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HEA Opening Statement

Home Education Association (HEA) is a national, not for profit, member funded, volunteer association supporting home educators. A fundamental objective of the association is to respect and represent the diversity of philosophies and educational methods of home educating families. It is from this perspective that we present to the Committee today.

We start from the position that schooling and education are fundamentally different things. While the former invites a sense of structure and institution, the latter attends to learning in all its forms – be it formalised and ‘teacher-led’ or informal and ‘student-led’. While schooling and education are not mutually exclusive, neither are they mutually dependent. *does one naturally equal the other*

We are here with full respect for schools, teachers and the work that many many people do to make the system function. Schools are the educational choice of most, are positive and effective for many, and are the way that the majority of parents fulfil their legislated responsibility for their children’s education. We are not here to dismiss or run-down institution-based schooling but to present the circumstances and needs of home educators in NSW.

We present to the Committee the perspective that any registration system that is implemented should be based on a thorough understanding of home education, must respect parents’ educational choices, and must approach home educators as partners in system design and system implementation. To achieve this kind of system, approaches such as co-design and co-construction are more likely to lead to positive outcomes for all parties.

We have come to this point because of consequential changes in registration approach. In response to the BoSTES statement that there have been no significant changes I offer one small example. A sentence acknowledging diversity of educational approaches was present in the 2011 Information Package for Home Education was removed in the publication of the 2013 Package. In the 2011 package the statement was “as with other forms of education there is no single approach to home schooling. Some home educators have a structured approach that is based on a set timetable and formal instruction. Others prefer an approach that is less formal and responds to the child’s developing interests and needs”.

The HEA welcomes this Inquiry and the opportunity for home educators to be heard; to dispel the myths; for the issues that we face and the achievements that we make, to see the light of day. There are many submissions that are very powerful – stories of amazing achievements, submissions from articulate children, some sad and frustrating experiences. We are hopeful of a greatly improved system as a result of your willingness to listen and the work that so many people have undertaken.

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Child Protection statistics

During Friday's testimony a discussion took place regarding 'exchange of information' and child protection reporting. From this it was suggested that there were 346 reports to Community Services of home educating families or home education applicants. That discussion involved a serious confusion of terms - that is, that 'exchange of information' equates to a child protection report. This error has had serious negative consequences for home education. That is, on Friday 5th September, it was reported in the Sydney Morning Herald "The committee heard that 346 children who had registered or had applied for registration in home schooling had their information exchanged with the child protection agency."

As very few people in the community understand the difference between 'information exchange' and 'risk of significant harm', and as it was stated that this information was exchanged with the child protection agency, it is reasonable to expect that people will think that 346 children being, or applying to be, home educated, were reported to Community Services. That is not true.

Information exchange provisions were first incorporated into the *Children and Young Persons (Care and Protection) Act 1998* as a result of the Wood Inquiry and were designed to facilitate improved collaboration between services such that coordinated and earlier responses to children and young people might be facilitated. The information exchange provisions in the Act are at Chapter 16(A) and allow 'prescribed bodies' to share information regarding a child or young person where that information relates to the safety, welfare or wellbeing of that young person. This information must relate to the safety, welfare or wellbeing of that child or young person, but it does not need to reach the threshold for a report to Community Services - 'risk of significant harm'. Equally important with this is that the information was exchanged with Department of Education and Communities - not Community Services. These were not risk of harm reports. Finally, the years across which that information was provided was not stated. Therefore it was taken to mean that this had occurred in one year. [This final statement is made to the best of my recollection which I have not been able to clarify in the absence of access to the session's transcripts.]

To demonstrate, the BoSTES' submission states, at page 17:

Under Chapter 16A, the BOSTES routinely provides and receives information relating to children and young persons. Since 2010, the

BOSTES has exchanged information with other relevant agencies, mainly the DEC, in relation to 346 children from 283 families.

Data provided by the BoSTES in preparation for this inquiry showed that there were fewer than 17 reports of 'risk of significant harm across that period of time'. I have correspondence from the BoSTES providing that data. It shows an estimation of less than 5% of information exchange occasions were 'risk of significant harm' reports to FaCS. [That information is attached to this statement.]

The HEA seeks a formal statement of clarification, published in the Sydney Morning Herald, to address this important confusion.

Further Comment

We are profoundly aware, though, that home education is barely understood in our community. Some of the submissions – both from individuals and from government agencies – attest to that. And in that vacuum of understanding, school-based measures, school-based logic and school-based structures have been inappropriately applied to home education. This, we urge, must stop. We wish for the Committee truly to understand is that many families have been having a more and more difficult time under the current regulatory and registration system. It is the experiences of these families – especially the impacts that it is having on children – that prompted the most recent lobbying activities of the HEA.

The HEA further seeks to address a number of issues that have arisen in testimony already before this Inquiry:

Response to bullying in schools

The HEA also wish to note the apparent position from the Teachers Federation representatives that a young person in school who is being bullied should not be withdrawn and home educated. While we agree that changes should be sought in school and that stopping bullying is the greatest priority, we also assert that those processes can take time and young people should not be made to endure harm when there is a perfectly reasonable and viable protective alternative.

Support for same-sex attracted young people

The *Writing themselves in* report (and other material by that research centre) identifies that schools are a place where same-sex-attracted young people

experience a great deal of bullying, harassment and discrimination. The second iteration of this report *Writing themselves in again* states, at page 40:

It is disappointing indeed to find that abusive incidents have not decreased at school. This is one place, in particular, where we traditionally believe young people have the right to feel safe and supported. It is especially concerning that the most dangerous place for these young people to be, in terms of verbal abuse and physical assault, is their school. In the last six years many resources have been invested in schools. They have been targeted with professional development and community development programs with the aim to promote acceptance of diverse gender and sexuality expression and reduce homophobia in the school culture. Many positive changes have been observed in these data and are described elsewhere in this report. They include young people's feelings of safety at school, perceived support from school staff and the information they receive at school. Notwithstanding the aforementioned change there is no evidence from these data that these interventions have made an impact on reducing homophobic abuse in the school environment. This surely must be the next step in tackling homophobia in the school system.

The third iteration of the study behind these reports found that school remains the place of greatest abuse and assault of young people who are same sex attracted and/or gender questioning. It also found that while there are some schools with cultures and attitudes which are supportive of same sex attracted young people and that this has a positive effect for those young people, it is not the majority of schools and there is more work to be done. (*Writing themselves in: 3*; page 89/90).

We are also aware of community-based youth support services in areas such as the Central Coast that same sex attracted young people from home educating families have accessed. These are very important supports, which makes the precariousness of their funding a travesty. To illustrate this point I tender a case study, written from the perspective of the young person and the parent in that situation.