

**Submission
No 38**

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

Organisation: Federation of Parents and Citizens Associations of NSW

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Education Legislation Amendment (Parental Rights) Bill 2020

Submission to the NSW Portfolio Committee No.3 - Education

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Introduction

Federation of Parents and Citizens Associations of New South Wales (P&C Federation) is thankful to the Portfolio Committee No.3 – Education (the Committee) for this opportunity to contribute to the *Education Legislation Amendment (Parental Rights) Bill 2020* (the Bill). P&C Federation supports the position of individual educational and developmental needs met by a range of differential services expressed through appropriate and well-planned curricula, programs and environments conducted by sensitive and well-trained personnel in conjunction with parents¹ and families.

The core belief of P&C Federation is that the education of our children and youth is the most fundamental means of ensuring individual and collective success and, as a result, our greatest national resource. We also support the concept that it is primarily the responsibility of governments to ensure education is well rounded and fully funded.

P&C Federation is a representative voice for public education in NSW. With over 1800 member associations our understanding of the issues within education is broad and carries with it the voice of a very large body of parents and carers.

Submission

1. Public Education in NSW is founded on the concept of inclusivity. Under this credo, NSW schools educate students from all walks of life, irrespective of cultural or religious background or sexuality. This reflects the core of the principles enshrined in the various anti-discrimination laws throughout this nation.
2. We remind the Committee that under section 4(b) of the *Education Act 1990*, the education of a child is primarily the responsibility of the child's parents. We believe this already gives primacy to parents in relation to how their child learns. Parents have always had the right to choose where their child learns, whether that is a public school, religiously focused or even home schooled. Parents also have the right to teach and raise their children in their own views and cultural framework.
3. The proposed changes open up the potential for a parent to be able to disrupt any part of an approved curriculum that they object to on moral, political, ethical or personal wellbeing grounds. The uncertainty this would create within education could potentially be catastrophic to the delivery of a uniform curriculum, and place schools and teachers in untenable positions.
4. The insertion of the "*provision of an education that is consistent with the moral and ethical standards and the political and social values of parents of students*" is essentially unworkable. Considering Australia is a diverse multicultural society, this insertion would immediately raise a conflict over whose moral, ethical or political standards a school is expected to conform to.
5. The Bill focuses heavily on the teaching of gender fluidity. There are divergent views on the nature of gender, such as whether it is synonymous with biological sex, and we do not see any utility in

¹ "Parent" refers to anyone with legal care of a child, such as a parent, carer or legal guardian

legislatively banning one set of views. It is worth noting that there is virtually no information on how widespread the teaching of these matters is in NSW government schools in any case.

6. In the reading of the bill, The Hon. Mark Latham, MLC raised the issue of accredited teacher development courses being approved “*without any centralised quality control or supervision*”. While the concern about lack of oversight is legitimate, banning mention of gender fluidity in schools does not directly address this.
7. We would also remind the Committee that the adoption of the Bill would potentially be in contravention of section 5B of the Federal *Sex Discrimination Act 1984*.
8. We do not consider the Bill necessary or justified. If passed it sets a dangerous precedent for the expansion of bans on specific topics that some may see as offensive or controversial.