

# Knights of Saint Columba

Accrington Council 188

Bulletin No.2- J23

Source Christian Institute

Warwickshire County Council is on the brink of a legal challenge over a controversial and misleading policy for implementing Relationship and Sex Education in primary schools under its care.

Lawyers acting on behalf of The Christian Institute have written to the Council, raising concerns over the policy's "catalogue of errors".

They contend it has failed to "take into account and give proper weight" to its duties under the Equality Act 2010, the Human Rights Act 1998 and the Education Act 1996.

## **'All About Me'**

The Council's Relationship and Sex Education Policy for primary schools incorporates and promotes the controversial All About Me programme.

Among its false assertions are that gender identity "can be best understood as being a spectrum" and "transgender children have the right to use whichever toilet or changing room they feel most comfortable using".

The Council must withdraw this deeply flawed policy while it addresses its catalogue of errors.

## **John Denning, The Christian Institute's Education Officer**

It encourages schools not to inform parents if their children are sharing rooms with transgender pupils and to conceal a child's transgender status from their own parents – contrary to parental rights which are protected under the Human Rights Act 1998.

## **Graphic**

Whilst making no reference to marriage, lesson materials do encourage masturbation and include "gratuitously graphic" sexual images, contrary to the Education Act 1996 and despite the lessons not being classed as sex education.

The letter warns the Council that it cannot lead schools to evade their duties under the Act "by teaching sexually explicit materials under the heading of another subject", pointing out that "if the content is sexually explicit it must be sex education" however it is labelled.

"Whether a lesson constitutes sex education is not determined by how it is badged but by what is being presented", it says.

## **'Withdraw'**

Dated 20 January, it states, "In light of these breaches, we ask you to confirm within the next 14 days that you will withdraw the Policy with immediate effect and contact all schools using the policy to make clear to them that their continued adoption of the policy could lead to them breaching the legal obligations.

"If you decide not to do so, our client will pursue a claim for judicial review of that decision on the basis of the serious legal flaws contained in the Policy which we have drawn to your attention in this letter."

There are vital safeguarding issues at stake here.

## **John Denning**

The Council responded on 3 February, to say it did "not intend to provide a substantive response" to the Institute's legal and policy arguments, claiming it was undertaking an "independent review" of the programme.

No timescale was given for completing the review and it made no commitment to withdraw the Policy or to warn schools that they may be breaking the law. The Institute's lawyers are requesting clarity over the nature, scope and timescale of the review and whether schools will be

advised not to use All About Me until it has concluded.

**‘Reluctant’**

John Denning, Education Officer at The Christian Institute, commented: “Warwickshire County Council has been reluctant to engage with parents or us about these serious concerns.

“Either by design or error the Council has corrupted and misapplied equality and education law.

“Consequently, the Council is failing to properly discharge its responsibilities; a failure compounded by advising schools and teachers incorrectly about their duties. This cannot continue.”

**‘Deeply flawed’**

He added: “The Council is utterly failing to balance the rights of trans-pupils with the rights of others. At the same time, it has commissioned materials for use with small children that are highly inappropriate, radically ideological, yet inexplicably, completely silent on marriage.”

Mr Denning concluded: “The Council must withdraw this deeply flawed policy while it addresses its catalogue of errors.

“As it does so it must rid itself of the notion that young children somehow want or need adult ideas forced upon them or that it is both legal and desirable to keep their parents in the dark about it.

“There are vital safeguarding issues at stake here. To refuse to admit there is anything wrong with the policy would seem to be putting at risk the well-being of the very children they have a duty to protect.”

**‘Respect Yourself’**

Warwickshire County Council came under fire last October over its Respect Yourself website.

The site included graphic descriptions of different sexual behaviours in a 47-page ‘sextionary’.

Following complaints, the Council removed the site to conduct a review of the content.

Bernard Holden MBE JP

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