

**INQUIRY INTO EDUCATION LEGISLATION  
AMENDMENT (PARENTAL RIGHTS) BILL 2020**

**Name:** Professor Dianna Kenny

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## SUBMISSION

### *Education Legislation Amendment (Parental Rights) Bill 2020*

**Professor Dianna Kenny PhD**

Society for Evidence-based Gender Medicine

#### **1.0 About the writer**

I ended a 31-year career at The University of Sydney in July 2019 with the rank of Professor of Psychology. I have subdiscipline specialties in infant and child development, educational psychology and developmental psychopathology. I am the author of nine books and over 300 journal articles, book chapters, submissions, mostly pertaining to young people etc (see [https://www.researchgate.net/profile/Dianna\\_Kenny](https://www.researchgate.net/profile/Dianna_Kenny)).

I am now in full time private practice with an increasing caseload of rapid onset gender dysphoria (ROGD) cases among young people aged 12-20 years. I am a member of the international group, Society for Evidence-based Gender Medicine (SEGM) that attempts to disseminate scientifically sound information and research into gender dysphoria and transgenderism. I have written a book entitled, *Gender dysphoria in children and adolescents: Collected papers on the psychology, sociology and ethics of gender transition* (Scholars' Press, 2020). I have also been invited to make written submissions to high profile gender transition cases proceeding through the courts in Australia and overseas. Further information about my work in the area can be found at [www.diannakenny.com.au](http://www.diannakenny.com.au).

#### **2.0 Preamble**

I offer this submission in **support** of the proposed Bill, focusing primarily on object

(b) to prohibit the teaching of the ideology of gender fluidity to children in primary and secondary government schools in the state of New South Wales.

The current situation is that in various ways gender fluidity ideology (and gender ideology in general) is leaking into school classrooms across the state from numerous sources. For example, in some cases it is occurring through specific curriculum content. In other cases, it is being brought about by politically active teachers on their own initiative in classes such as PDHPE, placing unvetted information and materials before children and adolescents. Parents

are not informed about the content of teaching on gender ideology in public school classrooms.

There is a growing awareness and concern in the community regarding the nature of the information and materials pertaining to gender development being taught without sufficient oversight of the NSW Department of Education. Growing numbers of parents want to challenge gender curricula; hence, the lobbying that took place to press for the development of the Bill and its introduction into the Legislative Council.

This submission will critique the content of gender fluidity ideology teaching currently occurring in NSW government schools, in particular, how it departs from the established science of human social and cognitive development and human sexuality.

Specifically, gender ideology is based on an erroneous account of human nature and contains no scientific foundation, unsubstantiated assertions, generalisations, inconsistencies, and internal contradictions. Given that gender ideology has the same degree of scientific merit as creationism, flat earth theory, and anti-vaxxer ideology, it is an inappropriate subject to be peddled to children and adolescents in schools as a matter of scientific fact.

I hope to contribute to the debate on this Bill by ensuring that this inquiry receives a high-quality submission that exposes and explains the errors in gender fluidity ideology and *prima facie* should not be taught in government schools.

### **3.0 The biology of sex and the ??---ology of gender identity**

3.1 Consider this extraordinary “definition” of gender identity by America’s peak body for psychologists:

“Gender identity” [is defined] as “a person’s internal sense of being male, female, or *something else* [author’s italics] (American Psychological Association, 2011).

“Something else?” There has been no definition of this “something else” anywhere in gender ideology and yet, on the basis of the faulty belief that sex is no longer binary, thousands of children around the world are declaring themselves, not to be this “something else,” but to be of the gender opposite from their natal sex, that is, transgender. Thus, the concept of transgender is fundamentally binary – girls wanting to be boys and boys wanting to be girls,

but this basic binary characteristic of transgenderism is never adequately addressed in transgender ideology.

3.2 The American Psychological Association and the National Association of School Psychologists (<https://www.apa.org/about/policy/orientation-diversity>) persist with the myth that there are shades of gender between the poles of male and female. They

affirm that diverse gender expressions, regardless of gender identity, and diverse gender identities, beyond a binary classification, are normal and positive variations of the human experience.

3.3 Sex and gender are linked, but they are often conflated into a single concept. Sex describes the biological differences between males and females, namely, the internal and external genitalia and the dominant gonadal tissue, ovaries or testes. The male sex is the phenotype that produces smaller gametes (i.e., sperm), and the female sex is the phenotype that produces the larger gametes (i.e., ova).

3.4 Almost all (99.98%) births are unambiguously male or female. Intersex conditions, known as Disorders of Sexual Development (DSD), comprise 0.02% of births which the transgender lobby uses to destabilize the foundation of binary biological sex by asserting the existence of the concept of “in between” male and female or “something else” other than male or female. Intersex is a biological disorder of sexual development, not a gender choice available to those who might wish to identify as both male and female simultaneously (i.e., gender fluid, gender queer, etc).

3.5 Gender describes behaviours, interests, and social roles associated with one’s sex which are expressed in masculine and feminine traits. These traits can be influenced by biology but are based in culturally defined stereotypes of how males and females should behave. Societal expectations of how men and women should act are socially constructed. Thus, gender is both descriptive and normative.

3.6 Gender is a sex-based behavioural phenomenon that is influenced by both biology and environment (nature/nurture). For example, boys tend to be more interested than girls in toys that move. This gender difference has both biological and sociocultural components. Biologically, prenatal androgens play a role in the hyper-development of the brain’s

visuospatial system. Since boys are often exposed to much more prenatal androgen than girls, more boys show an interest in moving objects.

3.7 When gender, not sex, becomes your immutable trait, gender expression becomes the indicator of your “true” sex. **Current gender ideology denies the existence of the male and female binary, claims it is socially constructed and ignores the evolutionary mechanisms that have unified all males and females across species for thousands of years.**

3.8 Because gender stereotypes constrain individual behaviour, parents, teachers and those responsible for the care and education of children are advised to avoid gender stereotypes. Even though more boys than girls play with trucks, not all boys play with trucks and some girls play with trucks. These observations should not be used to define gender in these children. It would be tantamount to saying that girls who play with trucks are boys and boys who do not play with trucks are girls. This defines the sex of a child by using gender stereotypes of how boys and girls should act and behave.

3.9 Society used to describe a girl who played with male-typical toys as a tomboy. Now we say she is a boy, or that she should become a boy. Ironically, if you are a girl who likes playing with dolls, your interests are viewed as a product of socialization, but, if you are a girl who likes playing with trucks, then suddenly, you become a boy trapped in a girl’s body.

3.10 Each of us has a mix of masculine and feminine traits. But this diversity does not transform us into the opposite sex or expand the categories of sex beyond the binary: “feminine” boys are still boys, and “masculine” girls are still girls. As long as our society keeps conflating sex and gender, and as long as we believe that boys and girls who do not conform to gender stereotypes were “born in the wrong body”, then the liberty we desire from the constraints of gender roles will never be achieved. In the meantime, young people are suffering serious harm, including irreparable damage to their bodies, when they are convinced by those in authority, such as teachers, that it is OK to be

#### **4.0 How is gender being taught in NSW government schools?**

4.1 The curriculum of the NSW Department of Education on sex education - *Sexuality and sexual health education in NSW government schools* (2016) does not explicitly contain teaching on transgenderism. However, in the further information section of this document,

there is a reference to Legal Issues, Bulletin 55, specifically covering the legal rights of transgender students in schools ([Sexuality and sexual health education in NSW government schools \(wpmucdn.com\)](http://www.wpmucdn.com)).

4.2 In 2016, a review of sex and gender education in English-speaking countries was commissioned by the NSW Department of Education [[Sexuality gender education review 2017.pdf \(nsw.gov.au\)](http://www.nsw.gov.au)] to determine whether its policies and curricula in the area of sex and gender education aligned with international best practice. It compares the Curriculum of the US National Sexuality Education Standards that explicitly cover a transgender agenda throughout.

**Table 1. US National Sexuality Education Standards: content and skills, Identity strand, by phase of schooling**

End of Phase	Content and Skills
<b>K - Grade 2</b>	<ul style="list-style-type: none"> <li>Describe differences and similarities in how boys and girls may be expected to act.</li> <li>Provide examples of how friends, family, media, society and culture influence the ways in which boys and girls think they should act.</li> </ul>
<b>Grade 3 - 5</b>	<ul style="list-style-type: none"> <li>Define sexual orientation as romantic attraction to an individual of the same gender or of a different gender.</li> <li>Identify parents or other trusted adults to whom they can ask questions about sexual orientation.</li> <li>Demonstrate ways to treat others with dignity and respect.</li> <li>Demonstrate ways students can work together to promote dignity and respect for all people.</li> </ul>
<b>Grade 6 - 8</b>	<ul style="list-style-type: none"> <li>Differentiate between gender identity, gender expression and sexual orientation.</li> <li>Explain the range of gender roles.</li> <li>Analyze external influences that have an impact on one's attitudes about gender orientation and gender identity.</li> <li>Access accurate information on gender expression and sexual orientation.</li> <li>Communicate respectfully with and about people of all gender identities, gender expressions and sexual orientations.</li> </ul>
	<ul style="list-style-type: none"> <li>Develop a plan to promote dignity and respect for people in the school community.</li> </ul>
<b>Grade 9 - 12</b>	<ul style="list-style-type: none"> <li>Differentiate between biological sex, sexual orientation, and gender identity and expression.</li> <li>Distinguish between sexual orientation, sexual behavior and sexual identity.</li> <li>Explain how to promote safety, respect, awareness and acceptance.</li> <li>Advocate for school policies and programs that promote dignity and respect for all.</li> <li>Analyze the influence of peers, media, family, society, religion and culture on the expression of gender, sexual orientation and identity.</li> </ul>

4.3 The Department of Education’s 2015 statutory guidance for RSE (Relationships and Sex Education) in primary schools provides a list of resources that teachers may consult but reminds schools that they are responsible for selecting and quality assurance of teaching and learning resources, indicating that teachers have a lot of discretion in choosing topics and resources.

**Recommendation: This discretion should be immediately withdrawn because it has become clear that teachers have fallen prey to the influence of the transgender lobby.**

4.4 Of greater concern is that the NSW Department of Education is also in the thrall of the faulty ideology of the transgender lobby, as indicated in its two main curriculum packages –

**Recommendation: *Teacher Toolkit* and *Crossroads*. Both packages should be immediately withdrawn and re-fashioned to comply with biological and medical science.**

4.5 Many resources are available to assist teachers with their lessons in sex and gender<sup>1</sup>, many with questionable science underpinning the content. Perusal of “teaching” materials on gender that are readily available on the internet generally reveals that human anatomy and biologically-based sexual dimorphism have been abandoned in favour of concepts like gender identity, gender expression, natal sex, sexual attraction and romantic attraction all falling along a spectrum and all being expressed in different parts of one’s body, evincing absolute ignorance of human anatomy and brain-mind connections i.e., gender identity in the brain, sexual and romantic attraction in the heart, biological sex in the pelvis and gender expression, “everywhere.” It offers a tortured and incomprehensible definition of gender identity: “how you, in your head, define your gender, based on how much you align (or don’t align) with what you understand to be the options for gender.” Children are taught that there are “infinite” possibilities for gender identity but only four are specified: “woman-ness,” “man-ness,” “two-spirit,” or “genderqueer.” Children are taught that biological sex “isn’t something

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<sup>1</sup><http://www.stonewall.org.uk/> 48 <http://the-classroom.org.uk/>  
<http://www.schools-out.org.uk/>  
<http://www.rainbow-project.org/>  
<https://www.nidirect.gov.uk/information-and-services/young-people/health-safety-and-relationships>  
<http://www.transgenderni.com/>  
[https://www.nswtf.org.au/files/twenty10\\_trans\\_at\\_school.docx\\_\\_0.pdf](https://www.nswtf.org.au/files/twenty10_trans_at_school.docx__0.pdf)  
<https://www.aare.edu.au/blog/?p=1661>  
<https://www.rainbowsinschools.org/resources>  
<https://www.welcomingschools.org/resources/lesson-plans/transgender-youth/transgender-with-books/>  
<http://www.teachingtransgender.org/>

we're actually born with, it's something that doctors or our parents assign us at birth." Figure 1 shows a graphic of the basic "philosophy" underpinning gender education. It was initially embedded in the "the genderbread person" infographic below.

4.6 No definition is given for the endpoints at the opposite end of each concept. This is problematic for dimensional scales but utterly incomprehensible when applied to concepts like anatomical sex. How can anatomical sex be dimensional? How can you be anatomically fractionally female or fractionally male?

4.7 Note that "sex assigned at birth" has been identified as categorical as opposed to the other concepts – gender identity, gender expression, and anatomical sex – which have been identified as dimensional. The categories have been identified are Female, Intersex, Male. This is a perverse and dishonest attempt to obfuscate the binary nature of sex (see 3.4 above).

4.8 Another precept is that one can be sexually and "romantically" attracted to different genders. The concept "romantic" is not defined, nor is differentiate from "sexual" attraction. How one can conduct an intimate relationship with simultaneous attractions towards different people is not clarified.



# The Genderbread Person v4 by its pronounced METROsexual.com

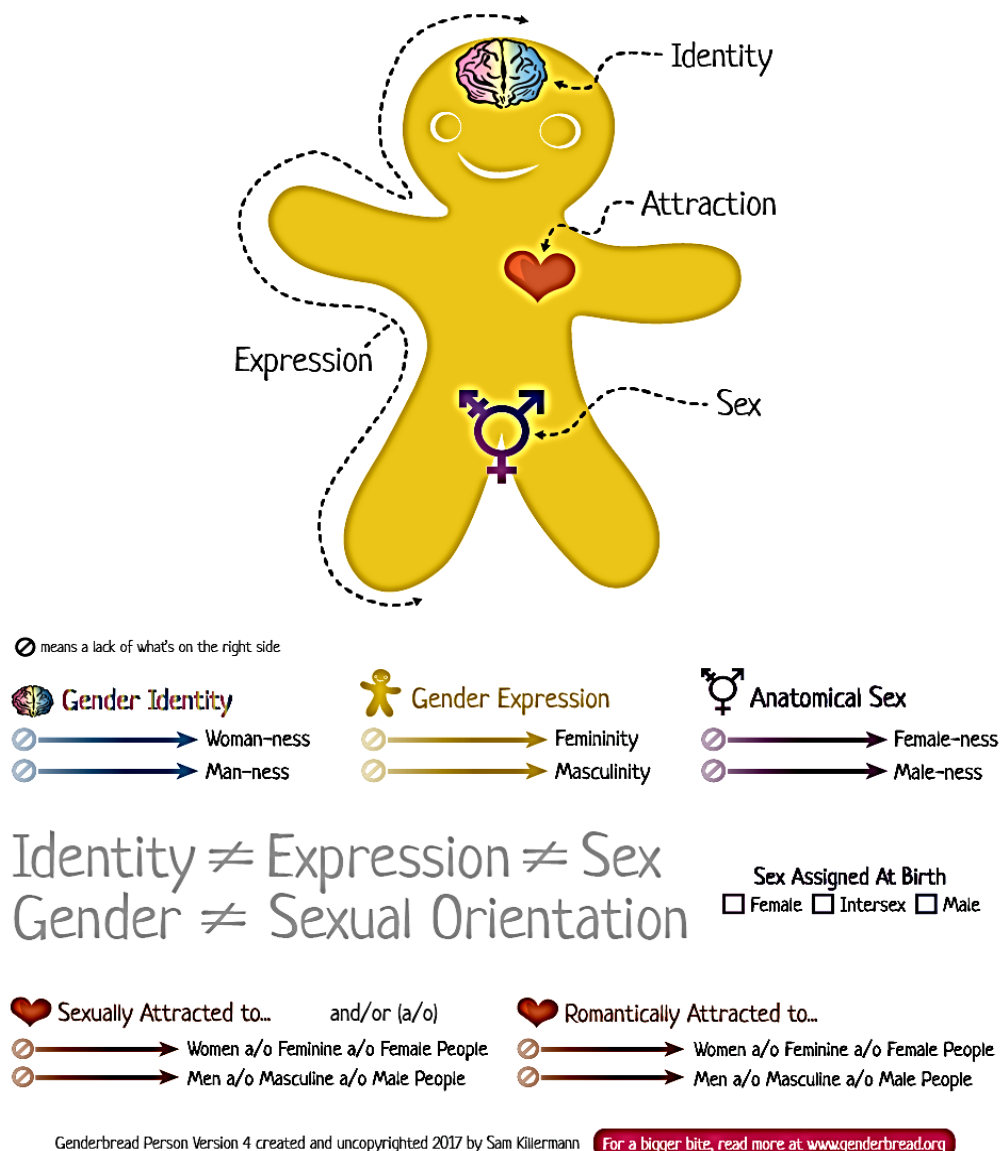


Figure 1. Genderbread person, Source: <https://www.genderbread.org/resource/genderbread-person-v4-0>

4.9 Interestingly, discontent arose within transgender ranks that the genderbread person appeared overly male and a breakaway group (Trans Student Education Resources; <https://transstudent.org/about/>) developed its own graphic – the Gender Unicorn (Figure 2) – that eliminates reference to male and female bodies. The underlying philosophy is mostly unchanged. It uses a body shape that doesn't appear either male or female, and instead of

“biological sex” it has a “sex assigned at birth.” It also changes sexual and romantic attraction to physical and emotional attraction.

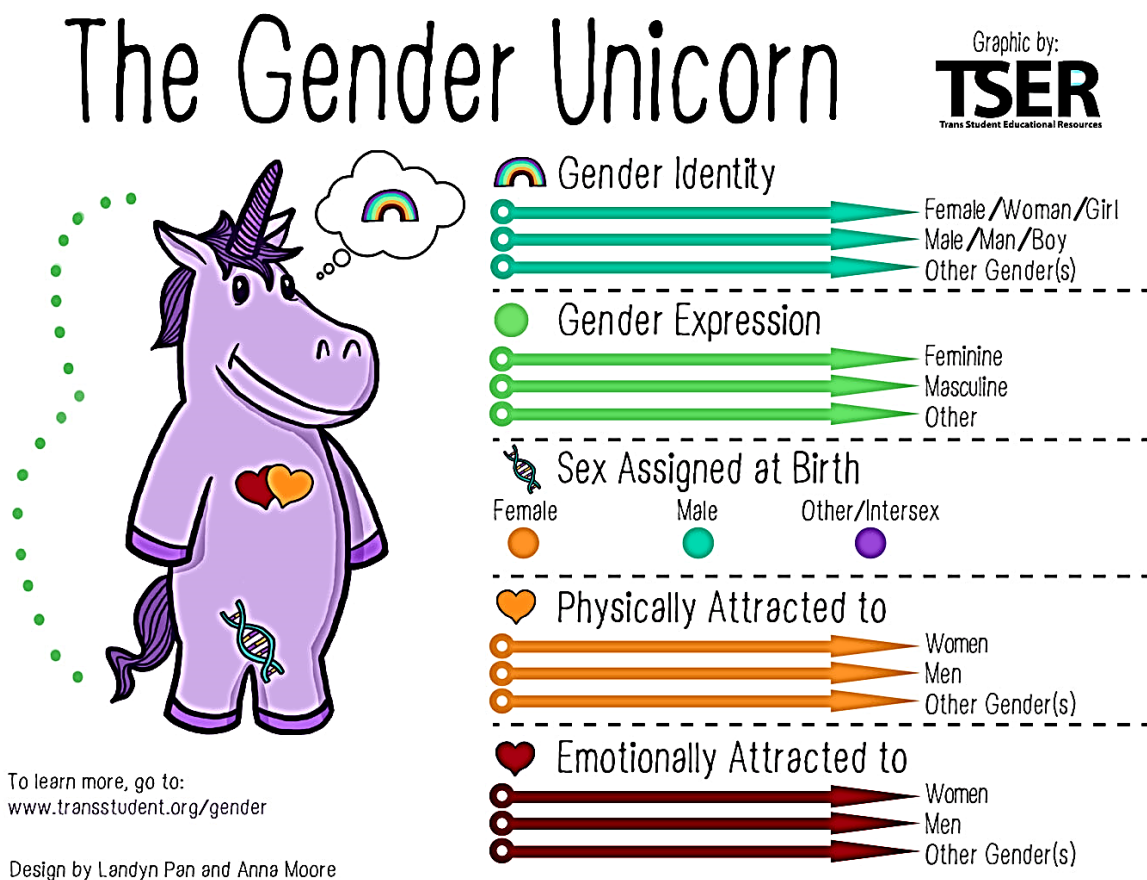


Figure 2. The Gender Unicorn, no longer human

4.10 The incoherence of transgender ideology is breath-taking and almost too muddled to explicate and clarify. Proponents use and discard or change concepts opportunistically. One example is gender dysphoria. In their attempts to convince us that transgender identification is not a psychiatric disorder, but a normal variant of human gender expression, they eschew the concept of gender dysphoria; however, they coach young people to declare that their gender dysphoria is so bad that it is making them suicidal and they must have “treatment” to save their lives. They abjure biological sex and sexual dimorphism and yet are rigidly binary in their understanding of transgender, as boys trapped in girls’ bodies, and vice versa. In each of their five categories in the genderbread person and the gender unicorn, they specify “male” “female” and “other” without expanding what “other” denotes. How can young children understand “other” when they have known only boys, girls, mothers, fathers, brothers,

sisters? It is interesting that these graphics (curricula) specify female/woman/girl and male/man/boy and feminine/masculine yet want to assert a gender spectrum. They erroneously include other/intersex as a third or infinite category of “sex assigned at birth.”

Further, if gender identity be innate and immutable, how can young people also feel gender fluid, nonbinary or queer? It is unclear whether gender identity can be experienced independently of biological sex. Without biological sex, how can transgender individuals have a gender “identity” since the current conception of transgender is an identity misaligned or opposed to their biological sex (or sex assigned at birth).

4.11 It is dumbfounding that these errors in basic logic have been embraced by Education Departments around the world. Many have accepted the ideology and turned it into compulsory curriculum for children without oversight or scrutiny. Similarly, seemingly intelligent practitioners in medicine, psychology, psychiatry and sport have all drunk from the same bottle of transgender ideology cool aid (i.e., have succumbed to social contagion).

**Recommendation: Education of all teaching staff in correct anatomy, physiology, and biochemistry pertaining to sexuality, sexual dimorphism, the meaning of gender, and the dangers (long and short term consequences) of attempting gender transition in adolescence.**

4.12 With the arrival of COVID-19, the World Health Organization (WHO) warned that there would be an “infodemic” of misinformation spawned by social contagion (Richtel, 2020). This has in fact occurred, but the false beliefs have not taken centre stage and swept all science before it in the manner of transgender ideology. Transgenderism is a cult and must be curtailed forthwith. As Anderson (2018) concluded:

The [transgender] movement has to keep patching and shoring up its beliefs, policing the faithful, coercing the heretics, and punishing apostates, because as soon as its furious efforts flag for a moment or someone successfully stands up to it, the whole charade is exposed. That’s what happens when your dogmas are so contrary to obvious, basic, everyday truths. A transgender future is not the “right side of history,” yet activists have convinced the most powerful sectors of our society to acquiesce to their demands. While the claims they make are manifestly false, it will take real work to prevent the spread of these harmful ideas.

4.13 Below is a summary of the fallacies, mistruths, and misconceptions contained in gender ideology which has found its way into school curricula. These need to be urgently corrected in all the peak bodies, including the NSW Department of Education, to stem the psychic epidemic that is destroying the lives of young people and their families.

- a. The term “diverse bodies” purportedly “represents clients with intersex variations... [of which] there are more than 40<sup>2</sup>.” The fact that 40 intersex variations (many extremely rare) have been identified is used to underpin the transgender belief that there are multiple sexualities, genders and bodies. However, intersex variations do not appear on a spectrum; they are discrete categories based on chromosomal, gonadal and genital characteristics and sex hormones and cannot be used to “prove” a gender spectrum. Again, there is a deliberate conflation of intersex with sexual orientation and gender identity. Almost all births (99.98%) are unambiguously male or female. Intersex conditions comprise the remaining 0.02% (1 in 5,000) to 0.07 (1 in 2,000) of births (InterACT, undated). These do not destabilize the foundation of biological sex.
- b. Conflation of people with intersex variations with those of diverse sexual orientation and gender identity despite an Intersex peak body, Intersex Human Rights Australia (IHRA, 2012) making explicit that intersex is an issue separate from sexual orientation and gender identity and that Intersex is not a gender identity.
- c. InterACT, another peak body for Intersex individuals, advocates reduction of genital surgeries in children because there is no demonstrated benefit to early intervention (InterACT, 2014). IHRA (2017) also deplores early surgery for young intersex people, stating that the decision should be delayed until the young person is old enough to provide informed consent for any surgical procedure. This position is in conflict with transgender advocacy for earlier and earlier hormonal treatment and sex re-assignment surgery.

**Recommendation: Removal of all mention of Intersex as a bastion to shore up the fallacious assertion that sex occurs on a spectrum from all curricular materials.**

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<sup>2</sup> Australian Psychological Society Guidelines for the treatment of sexually diverse and transgender clients (2020).

- d. Use of the scientifically incorrect phrase “sex assigned at birth.” Historically and currently, babies’ “birth sex” was and continues to be noted at birth. The phrase “sex assigned at birth” is now mandated because it opens the door to “gender identity” as the true basis of a person’s sex. The scientific understanding that sex is a biological reality and gender is a social construct has been reversed in transgender ideology which claims that gender identity is destiny and biological sex is a social construct.
- e. Inconsistent and internally contradictory use of the term “gender” stating that it is both a “social and psychological phenomenon” and “a deeply held internal and individual sense of [self]”. Each characterization privileges either nurture or nature as the defining feature but one cannot invoke polar opposites to endorse a fixed position. It can only be either/or, not both/and in this instance. Further, admission that gender may be socially constructed opens the door to the possible influence of social contagion, a position that the trans lobby decry, hence their confused logic in their causal attribution of gender.
- f. The trans lobby exhorts us to recognise that “diverse sexualities are one variant of human sexuality and are not indicative of psychological disturbance.” How can diverse sexualities be one variant of human sexuality?
- g. A collateral logical dilemma arises when the trans lobby want us to believe that people identifying as transgender are not psychologically unwell. They are simply expressing their diversity, a natural variant of human sexuality, on the one hand; on the other, they need a diagnosis of gender dysphoria in order to attract services, including feigning suicidality to coerce their parents and health care providers into agreeing to hormonal treatments.
- h. The trans lobby claim that the dysphoria paradigm perpetuates stigma and discrimination. If that be the case, one can only conclude that dysphoria cannot be a criterion for diagnosis despite the fact that most young people presenting for treatment claim a subjective experience of gender dysphoria. Hence, reliance on solipsistic assertions of “born in the wrong body” discourse will become the only arbiter of medical treatment decisions. Yet, how can one assert that one has been born in the wrong body without experiencing dysphoria? If there be no dysphoria, i.e.,

no disturbance in the mind, one can conclude that the condition does not exist and hence any medical or psychological intervention is unnecessary and stigmatising.

## **5.0 Transgender policies in schools and the deprivation of parental rights**

5.1 The NSW (Australia) Department of Education's Bulletin 55 (NSW government, undated) deprives parents of any rights in the management of their transgender declaring child at school. Bulletin 20 (NSW government, undated) even deprives parents of parental authority regarding the registered name of their child. It states,

If either or both parents object to the change to the way the first name is recorded by the school, the principal needs to make a decision about what is in the child's best interests [author's italics]. This decision should have regard to the age, capability and maturity of the student and can be informed by advice from a health care professional about the potential impact on the student's wellbeing of declining to use and record the student's preferred first name.

5.2 These guidelines undermine parental authority in the child's eyes, setting a dangerous precedent allowing children to make decisions about their wellbeing for which they are not emotionally or cognitively ready.

## **Summary and conclusion**

I have argued in this submission that gender ideology should not be taught in NSW government schools for the sole reason, although there are many others, that to continue to do so, we would be engaged in the egregious act of miseducating our children by propagating a fallacious, illogical, unscientific, and seriously damaging ideology. It is imperative that we desist forthwith from "dead-teaching" a generation of young minds who will have to unlearn and be re-socialised into the bodies into which they born. This will not happen until the adults and institutions responsible for their well-being reactivate the brains with which they were born and cease their mis-intellectualising about a rainbow spectra of gender and exhortations that they can "choose" their gender.

**Recommendation: The NSW Department convene a panel of researchers, medical scientists, endocrinologists, paediatricians, psychologists, psychiatrists, and educators to develop a**

**guidance comprising evidence-based precepts about the development of sexuality and gender upon which new curricula can be developed.**