuring that nothing in the child safe standards is to be interpreted as a reason or requirement for any organisation to engage in teaching, advocacy or promotion of gender fluidity.
8. Schedule 1, proposed Part 3A, Page 4. Insert after line 7:

#### **8AA Consistency with Royal Commission Report recommending the Child Safe Standards**

- (1) Implementation of the Child Safe Standards by child safe organisations is to be consistent with Royal Commission recommendations.

- (2) Where a Child Safe Standard can be implemented in more than 1 way, implementation that most closely reflects the Royal Commission recommendations is to be preferred.
9. Page 4, proposed section 8B Definitions. Insert after line 15:

***Royal Commission recommendations*** means the Final Report Recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse.

10. Page 16, proposed Schedule 1[21], Schedule 6 Dictionary. Insert after line 7:

***Royal Commission recommendations***—see section 8B.

11. Schedule 1, proposed Part 3A, Page 4. Insert after proposed section 8AA as inserted by amendment 8:

### **8AB Ministerial guidelines**

- (1) The Minister may issue guidelines to the Children's Guardian about the way the Children's Guardian is to—
- (a) oversee the implementation of the Child Safe Standards by child safe organisations,
  - (b) enforce the Child Safe Standards within child safe organisations,
  - (c) establish child safe action plans with prescribed agencies,
- (2) Despite section 128(3), the Children's Guardian must, when exercising functions concerning the Child Safe Standards, act in a way that is consistent with guidelines issued by the Minister under subsection (1).



**12.** Schedule 1, proposed Part 3A, Page 4. Insert after proposed section 8AB as inserted by amendment 11:

### **8AC Oversight by Committee on Children and Young People**

- (1) The Committee on Children and Young People has the following functions under this Part—
- (a) to monitor and review the functions of the Children's Guardian in—
    - (i) overseeing the implementation of the Child Safe Standards by child safe organisations,
    - (ii) the enforcement of the Child Safe Standards within child safe organisations,
    - (iii) establishing child safe action plans with prescribed agencies,
  - (b) to review the activities of the Children's Guardian for consistency with the Royal Commission recommendations,
  - (c) to review guidelines issued by the Minister under section 8AB(1) for consistency with the Royal Commission recommendations,
  - (d) to report to both Houses of Parliament, with such comments as it thinks fit, on any matter which Committee considers should be brought to the attention of Parliament relating to the following—
    - (i) the exercise of the Children's Guardian's functions specified in paragraphs (a) and (b),
    - (ii) guidelines issued by the Minister under section 8AB(1).
- (2) In this section—

***Committee on Children and Young People*** means the Parliamentary Joint Committee constituted under section 36(1) of the Advocate for Children and Young Peoples Act 2014

13. Page 4, after Line 15, insert:

**Gender fluidity** is a belief there is a difference between biological sex (including people who are, by their chromosomes, male or female but are born with non-typical sexual differentiation) and human gender, and that human gender is socially constructed and variable, rather than being equivalent to a person's biological sex.

14. Page 4, Lines 19-32, omit list numbered 1 to 10 and insert 'Those identified and reported on by the Royal Commission Into Institutional Responses to Child Sexual Abuse'.

15. If amendment (14) above is defeated, after Page 4, line 23, insert:

For the avoidance of doubt, nothing in the phrase "Equity is upheld, and diverse needs are taken into account" is to be interpreted as a reason or requirement for any organisation to engage in teaching, advocacy or promotion of gender fluidity.

16. Page 4, Line 35 to Page 5, Line 3, omit all words after 'Standards'.

17. Page 5, Lines 6-15, omit subsection (3)

18. Page 6, Line 1, omit (c) the Department of Education

19. If amendment (18) above is defeated, at Page 6, after line 1, insert:



Nothing in the Child Safe Action Plan of the Department of Education, any NSW school or early childhood education service is to include the teaching, advocacy or promotion of the Safe Schools program which, as a matter of Government policy, is banned in NSW.

20. If amendment (18) above is defeated, at Page 6, after line 1, insert:

Nothing in the Child Safe Action Plan of the Department of Education, any NSW school or early childhood education service is to include the teaching, advocacy or promotion of the Gayby Baby movie which, as a matter of Government policy, is banned in NSW.

21. If amendment (18) above is defeated, at page 6, after line 1, insert:

Nothing in the Child Safe Action Plan of the Department of Education, any NSW school or early childhood education service is to include the teaching, advocacy or promotion of gender fluidity which, as a matter of Government policy, is not part of the NSW schools curriculum.

**Gender fluidity** is a belief there is a difference between biological sex (including people who are, by their chromosomes, male or female but are born with non-typical sexual differentiation) and human gender, and that human gender is socially constructed and variable, rather than being equivalent to a person's biological sex.

22. Page 6, Line 2, omit (d) the NSW Education Standards Authority

- 23.** If amendment (22) above is defeated, at Page 6, after line 2, insert:

Nothing in the Child Safe Action Plan of the NSW Education Standards Authority, any teacher professional development program, teacher accreditation process, student test/examination or NESAsponsored event is to include the teaching, advocacy or promotion of the Safe Schools program which, as a matter of Government policy, is banned in NSW.

- 24.** If amendment (22) above is defeated, at Page 6, after line 2, insert:

Nothing in the Child Safe Action Plan of the NSW Education Standards Authority, any teacher professional development program, teacher accreditation process, student test/examination or NESAsponsored event is to include the teaching, advocacy or promotion of gender fluidity which, as a matter of Government policy, is not part of the NSW school curriculum.

- 25.** Page 6, Lines 7-8, omit subsection (i)

- 26.** Page 6, Lines 17-23, omit subsection (2)

- 27.** Page 6, Lines 24-28, omit section (8J)

- 28.** Page 6, lines 32-39, omit subsections (2) and (3)

- 29.** Page 7, Line 1, omit subsection (b)



30. Page 7, Lines 5-19, omit 8M and insert the following:

**8M Progress Reports**

(1) A prescribed agency must display on its website progress reports on the agency's implementation of its child safe action plan.

31. Page 7, Lines 28-32, omit 8O

32. Page 8, Lines 9-11, omit Subsection (2)

33. Page 8, after line 13, insert Subsection (4):

(4) Nothing in the guidelines shall require religious bodies to act contrary to their religious beliefs.

34. Page 8, after line 13, insert Subsection (5):

(5) Nothing in the guidelines shall require any organisation to engage in the teaching, advocacy or promotion of gender fluidity where:

**Gender fluidity** is defined as a belief there is a difference between biological sex (including people who are, by their chromosomes, male or female but are born with non-typical sexual differentiation) and human gender, and that human gender is socially constructed and variable, rather than being equivalent to a person's biological sex.

35. Page 8, Lines 14-20, omit 8R

36. Page 8, Lines 28-31, omit 8T

37. Page 8, Lines 37-42 and Page 9, Lines 1-17, omit 8V

**38.** Page 9, Lines 18-25, omit 8W

**39.** Pages 9-11, omit Division 6

**40.** Pages 11-14, omit Part 9A.

**41.** Page 15, line 25, omit Subsection (ii) and insert:

- (ii) in which adults have unsupervised contact with children who are not members of their immediate family.