

**SUPPLEMENTARY QUESTIONS – OFFICE OF THE CHILDREN’S GUARDIAN**

**PORTFOLIO COMMITTEE NO. 3 – EDUCATION – Inquiry into the Education  
Amendment (Parental Rights) Bill 2020**

1. Do you believe that gender fluidity should be taught in NSW schools? If so, why?
2. What is the age inappropriate level for the teaching of gender fluidity, that is, telling children that “gender is a choice”, “you may have been born into the wrong body” and “your gender has been socially constructed”?
<b>ANSWER (to Q1-Q2)</b> As noted in the joint submission to the Inquiry (Recommendation 14) ‘They [the students consulted around the Bill] are seeking more information, rather than less, and feel that an omission of the experience of LGBTQIA+ students from the curriculum would be unbalanced.’  The joint submission to the Inquiry recommends that content taught in schools should consider the age and developing maturity of the child.
3. What are the “social constructs” referred to in Recommendation 4 of your submission?
4. What do you understand to be the theory of social construction?
5. Do you regard social construction as a fundamentally anti-educational doctrine - telling young people that everything they know about their identity, family, school and life around them has been ‘socially constructed’ in their minds and may not be true? Do you understand how the radical post-modernist theory of social construction undermines student trust and belief in the school learning process?
6. What are the ‘worldviews’ you want children to be taught in your Recommendation 4?
7. Why does your Recommendation 4 make no mention of the teaching of facts, deep knowledge and the development of basic skills like literacy and numeracy in our schools?
8. What is your evidence base for recommending the teaching of “health and wellbeing” in our schools? What is the evidence to say this can be done successfully in the classroom, as opposed to the content and skills we know schools can successfully teach?
9. What is the evidence base you rely on to say that schools can successfully achieve behavioural change in their students with regards to attitudes such as tolerance and ‘inclusion’?
<b>ANSWER (to Q3-Q9)</b> As this consultation was conducted by the Office of the Advocate for Children and Young People it is appropriate that the Advocate answers these questions.
10. Given that in any one year children only spend 13 percent of their time at school, do you regard schools as specialist institutions imparting knowledge and learning

skills for students, without the time, resources and expertise needed to be heavily involved in questions of student moral and ethical values, politics, personal identity, health care and wellbeing?

**ANSWER**

This question should be directed to the Department of Education.

11. What is the statutory authority by which you have involved yourself in matters of school policy and proposed legislation? Where in your statutes does it say this is your role?

**ANSWER**

The principal functions of the Children's Guardian are outlined in the *Children's Guardian Act 2019*.

12. Are you aware that Sydney child care centres (such as Warriewood West) are using material you sent them to legitimise the teaching of gender fluidity books to 3 and 4 years olds, a form of child abuse? What action have you taken to ensure very young children are not taught gender fluidity and other age inappropriate content?

**ANSWER**

The Department of Education, as the NSW Regulatory Authority, regulates children's education and care services under the National Quality Framework (NQF) and the Children (Education and Care Services) National Law and National Regulations. The Department also assesses and rates services against the National Quality Standard (NQS).

The Department of Education, under the National Law or Regulations, does not have the authority to specify which activities an individual education and care service chooses to implement as part of their educational program. Individual services make their own decisions about which learning activities are implemented at their service, provided they are in line with the objectives of the NQF and NQS and the approved learning frameworks.

13. How did we ever arrive at a situation where the Children's Advocate and Children's Guardian, ostensibly established for child protection, have become part of a political movement encouraging gender fluidity in very young children, that is, facilitating a form of child abuse? Can you see the wrongness of what you have done?

**ANSWER**

I reject the premise of this question. The Children's Guardian is not a member of, and is not aligned, to any political movement.

14. By what statutory head of power have you involved yourself in monitoring and acting on the implementation of the Commonwealth Royal Commission into Child Sexual Abuse?

**ANSWER**

Refer to the answer to question 11.

15. Haven't your many actions outside of your statutory mandate and legal authority drawn resources and focus away from your core NSW Government child

protection functions, inappropriately rendering your agencies as political activism bodies?
16. Do you acknowledge that the encouragement of fads, experiments and political content in schools in recent decades has led to the Lindfield Learning Village situation, that is, a woke agenda supposedly fostering respect and tolerance which, in fact, is creating hatreds, disrespect and barbarism in the minds of young NSW school students?
17. Do you accept that by their nature - which is contentious, divisive and confrontational - political and ideological issues and teachings can only be counter-productive in the classroom, causing confusion, hatreds and disrespect in the minds of young people?
18. If political and ideological issues are hard for adults to handle (and increasingly so in today's heavily fractured political environment) why do you believe children should be exposed to them in schools?
19. Do you accept, in large part due to the folly over the past 20 years in allowing political issues, ideological dogma, gender fluidity, divisive identity politics and post-modernist teachings into NSW classrooms, that our young people have lost what was their greatest asset of the childhood years: their innocence and sense of fun? What responsibility, therefore, do activist political agencies like your own accept for the rise of mental illness among young people in NSW, having polluted their minds with adult political and ideological content?
<b>ANSWER (to Q15-Q19)</b> Refer to the answer to question 13.
20. Do you support the publicly stated view of the NSW Parliamentary Secretary for Education, Kevin Connolly, that, "The (Parental Rights) Bill is a positive step forward because it provides the opportunity for parents to provide genuine selfless care to young people rather than leave them at the mercy of activists whose 'care' is far more for their ideological cause than it is for the young person facing difficult challenges. In doing so, it upholds universally recognised basic human rights, and responsibilities of parents towards their children." (5 March 2021 letter to PIAC). If not, why do you oppose the Parliamentary Secretary?
<b>ANSWER</b> The view of the Parliamentary Secretary for Education is a matter for them. The Children's Guardian's view on the Education Amendment (Parental Rights) Bill 2020 is as per the joint submission, evidence provided during the hearing and the answers provided to these supplementary questions.
21. Do you support the teaching of the Safe Schools program in NSW schools?
<b>ANSWER</b> The Children's Guardian understands that the Safe Schools program is not taught in NSW public schools.
22. At what age do you believe, generally, young people have clear awareness of their sexuality?

23. At what age do you believe, generally, young people have clear awareness of the issues surrounding gender fluidity?
<b>ANSWER (to Q22-Q23)</b> These questions are best directed to an educational and developmental psychologist.
24. Do you agree with experts at our Committee hearings maintaining that the promotion of gender fluidity in children is a form of child abuse? If not, why not?
<b>ANSWER</b> The view of those who provided evidence during the hearings is a matter for them. The Children’s Guardian’s view on the Education Amendment (Parental Rights) Bill 2020 is as per the joint submission, evidence provided during the hearing and the answers provided to these supplementary questions.
25. Do you accept that the first rule of governance for agencies like yours should be “Do No Harm”? Why then in the highly contested child psychology field of gender fluidity have you risked child welfare, risked legitimising child abuse (among children as young as 3), by actively promoting child gender fluidity in NSW?
<b>ANSWER</b> I reject the premise of this question.  The Office of the Children’s Guardian (OCG) is committed to making institutions child safe. The OCG continues to engage with a range of child-related organisations to identify the best way to make organisations child safe in NSW.  To make organisations child safe and minimise the risk of abuse, it is vital to create organisational cultures that place the safety and wellbeing of children at the centre of all that they do.  The OCG promotes child safety and is committed to continuing the capacity building of a range of non-government providers that work with children.
26. What recommendations of the Commonwealth Royal Commission into Child Sexual Abuse deal with issues of sexual diversity and gender fluidity? What are the details?
<b>ANSWER</b> The recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse are available at <a href="https://www.childabuseroyalcommission.gov.au/recommendations">https://www.childabuseroyalcommission.gov.au/recommendations</a> .
27. In light of your answer in (26) above, how does the final report of the Royal Commission justify the actions of the NSW Office of the Children’s Guardian (OCG) and the Children’s Advocate in promoting LGBTIQ-related literature, training, welcome and acceptance statements and other material as a form of child protection in NSW?
28. What is the evidence base the Children’s Advocate and OCG relies on for believing that the promotion of LGBTIQ material is a frontline tool for strengthening child protection in NSW?

29. What evidence is available to the Children’s Advocate and OCG that the promotion of age inappropriate a) gender fluidity and b) child sexualisation material weakens the protection and wellbeing of children? What are the details?

**ANSWER (to Q27-Q29)**

The Office of the Children’s Guardian (OCG) is committed to making institutions child safe. The OCG continues to engage with a range of child-related organisations to identify the best way to make organisations child safe in NSW.

To make organisations child safe and minimise the risk of abuse, it is vital to create organisational cultures that place the safety and wellbeing of children at the centre of all that they do.

The OCG promotes child safety and is committed to continuing the capacity building of a range of non-government providers that work with children.

30. Noting the contents of your submission, the evidence you gave to the Committee and now the contents of your letter of 23 April 2021, stating that, “We are confident that our submission reflected the views of children and young people in NSW”, isn’t it more likely you have set out to mislead and deceive the committee with focus group ‘research’ that no one familiar with opinion research methodology could regard as anything but farcical and embarrassing to you and the OCG?

31. Why did your submission to the Committee purport to speak for the views of children in NSW, based on a “sample size and composition in line with research industry standards (on how) to understand how young people feel about this Bill”, when the “consultations” were, in fact, based on:

- a. Focus groups of 35 school students, out of 2.7 million young people in NSW, that is, 0.001% of the cohort, plus viewpoints from 9 of the Youth Advisory Council (including people up to the age of 24 years - that is, a number of adults)?
- b. Focus groups not undertaken by a professional, independent moderator but by Children’s Advocate and Guardian staff?
- c. One-half of the focus group numbers were from a high school near Strawberry Hills, where your office is located, and the other half from an unspecified regional school?
- d. A number of focus group participants in the regional area were drawn from “young people who attend a support group for LGBTQIA+ students”?
- e. Focus group participants who volunteered for the interviews, that is, they were self-selected, not only by themselves but through permission granted by their parents?

32. Do you now concede that the opinion ‘research’ you undertook was in no way a representative sample of young people in NSW, nor was it independently and professionally conducted?

33. Which was the high school near Strawberry Hills involved in the focus groups?

34. What was the regional high school?

35. Can you point to any “research industry standards” that in any way support the methodology you used in this consultation exercise?

**ANSWER (to Q30 to Q35)**

As this consultation was conducted by the Office of the Advocate for Children and Young People it is appropriate that the Advocate answers these questions.

36. Why did you fail to intervene in the case of the 'Only About Children' Warriewood West child care centre earlier this year to tell them there is nothing in the Child Safe Standards that requires the teaching of gender fluidity books to 3 and 4 year old children?

37. Given your neglect in (36) above, how do you respond to this evidence of you acting as an enabler of child abuse in the unnecessary and totally inappropriate sexualisation of young children at Warriewood West?

**ANSWER (to Q36-Q37)**

Refer to the answer to question 12.