

Submission
No 37

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

Organisation: Equality Tasmania

Date Received: 27 February 2021



Rodney Croome AM
President, Equality Tasmania

NSW Parliamentary Inquiry
Education Legislation Amendment (Parental Rights) Bill 2020
Portfolio Committee No. 3 - Education
portfoliocommittee3@parliament.nsw.gov.au

re: The Education Legislation Amendment (Parental Rights) Bill 2020

To Whom It May Concern,

Please accept this submission to your inquiry regarding the Education Legislation Amendment (Parental Rights) Bill 2020

Who are we?

Equality Tasmania, formerly the Tasmanian Gay and Lesbian Rights Group, has been Tasmania's foremost LGBTIQ advocacy organisation since 1988.

We have been intimately involved in the drafting and implementation of a range of reforms, including the Anti-Discrimination and Relationship Acts, the Same-Sex Marriage Bill, amendments to adoption and surrogacy laws, and Tasmania's landmark gender laws.

We have also been intimately involved in policy reforms in areas such as education, health and policing, and in initiatives to improve community attitudes on LGBTIQ+ issues.

We regularly consult with Tasmania's LGBTIQ+ community about issues facing LGBTIQ+ Tasmanians as well as priorities for reform.

Our recommendations

Equality Tasmania vehemently opposes the Education Legislation Amendment (Parental Rights) Bill 2020, and urges the Committee not to support it.

We recommend NSW adopt Tasmania's laws regarding LGBTIQ+ discrimination and vilification, as well as Tasmanian's laws regarding the recognition of trans and gender diverse people. Our laws are the best nationally and globally. NSW will be a better place if it follows Tasmania down the road to greater equity and inclusion for LGBTIQ+ people.

A cautionary tale

In 1994, the then secretary of the Tasmanian Education Department issued a memorandum to all state schools ordering that all posters and books dealing with homosexuality were to be removed, that the subject was not be raised in class, and that if any student were to approach a teacher or counsellor regarding their same-sex attraction the teacher or counsellor was not to respond.

The Minister for Education publicly supported this memorandum.

Not surprisingly, in subsequent years the number of young same-sex attracted people successfully attempting suicide increased dramatically. The problem was serious enough on the North West Coast of Tasmania for local government leaders to establish an LGBTIQ+ support service called Working It Out. Working It out is now a statewide service funded by the State Government.

After the decriminalisation of homosexuality in 1997 the offending memorandum was rescinded. Then, following the passage of Tasmania's gold-standard Anti-Discrimination Act 1998, a new set of LGBTIQ+ inclusive educational policies and programs were developed. The Tasmanian Education Department appointed an LGBTIQ reference group, updated its discrimination and inclusion policies to recognise the needs of LGBTIQ+ students and staff, and put in place a series of policies and programs promoting equity and inclusion for LGBTIQ+ people in the state school system.

These initiatives have continued for the two decades since. Tasmania now leads the nation in this area. No-one in Tasmania today publicly regrets the great progress we have made. This progress is embraced by both major parties and all school communities.

The point of telling this history is that

1. Regressive laws and policies, like the law being proposed in NSW, have deeply harmful impacts on the mental health of LGBTIQ+ young people
2. If these regressive laws and policies are passed they will be repealed in the not-too-distant future
3. It seems bizarre and irrational to pass such a deeply harmful law knowing it will not long be in place
4. NSW must learn from the Tasmanian experience and avoid the mistake we made.

Please be in contact if you require any further information.

Sincerely Yours,
Rodney Croome AM