



Society for the Protection of Unborn Children

Unit B, 3 Whitacre Mews, Stannary Street, London SE 11 4AB

Submission of the SPUC Safe at School Campaign to the Department of Education consultation on: “*The [Draft] Independent Schools Standards: Advice for Independent Schools*” – 5th June 2018

5. What general comments do you have on the draft advice document?

We are concerned about an over-emphasis throughout the guidance with using the inspection system to enforce adherence to a partisan ideological agenda, particularly with reference to claimed obligations under the Equality Act (2010), Public Sector Equality Duty (2011) and commitment under the SMSR requirements to teach a certain interpretation of the arbitrary and vaguely defined ‘Fundamental British Values’.

Aside from the problematic nature of these laws, regulations and SMSR guidance in themselves, which set up competing ‘equalities’, the ISS draft advice would, in particular, if enacted, give inspectors the green light to fail a school for not actively promoting LGBT ideology in the way that certain lead inspectors would wish the school so to do. The way that the Equality Act (2010), PSED (2011) and ‘Fundamental British Values’ have already been interpreted during inspections of certain independent faith schools (eg. Vishnitz Orthodox Jewish Primary Girls School, London – OFSTED report May 2017) means that these concerns are not unfounded. The ISS draft advice even goes so far as to state that the school’s teaching must affirm the principle (not just the existence) of same-sex marriage and civil partnerships being recognised under civil law.

It is absolutely unacceptable that the draft guidance is establishing same-sex marriage and other aspects of the LGBT agenda as quasi-sacred articles of a secular national faith that must be adhered to by all citizens. This ISS draft advice constitutes an unprecedented attack on civil liberties and the natural human right of parents to raise and educate their children according to their own beliefs and values, as recognised by international human rights law. Article 26(3) of the UN Declaration of Human rights (1948) states that ‘parents have a prior right to choose the kind of education that shall be given to their children’. Whilst Article 2 of the European Convention on Human Rights states that ‘in the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching is in conformity with their own religious and philosophical convictions’.

6. If you have comments on the relevance of the public sector equality duty (s.149 of the Equality Act 2010) or the UN Convention on the Rights of the Child to the proposed document, insert them here:

The attempts at ideological coercion contained in the ISS draft advice also offend the dignity and human rights of the child, as well as the child's parents, as outlined in the UN Convention on the Rights of the Child. In particular, establishing legalised 'same-sex marriage and civil partnerships' as a principle that must be endorsed and not challenged (paragraph 20c), and that same sex marriage must be regarded as 'equally valid' to natural marriage between a man and woman (paragraph 58), contravenes Article 14 of the convention:

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.
2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.

Paragraphs 20(c) and 58 of the ISS draft advice also contravene Article 14 of the UNCRC because it violates the 'freedom of thought, conscience and religion' of the many school children and their parents who recognise the natural institution of marriage as relating exclusively to the union of a man and a woman – as indeed it has been recognised as such throughout virtually the entirety of human civilisation and history. It is NOT possible to hold up Article 14.3 of the UNCRC as any kind of justification for imposing an acceptance of 'same sex marriage', since there is NO 'fundamental right or freedom' to enter a 'same sex marriage' established or recognised in international law.

Paragraphs 20c and 58 of the ISS draft advice also contravene Article 13 of the UNCRC which establishes the child's 'right to freedom of expression' and 'to seek, receive and impart information and ideas of all kinds'. This is because the ISS draft advice is attempting to impose the principle on our schools and on our children that they can only have one single view on 'same sex marriage' – that is, the false idea, unrecognized throughout virtually the entirety of human history, that two people of the same sex can validly 'marry' in the same way as a man and woman can, even though that contravenes the whole nature and purpose of natural marriage itself. Pupils would be forced to by-pass any kind of critical awareness of human history, science, human anthropology and natural reason.

7. If you have comments on the advice in relation to the Quality of Education standard (Part 1), please insert them here

It is absolutely unacceptable that the draft guidance is establishing legalised same-sex marriage and other inferred aspects of the LGBT agenda as unchallengeable principles that must be adhered to by all British citizens. Paragraph 20c states, as an example, that a school would not meet the Standards if the PSHE curriculum ‘suggests that same-sex marriages or civil partnerships *should not be recognised* as being lawful unions under civil law’.

The ISS draft advice therefore represents a further and very sinister imposition of an official state ideology onto our education system, and constitutes an unprecedented attack on civil liberties and the natural human rights of parents to raise and educate their children according to their own beliefs and values, as recognised by international human rights law. Article 26(3) of the UN Declaration of Human rights (1948) states that ‘Parents have a prior right to choose the kind of education that shall be given to their children’. Whilst Article 2 of the European Convention on Human Rights states that ‘in the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching is in conformity with their own religious and philosophical convictions’.

It is both highly offensive and illogical that disagreement with the very principle of legalised ‘same sex marriage’ should be acquainted with racism, misogyny and other implied forms of bigotry provided in paragraphs 20a-e. Throughout almost the entirety of human civilisation and history the institution of marriage has been recognised as a natural union between man and woman, based on the biological reality and complementarity of the two sexes, for the ultimate purpose of procreating new human life and for providing a stable, nurturing and educative environment for the child within the natural family unit, until the child has developed to a state of maturity sufficient for independence. The political class only began entertaining the idea of ‘same sex marriage’ around a decade ago, and it was imposed on the British people by the political establishment, headed by the Coalition Government, as recently as 2013, without any kind of democratic mandate whatsoever. It was not even mentioned in any of the main parties’ manifestos, let alone subject to proper public consultation, scrutiny and debate. The idea that the State thinks it can now impose acceptance of legal same sex marriage in our schools, as a completely incontestable requirement of being a true British citizen, marks a very serious shift towards attempted totalitarianism — one that undermines our fundamental freedoms and one that will not go unchallenged.

Furthermore, the attempt to present legal same-sex ‘marriage’ as some kind of unquestionable political principle that British people have to accept at all costs clearly contradicts other, more positive, aspects of the ISS draft advice. For example, paragraphs 61-66, relating to section 5 (c) of the Standards helpfully establishes that schools should ‘prevent the political indoctrination of pupils through the curriculum’, by making sure that

political issues are not treated in a 'partisan' and 'superficial' way, which demonises opponents of such issues and their motives. Trying to enforce the idea that support for legalised 'same-sex marriage' is an unchallengeable requirement of being a British citizen, whilst demonising opponents of that view by acquainting them with those who are racist and abuse women, is clearly in conflict with the guidance on section 5(c) and would also constitute an abhorrent misuse of the education system.

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