

Briefing for the Public Petitions Committee

Petition Number: [PE1772](#)

Main Petitioner: Pamela Suarez

Subject: Ban LGBT teaching and sexual pictures from school curriculum

Calls on the Parliament to urge the Scottish Government to ban Lesbian, Gay, Bisexual and Transgender teaching and sexual pictures in curriculum of secondary and primary schools 2019.

Background

The petitioner states that she agrees with The Christian Institute that:

“sex and relationships education, like all education, is primarily the responsibility of parents. Therefore, parental authority must be obtained, such as through consultation with parents and the parental right of withdrawal from sex education”.

She argues that primary school is too early for:

“the kind of sex and relationships education advocated by the sex education lobby. Some of the materials already being recommended for primary schools are completely inappropriate”.

The petitioner is also concerned about the promotion of homosexuality, and that:

“The use of Lesbian, Gay, Bisexual and Transgender teaching and sexual cartoons in schools will induce children to other sexual conduct and promote further identity confusion”.

The school curriculum is largely non-statutory. A school's curriculum is based upon local decision-making informed by national guidance.

Scottish Government action

Sex and relationships education in schools

Scotland's Curriculum for Excellence has eight curriculum areas, one of which is health and wellbeing. Many of the outcomes in this curriculum area are the responsibility of all adults working in schools and early years settings. Secondary schools may choose to provide some of this content through personal and social education (PSE) lessons. Under PSE, pupils can be taught about relationships, sexual health and parenthood.

Scottish Ministers have a power to issue guidance on sex education under s.56 of the Standards in Scotland's Schools etc Act 2000. There is no mandatory requirement to provide sex education, and neither is there a requirement for pupils to attend classes providing sex education. In addition, sex education may be incidental in other aspects of the curriculum (e.g. biology) which makes it difficult for parents to withdraw a child if they so wish.

Review of PSE

The Scottish Government undertook a review of PSE in Scotland and, in January 2019, made a series of [recommendations for improvement](#). The intention was to implement these during the current parliamentary session, to March 2021. The recommendations included:

- That the forthcoming review to update the existing guidance available to schools '[Conduct of Relationships Sexual Health and Parenthood Education in Schools](#) (2014)' includes appropriate guidance to ensure that consent education is age and stage appropriate and reflects the issues that are facing children and young people, especially from online influences.
- Education Scotland, building on the recommendations of the LGBT Inclusive Education Working Group, will undertake a peer-review, in collaboration with practitioners, of selected effective curriculum materials to support learning related to the other protected characteristics and for learners requiring additional support needs.

LGBTI inclusive education

On the 8 November 2018, the Scottish Government [announced](#) that Scotland would be the first country in the world to have LGBTI inclusive education embedded in the curriculum. It [accepted](#) in full the [recommendations](#) of the [LGBTI Inclusive Education Working Group](#). The 33 recommendations cover the professional learning of teachers, practice and guidance, school inspections and anti-bullying. They will be delivered before the end of the current Parliamentary term in March 2021.

Sex and relationships education resources

[SHARE](#) is an educational resource for use by teachers to support learning about Relationships, Sexual Health and Parenthood. It includes a 22-lesson pack, including handouts. The focus is on interactive learning based on the age and stage of participating young people aged 13–16. It states:

“Schools are expected to inform parents and carers about their RSHP programme. Most will be supportive; many will find it helpful to know when it is taking place and what sort of issues you will be covering; some will have anxieties – they may want to see materials you will be using or they may want to discuss their concerns, some of which may stem from their own lack of knowledge. The more open and involving of parents and carers you are, the more supportive they are likely to be. They will also be more able to discuss further at home the RSHP issues being discussed in the classroom.” (p20)

SHARE includes guidance on the materials used:

“The materials have been successfully piloted with a wide range of students. However, there may be some sessions, project sheets or handouts that are

not appropriate to the needs of all students. Rather than adopting a ‘lowest common denominator’ approach, we have aimed at the majority in a class and suggest that educators modify materials where necessary.” (p25)

In [God’s Loving Plan](#), the Scottish Catholic Education Service provides guidance to primary school teachers, setting out “how children can be helped to develop healthy and respectful attitudes to their bodies and to relationships with families and friends”.

[RSHP is an online resource](#) for use in early learning settings, primary and secondary schools, colleges and in community-based learning. It links to digital content by age, and provides information for parents.

[Education Scotland](#) provides information for parents about RSHP education.

Scottish Parliament Action

Since the establishment of the Scottish Parliament, there has been a growing recognition and acceptance of same sex relationships. This is [evidenced in attitudinal research](#) which shows that the proportion of people who say that same sex relationships are wrong has been steadily declining over time.

In the early days of the Scottish Parliament, the then Scottish Executive committed to repealing section 28 (also referred to as section 2A), a provision in the Local Government Act 1986 that prevented the promotion of homosexuality by teaching or publishing material. Section 28 provided:

- (1) A local authority shall not –
 - (a) intentionally promote homosexuality or publish material with the intention of promoting homosexuality;
 - (b) promote the teaching in any maintained school of the acceptability of homosexuality as a pretended family relationship.

Despite a [privately funded campaign to ‘keep the clause’](#), the Scottish Parliament repealed Section 28 when it [passed the Ethical Standards in Public Life etc \(Scotland\) Bill on 21 June 2000](#).

Since the repeal of section 28, local authorities have not been bound by the prohibition of the promotion of homosexuality.

On [3 June 2004, the Scottish Parliament agreed](#) by Legislative Consent Motion to the inclusion of Scottish provisions in the UK wide Civil Partnership Bill. This meant that, for the first time, same sex couples could register their partnership and have rights and responsibilities similar to different sex couples in marriage.

While this was a significant advance, it was argued that civil partnerships perpetuated discrimination against same sex couples because it was viewed by some as ‘marriage lite’.

Ten years later, on 4 February 2014, the Scottish Parliament passed the [Marriage and Civil Partnership \(Scotland\) Bill](#), providing equal marriage for same sex and different sex couples.

Education and Skills Committee and the Equalities and Human Rights Committee

The Education and Skills Committee conducted a short [inquiry on Personal and Social Education](#). The report, [Let's talk about personal and social education](#) (22 May 2017) said:

“In terms of core issues, Sex and Relationships Education (“SRE”) is essential and must feature. To be effective this means SRE which goes beyond the biology and involves talking about sex and relationships (not just watching videos and reading leaflets as is the case in some classes). The Committee received concerning evidence that for some young people, particularly LGBTI young people, sex education comes from the internet, including pornography, due to a lack of adequate provision within school. It should be noted that the Committee received a particularly high volume of written evidence on the issue of LGBTI-inclusive education, or the lack thereof.”

Other priorities were that the issue of consent is not considered consistently in SRE, and that SRE should be more inclusive and not just focus on heterosexual relationships.

The Equalities and Human Rights Committee conducted an inquiry on [prejudice-based bullying](#). The report, [It is not Cool to be Cruel](#) (6 July 2017) included the following recommendation:

“Given the evidence we received about children as young as 12 years old being coerced into sexual activity, we ask the Scottish Government and education authorities to ensure that consent and healthy relationships be taught from the beginning of primary school in an age appropriate manner to safeguard children.”

The two committees held a joint debate on their reports on the [15 November 2017](#).

Nicki Georghiou
Senior Researcher
18 December 2019

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