

**Submission  
No 44**

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

**Organisation:** The Twenty-Ten Association

**Date Received:** 28 February 2021

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The Twenty-Ten Association  
PO Box 78 Strawberry Hills,  
New South Wales 2008

To the Joint Select Committee on the Education Legislation Amendment (Parental Rights) Bill 2020

February 15<sup>th</sup> 2021

Re: Submission from The Twenty-Ten Association

The Twenty-Ten Association, known as Twenty10 inc. GLCS NSW (Twenty10), opposes the proposed Education Legislation Amendment (Parental Rights) Bill 2020. We are grateful for the opportunity to make this submission to the Joint Select Committee.

Twenty10 is Australia's largest and longest running LGBTIQ+ organisation working primarily with 12-25 year olds. Based in Chippendale, Twenty10 offers support to people all over New South Wales, and Nationally via QLife, Australia's free, all ages LGBTIQ+ phone and web peer-support service.

Twenty10's vision is a world where people of all genders, sexualities and intersex variations are equal, affirmed, secure and connected. They experience positive health outcomes and live in a society without discrimination, oppression or violence.

Our work is underpinned by this vision. The proposed Education Legislation Amendment (Parental Rights) Bill 2020, specifically the prohibition of students learning about the gender diversity that exists in their own schools and communities, undermines this vision.

This Bill will expose many young Australians to harmful discrimination and blocks equitable access to one of the most essential, universal human rights afforded to all members of our society - access to education. Every student in NSW should have the opportunity to reach their full potential, to learn with their peers, and experience a sense of belonging in their school. Transgender and/or gender diverse students should feel supported by their classmates, teachers and school staff and be afforded the same opportunities for participation and education without discrimination or erasure as their cisgender peers.

Teaching about gender diversity is a demonstrated way to strengthen the position of trans and gender diverse students in schools and the broader community. It actively challenges and reduces ignorance, inappropriate language, behaviours, harassment and discrimination.

Placing a blanket ban on students learning about gender diversity completely blocks this process and further fosters prejudice and discrimination towards trans and gender diverse people, particularly those within the school setting.

In the largest ever survey of LGBTQA+ young people in Australia, the recently released national report *Writing Themselves in 4, The Health and Wellbeing of LGBTQA+ Young People in Australia (2021)*, revealed that 60.2% of participants felt unsafe or uncomfortable in the past 12 months at secondary school due to their sexuality or gender identity; two-thirds of trans women and non-binary participants said that in the past 12 months they had felt unsafe or uncomfortable at their educational institution due to their sexuality or gender identity and over one-third of secondary school students reported missing day/s at their educational setting in the past 12 months because they felt unsafe or uncomfortable.

School is not only a place for academic learning, it is a space where young people learn about themselves and the world they live in and the community they will participate in as adults. By learning about the perspectives, experiences and lives of others, that may be in part or entirely different to our own, is in part how we develop empathy, compassion and understanding. It is not feasible that this learning and development can only exist within a home or out of school environment. The socialisation and development that takes place within a school setting is unacceptable to erase the identity of an entire population of young people within a school environment, whose lives are of equal importance to their cisgender, heterosexual peers.

The Beyond Blue report, *From Blues to Rainbows – The Mental health and well-being of gender diverse and transgender young people in Australia (2014)*, found that participants who did not feel supported by their teachers were over four times more likely to leave school if they experienced discrimination than were those with teacher support.

The research outlined the impacts of harassment and discrimination at school by whether teachers used appropriate or inappropriate language. Participants whose teachers' use of pronouns and names were mostly inappropriate were also more likely to have poor educational outcomes than those whose teachers used appropriate language. These educational outcomes ranged from being unable to concentrate in class (54% compared to 22%) through to having their marks drop (54% compared to 26%) or leaving school altogether (22% compared to 6%).

It found inclusive schools were those where leadership and teachers tried to address students with the personal pronouns of their affirmed gender, were flexible about uniform and toilet arrangements, took a stand against bullying, and aimed to be accommodating to the individual's needs.

The research also found that participants with supportive classmates were less likely to experience various forms of harassment and discrimination at school. Overall, 68% per cent of participants without supportive classmates experienced social exclusion compared to 30% of those with supportive classmates. Participants without supportive classmates were also more likely to have rumours spread about them (50% compared to 36%). Further, they were more likely to have graffiti written about them (27% compared to 3%); be bullied on social media (47% compared to 21%); be humiliated (53% compared to 28%); and have people deliberately use the wrong pronoun or name to refer to them (50% compared to 26%). Participants without supportive classmates were also more likely to move schools (27% compared to 7% with supportive classmates), miss classes (47% vs. 22%), hide at recess or lunch (50% compared to 21%), not use the change rooms (27% compared to 17%) and drop out of extracurricular activities (27% compared to 14%).

The report states, “These findings point to the vital role that supportive leadership, teachers, and classmates can play in the mental and general wellbeing of gender diverse and transgender young people”.

This Bill will unequivocally transform safe learning and development environments into spaces where transgender and/or gender diverse young people will be othered, experience further isolation and barriers to engaging with their teachers and peers and potentially a sense of true erasure. This can only further exacerbate the disproportionate number of transgender and/or gender diverse people already experiencing poorer mental health outcomes than the broader community and having higher risk of suicidal behaviours than their peers, as contemporary research demonstrates.

*Writing Themselves in 4* compared population-based data of 16-17 year old participants from the second *Australian Child and Adolescent Survey of Mental Health and Wellbeing* and the *Writing Themselves In* participants.

59.1% of *Writing Themselves In 4* participants aged 16 to 17 years had seriously considered attempting suicide in the previous 12 months, more than five times the proportion observed in a sample of the general population aged 16 to 17 (11.2%).

More than one-tenth (11.0%) of *Writing Themselves In 4* participants aged 16 to 17 years had attempted suicide in the past 12 months, almost three times the 3.8% observed in samples of the general population aged 16 to 17 years.

Over one-quarter of *Writing Themselves In 4* participants aged 16 to 17 years had attempted suicide in their lifetime, almost five times the 5.3% reported among an age-matched sample of the general population aged 16 to 17 years.

*The National LGBTI Health Alliance Snapshot of Mental Health and Suicide Prevention Statistics for LGBTI People (2020)* identified that compared to the general population, LGBTI young people aged 16 to 27 are five times more likely to have thoughts of suicide. Those who experience abuse and harassment are even more likely to have thoughts of suicide.

- Transgender people aged 25 and under are nearly ten times more likely to be diagnosed with depression in their lifetime
- 74% of transgender and/or gender diverse people aged 14 to 25 have been diagnosed with depression in their lifetime
- 72.5% of transgender and/or gender diverse people aged 14 to 25 have been diagnosed with an anxiety disorder in their lifetime.

*Growing Up Queer: Issues facing young Australians who are gender variant and sexuality diverse (2014)* illustrated that as a direct result of harassment, homophobia, and transphobia: 33% of young people surveyed have self-harmed, 42% have thought about taking their own life and 16% have attempted suicide.

Outside of our direct client service delivery, Twenty10 delivers LGBTIQA+ inclusivity and affirmative practice training in workplaces all over the State; hospitals, universities, primary and specialist health services, the NSW Police Force, corporations and in schools - both to students and staff. The demand on this service is at an all-time high.

Australians want their educational settings to be inclusive and free from discrimination where all workers and students are afforded equal opportunities. Places of learning need to be safer spaces so that everyone may participate fully and benefit from equal economic participation in society. This Bill threatens this fundamental and necessary access to safe learning environments.

Twenty10's intake, information and referral line is staffed to assist young people, other services, parents and carers, teachers and support staff with accessing the support services they require. We are inundated with requests for support and information from schools and parents who have students or children who are transgender and/or gender diverse.

Our counselling service is 100% booked - the moment a place becomes available, it is filled. Many referrals into our services come from school counsellors or support staff who might be the first point of contact for a young person seeking information or support about gender affirmation. By erasing the existence of a young person's identity is to prevent this accessible referral pathway that could have dire effects on young people's lives.

It is a similar story with our housing and the national QLife service. The demand on our services outweighs our capacity to supply. As a service working directly with a vast array of young people, we see all too regularly first-hand the impacts of non-supportive educational, home, extracurricular and social environments. This bill threatens to exacerbate the minority stress LGBTIQ+ youth people already experience and as a result, experience higher rates of homelessness, poor mental health outcomes, self-harm, suicidal ideation and suicide.

Almost one in four (23.6%) *Writing Themselves In 4* participants had experienced one or more forms of homelessness in their lifetime while, for 11.5%, this had occurred within the past 12 months. Participants were asked if any experience/s of homelessness in their lifetime were related to being LGBTQA+. Over one-quarter (26.0%) of participants reported that their experience/s of homelessness in their lifetime were related to being LGBTQA+. This percentage was higher for trans men (45.2%) and trans women (37.9%). Further specific causes of homelessness reported by participants were mental health issues, rejection from family, family violence, and financial stress. Close to one in five participants reported that they had become homeless after running away from home or the place they live (17.4%) or being asked to leave home (10.5%). 11.1% stated it was a result of discrimination (such as from school, employment or services).

Fostering a respectful, accepting and educated member of society may begin at home but our school environment is where we do much of our learning, academic and otherwise. School plays a large part of forming our sense of identity, our connections to the broader world and communities around us and learn about people other than those in our families or family centred social spaces. They must be safer spaces for everyone - students and staff included, that foster respect for fellow humans- regardless of gender, sexuality, race, religion, ability or socio-economic background.

Any Bill that creates additional opportunities for discrimination or creates additional barriers for the communities we support and work with - and we say additional as there are already so many - will only contribute to serious and negative impacts on the lives of many young Australians.

Future generations are relying on us to provide them with the support they need to reach their full potential and access all the opportunities in life that they can. This is not something that should be available to only some young people, but indeed *all* young people. This Bill runs the very real risk of doing the exact opposite- thwarting the true potential of young people in our communities.

Yours sincerely,

Terence Humphreys and Jain Moralee  
Co-Executive Directors  
on behalf of The Twenty-Ten Association.