

Women's **Policy Group NI**

WPG NI Response to Department of Education Consultation on Relationships and Sexuality Education (RSE)

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1. Introduction:

The Women's Policy Group (WPG) is a group of policy experts and practitioners who advocate collectively for women and girls by promoting gender equality through an intersectional feminist lens. We challenge systemic injustice and discrimination affecting women and girls by informing society and influencing policy and law. Our work is informed by women and girls' lived experiences and rooted in international human rights law.

The WPG is made up of women from trade unions, grassroots women's organisations, women's networks, feminist campaigning organisations, LGBTQ+ organisations, migrant groups, support service providers, NGOs, human rights and equality organisations and individuals. Over the years this important network has ensured there is good communication between politicians, policy makers and women's organisations on the ground. The WPG is endorsed as a coalition of expert voices that advocates for women in Northern Ireland on a policy level.

If you have any questions or queries about this response, or would like to discuss this evidence further with the WPG, please contact Elaine Crory, Women's Sector Lobbyist at elaine.croory@wrda.net

This response was prepared by the following WPG members:

- Elaine Crory – Women's Resource and Development Agency
- Aoife Mallon - Women's Resource and Development Agency
- Naomi Connor - Alliance for Choice
- Danielle Roberts - Reclaim the Agenda
- Noeleen Higgins – BASW
- Sophie Nelson – HERe NI
- Robyn Scott - CAJ
- Bethany Moore – FWIN
- Alexa Moore – Human Rights Consortium
- Jonna Monaghan - Women's Platform
- Dr. Kellie Turtle - Ulster University

Please note that this response also includes evidence from other WPG work, compiled by a range of WPG members, and not all member organisations have specific policy positions on all the areas covered in this response.

1.1 Endorsements

The WPG would like to endorse the responses submitted to this call for evidence by Alliance for Choice, HERe NI / Cara Friend / the Rainbow Project, Alliance for Choice Derry, Faith Voices for Reproductive Justice, and the Women's Regional Consortium.

2. Past Consultations Responses, Evidence Submissions and Briefings:

The WPG has published a wide range of evidence through various evidence submissions, public consultation responses and specific briefings on issues relating to relationships and sexuality education (RSE). Responses made by the WPG, and some of our members, in relation to these issues include:

Primary Research:

- WPG NI Primary Research (2023) into VAWG in Northern Ireland (Attitudes and Reporting VAWG)¹
- WPG NI Primary Research (2022) into VAWG in Northern Ireland (Scope, scale and prevalence of VAWG)²
- WPG NI Primary Research (2021) on the impact of the pandemic on women and girls in Northern Ireland³ - included specific questions on RSE

TEO Consultation Responses:

- WPG NI (2022) Response to Joint Call for Views: New Strategies: Domestic and Sexual Abuse Strategy (DOJ, DOH) Violence Against Women and Girls Strategy (TEO)⁴
- WPG NI (2023) Response to TEO Ending VAWG: Experiences and Attitudes of 16-year-olds in Northern Ireland report – Readership Survey⁵

Other Consultation Responses:

- WPG NI (2023) Response to Westminster Women & Equalities Committee Inquiry into the Escalation of VAWG⁶
- WPG NI (2021) Response to Protection from Stalking Bill⁷
- WPG NI (2023) Response to the Department of Justice (DoJ)/ Department of Health (DoH) Draft Domestic and Sexual Abuse Strategy⁸
- WPG NI (2021) Written evidence submission and oral evidence presentation on DoJ Justice (Sexual Exploitation and Trafficking Bill)⁹
- WPG NI (2022) Response to Home Affairs Inquiry into Spiking¹⁰

¹ <https://wrda.net/wp-content/uploads/2023/09/AfterViolenceWPGPrimaryResearch.pdf>

² <https://wrda.net/wp-content/uploads/2022/04/WPG-VAWG-Research-Report.pdf>

³ <https://wrda.net/wp-content/uploads/2021/07/WPG-Feminist-Recovery-Plan-Research-Report-Womens-Voices-at-the-Core.pdf>

⁴ <https://wrda.net/wp-content/uploads/2022/03/WPG-Response-to-Call-for-Views-New-Strategies-Domestic-and-Sexual-Abuse-and-VAWG-Mar-22.pdf>

⁵ <https://wrda.net/wp-content/uploads/2023/04/WPG-Response-TEO-VAWG-Research-Report.pdf>

⁶ <https://wrda.net/wp-content/uploads/2023/09/WPG-response-to-Westminster-Enquiry-on-Escalation-of-VAWG.pdf>

⁷ <https://wrda.net/wp-content/uploads/2021/04/WPG-Joint-Submission-Protection-from-Stalking-Bill-16-04-2021.pdf>

⁸ <https://wrda.net/wp-content/uploads/2023/05/WPG-Response-to-DSA-Strategy-.pdf>

⁹ WPG Justice (Sexual Exploitation and Trafficking Bill) written evidence submission and oral evidence presentation: <https://wrda.net/wp-content/uploads/2021/09/WPG-Written-Evidence-Submission-to-Justice-Sexual-Exploitation-and-Trafficking-Victims-Bill-24-September-2021-1.pdf>

¹⁰ WPG Response to Home Affairs Committee into Inquiry into Spiking (2022): <https://wrda.net/wp-content/uploads/2022/01/WPG-response-to-Spiking-Inquiry.pdf>

- WPG NI (2021) Submission on the Safe Leave Bill¹¹,
- WPG NI (2021) Submission to Justice Committee on Fatal and Non-Fatal Strangulation¹²,
- WPG NI (2021) Briefing on Treating Misogyny as a Statutory Aggravator in the Hate Crime Review¹³,
- WPG NI (2020) Evidence submission to the Committee on the Domestic Abuse and Civil Proceedings Bill¹⁴.
- WPG NI (2020) Response to the Independent Hate Crime Legislation Review Consultation¹⁵,
- WPG NI (2021) Response to the Department of Justice Public Consultation on Enhancing Legal Protections for Victims of Domestic Abuse¹⁶,
- WPG NI (2021) Response to Private Members' Bill Consultation on Paid Domestic Abuse Leave¹⁷,
- WPG NI (2021) Response to Department of Justice Public Consultation on Consent to Harm for Sexual Gratification: Not a Defence¹⁸

Briefings:

- WPG NI Briefings to MLAs on the rise in domestic abuse in the beginning of the COVID-19 pandemic¹⁹,
- WPG NI Call for increased funding for domestic abuse support providers²⁰,
- WPG NI Call for the urgent implementation of a Violence Against Women and Girls Strategy and broader measures to tackle gender-based violence in the WPG COVID-19 Feminist Recovery Plan²¹,
- Summary briefing on WPG NI Feminist Recovery Plan Webinar analysing the rising levels of violence against women throughout COVID-19²²,
- WPG NI Feminist Recovery Plan Key Briefing on Gender Based Violence²³,
- Letter from RYV to Education Minister, Peter Weir (2021)²⁴

¹¹ WPG Response to Safe Leave Bill (2021): <https://wrda.net/wp-content/uploads/2021/12/WPG-Response-to-Safe-Leave-Bill-Dec-21.pdf>

¹² WPG Response to Non-fatal Strangulation Public Consultation (2021): <https://wrda.net/wp-content/uploads/2021/09/WPG-response-to-NFS.docx.pdf>

¹³ WPG Response to Department of Justice Response to Hate Crime Review (2021): <https://wrda.net/wp-content/uploads/2021/12/WPG-Summary-Response-to-DoJ-Response-to-Hate-Crime-Review-Dec-2021-.pdf>

¹⁴ WPG Evidence Submission to Justice Committee (2020) Domestic Abuse and Family Proceedings Bill: <https://wrda.net/wp-content/uploads/2020/06/WPG-NI-Evidence-Submission-to-Justice-Committee-05.06.20.pdf>

¹⁵ WPG (April 2020) Hate Crime Legislation Independent Review Consultation Response: <https://wrda.net/wp-content/uploads/2020/12/WPG-Hate-Crime-Consultation-Review-Response-30.04.20-Updated.pdf>

¹⁶ WPG (February 2021) Response to DOJ Consultation on Enhancing Legal Protections for Victims of Domestic Abuse: <https://wrda.net/wp-content/uploads/2021/02/WPG-Response-on-Enhancing-Legal-Protections-for-Victims-of-Domestic-Abuse-Public-Consultation.pdf>

¹⁷ WPG (January 2021) Response to Private Members' Bill on Paid Leave for Victims of Domestic Abuse: <https://wrda.net/wp-content/uploads/2021/01/WPG-Response-to-PMB-Consultation-Paid-Domestic-Abuse-Leave-Jan-21.pdf>

¹⁸ WPG (January 2021) Response to DOJ Consultation on Consent to Serious Harm for Sexual Gratification - Not a Defence: <https://wrda.net/wp-content/uploads/2021/01/Consent-to-harm-for-sexual-gratification-not-a-defence-by-WPG.pdf>

¹⁹ WPG Statement on the Gendered Impact of COVID-19 and Domestic Abuse (April 2020): <https://wrda.net/2020/03/26/statement-by-the-womens-policy-group-on-the-gendered-impact-of-covid-19/>

²⁰ WPG Call for Emergency Funding for Domestic Violence and Sexual Health (May 2020): <https://wrda.net/wp-content/uploads/2020/06/WPG-Letter-Emergency-Domestic-Violence-Funding-.pdf>

²¹ WPG COVID-19 Feminist Recovery Plan (July 2020): <https://wrda.net/wp-content/uploads/2020/07/WPG-NI-Feminist-Recovery-Plan-2020-.pdf>

²² WPG Feminist Recovery Plan Webinar Series - COVID-19 and Violence Against Women (in collaboration with Women's Aid and Raise Your Voice) summary briefing available here: <https://wrda.net/wp-content/uploads/2020/11/VAWwebinarsummary.pdf>; and recording available here: <https://wrda.net/wp-content/uploads/2020/11/VAWwebinar.mp4>

²³ WPG (April 2021) Feminist Recovery Plan Key Briefing on Gender Based Violence: <https://wrda.net/wp-content/uploads/2021/04/WPG-FRP-Gender-Based-Violence-Key-Briefing.pdf>

²⁴ <https://www.raiseyourvoice.community/news-resources/open-letter-call-for-comprehensive-sre>

2.1. Content from previous WPG work and the WPG Feminist Recovery Plan

As illustrated above, the WPG has done extensive primary research and written several consultation responses and briefings on issues relating to RSE, specifically, Violence Against Women and Girls (VAWG). The argument underpinning all of this work remains the same:

Standardised, comprehensive RSE is essential to tackling VAWG in our society. It is one of the key root causes of VAWG and has a powerful role to play in preventing VAWG and shifting the cultural attitudes and norms that have allowed VAWG to continue at such widespread levels. We cannot eradicate VAWG without adequate RSE in schools.

Our primary research has showed that:

- 92% of people who attended school in Northern Ireland said they did not feel they had received an adequate relationships and sexuality education (RSE)²⁵
- 87% of women in Northern Ireland have experienced VAWG²⁶
- 95% of women think that reducing levels of violence against women and girls requires focusing on changing men and boys' behaviours and actions²⁷

The importance of education in tackling VAWG emerged as a key theme in our primary research into the scope, scale and prevalence of VAWG in 2022. In this report, we explain that:

Looking at both our qualitative and quantitative findings, the importance of education stood out as a key recurring theme. This was particularly the case when looking specifically at questions relating to culture, attitudes and beliefs around violence against women and girls.

In questions 15, 17 and 21, we asked respondents what they thought were the root causes of sexism, misogyny, victim-blaming, rape myths and rape culture, why they thought there is stigma around issues relating to violence against women and girls what sort of measures they thought were necessary to change men and boys' actions. For each of these questions, education was one of the most commonly cited responses. Specifically, a high level of respondents felt that:

- Sexism, misogyny, victim-blaming, rape myths and rape culture are caused by a lack of education.
- A lack of education on violence against women and girls has perpetuated the existence of stigma around issues relating to this violence.
- In order to change men and boys' actions and address men's violence, it is necessary to educate men and boys on issues relating to violence against women and girls. Many respondents specified that this education should begin at a young age in schools and other learning environments.

The importance of education was also a recurring theme when analysing the data from several quantitative questions. For example, we asked respondents if they were aware of various forms of violence against

²⁵ WPG (2021) 'Putting Women's Voices at the Core: Primary Research' Available here: <https://wrda.net/wp-content/uploads/2021/07/WPG-Feminist-Recovery-Plan-Research-Report-Womens-Voices-at-the-Core.pdf>

²⁶ <https://wrda.net/wp-content/uploads/2023/09/AfterViolenceWPGPrimaryResearch.pdf>

²⁷ <https://wrda.net/wp-content/uploads/2022/04/WPG-VAWG-Research-Report.pdf>

women and girls. Notably, less than 50% were aware of honour-based abuse (37.8%), systemic violence by the state (36.7%) and spiritual abuse (26%). Only 54.3% were aware of all the forms of violence that we listed (this full list has been provided in the survey responses section of this report).

Furthermore, a high proportion of respondents indicated that they were ‘unsure’ about the existence of various types of violence against women and girls, particularly in relation to culture, attitudes and beliefs. For example:

- 16.9% of respondents were unsure about whether Northern Ireland has a problem with rape myths and rape culture.
- 15.5% of respondents were unsure about whether there is stigma surrounding issues of violence against women and girls.
- 11% of respondents were unsure if Northern Ireland has a problem with victim-blaming.
- 9.5% of respondents were unsure if Northern Ireland has a problem with attitudes of sexism and misogyny.

This suggests that more education may be needed on these key concepts, such as rape myths, rape culture, stigma, victim-blaming, sexism and misogyny. This could be done through incorporating these topics into school curriculums or delivering a widespread public education campaign.

The following quotes provide a sample of responses we received to our survey in 2021 in response to the question: Did you attend school in Northern Ireland and if so, do you feel that you received an adequate Relationships and Sexuality Education (RSE)? Could you please explain your reasons for this?

“Love for Live are not equipped to deliver RSE - yes they ticked PHA boxes by attending courses to be trained but this is not reflected in their workshops. Faith based and Public Health do not mix and when they do, they do so to the detriment of our young people”

“Simply not good enough any more. Needs to be led by the children who are being taught. Not education sector or churches.”

“Comprehensive & standardised RSE should be introduced immediately and parents should not have the option to object.”

“I was trained to deliver RSE. Did so with my classes. Never extended to whole year groups. Boys very rarely taught RSE. Mostly taught basics in Science only.”

“RSE should be mandatory, delivered in all schools and faith or other schools should not be exempted or allowed to teach this according to their own perceptions. Experts in this should set the curriculum for all schools.”

“...Children now are exposed to sexualised content in many forms and it may all appear 'normal'. They need to be taught about the very strong emotions it brings and how to say no to sex if they are not ready rather than be talked into it by their partner.”

“Fairly primitive compared to other jurisdictions. Not mandatory. Not inclusive. Subject to 'religious' ethos of school. Does not fit children and young people for life and is not seen as critical to changing attitudes to women and girls.”

"No separation from faith in most schools which means many young people are not enabled to take part in discourse which would afford them proper insights or to make well informed decisions. Too much alignment with religious views."

"There should be comprehensive and compulsory education not only on the biology of reproduction but on relationships and consent."

"Our 'education for life' teacher was an RE teacher and then music. It was painful and uncomfortable for us as students and teachers. You were basically told just to abstain which is not helpful."

"It's unacceptable that young people are still kept in the dark and it is worse when there is a creationist/religious side to the teaching of it."

"It doesn't start young enough and isn't comprehensive enough. It should be taught as a set of facts. 'Gay people exist' 'your body is your own' 'no means no' etc."

"It is not fit for purpose, even for straight people. I went to a grammar school and it was not adequate education on this topic."

"As a teacher I feel it is not taken seriously enough. Too many people in N.I are afraid to tackle these subjects and worry about parents reaction."

"LGBTQIA+ needs more identification. Religion cannot rule our sex education anymore."

"Sexual education should be discussed in every year from p1 to Upper sixth not just when a child starts puberty."

"Religion has no place in schools and certainly should not shape something as important as sex ed."

"It is out of date and far too orthodox. RSE needs to be open and honest."

"It is heavily influenced by religion and only teaches abstinence."

"Totally inadequate."

"Should be made compulsory to educate girls and boys."

"It is not taught in real life situations. Its all science and textbooks."

"Outdated and based on religion, needs to be open minded and more broadened."

"I don't ever remember learning about this outside of my church growing up."

"It needs to be comprehensive. Abstinence is not a good sex education."

"It's needs to be lgbt inclusive."

"It's a disgrace!"

We have demonstrated time and time again through primary research and other written evidence submissions that RSE in Northern Ireland is currently extremely inadequate and is contributing to the

continued prevalence of VAWG. These RSE proposals can not be considered in isolation from the wider societal problems they are connected to, including VAWG. As outlined above, there is appetite in Northern Ireland for improved, standardised RSE that is inclusive, accessible and age-appropriate.

3. General Comments on the DoE RSE Consultation

The WPG is concerned with the framing of this consultation. While we welcome the opportunity for input, we find the questions poorly framed, for example the first question asks for input on one specific element of the curriculum, rather than the changes taken as a whole. In addition, the law has already changed to mandate this, and this fact is not made clear in the framing of the question.

In practice we expect that this will result either in a large number of responses arguing that abortion and reproductive rights should not be part of the curriculum at all - which will not help DoE in any way as they are obligated to include it regardless - or, perhaps worse, that it will lead to people withdrawing their children from key parts of the RSE curriculum, because the framing makes it seem different to what it will actually be. The framing of abortion as so uniquely controversial as to merit a question like this represents a value judgement, increases stigma, and sets the consultation up for unnecessary conflict. It is possible to speak about abortion in a neutral way; and the framing of this question invites respondents to consider it inherently controversial.

In addition, the framing of question 3, which we will return to in our responses below, sets up a conflict, or at least a “balancing” between children’s rights to education and a parent’s rights to raise their child in accordance with their beliefs. As we will outline, this misrepresents the role of children’s rights in relation to their parents and the wider world, but it also immediately frames RSE as optional, as surplus to requirements. This is particularly a problem in the context of widespread misinformation campaigns that are actively misrepresenting RSE and spreading fear at this moment in time, and will damage the roll out of the new curriculum. While DoE is limited in what it can do to avoid the spread of misinformation, it has much greater authority over the framing of its own consultation.

Another concern is what is not asked in the consultation; we would have welcomed questions on and outlines for plans on the regular updating of materials in the RSE hub. The legislation sets out the need for comprehensive education, and there are excellent standards set out in the NIHRC report on RSE that should guide this process²⁸. The minimum content order is a low bar, literally a minimum standard, and schools and DoE should seek to surpass it, rather than see it as the only thing they need to do in the field of RSE.

Most vitally, in practice RSE is very often delivered often not by teachers within the school but by external providers, contracted to deliver it. As such, their training materials must be subject to the same standards as the contents of the RSE Hub and must meet the same standards; comprehensive, age-appropriate and scientifically accurate. Failure to hold these bodies to these standards would represent a failure of the legislation, and would fail the children that the CEDAW report recommendations, which led to this change, were written to protect.

²⁸ Northern Ireland Human Rights Commission, 2023 <https://nihrc.org/publication/detail/nihrc-report-relationships-and-sexuality-education-in-post-primary-schools-in-northern-ireland-a-compelling-case-for-reform>

4. International obligations and reproductive health and rights

Women's Platform would draw attention to the obligations of the UK to recognise reproductive rights as a specific human rights issue in international law. As a State Party to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the UK is required to take action to ensure all women and girls can enjoy their full human rights, which under the Convention includes access to full sexual and reproductive rights and services.²⁹

The CEDAW Committee has clearly stated that the situation with regard to abortion legislation in Northern Ireland prior to 2019 constitutes a grave breach of women's human rights, and the recommendations from this Inquiry include introducing mandatory, comprehensive and age appropriate relationship and sexuality education, as well as ensuring access to comprehensive education on contraception, in addition to access to such contraception and safe and legal abortion.³⁰ This was repeated, with emphasis, in the Concluding Observations from the examination of the UK under CEDAW in 2019, which include a recommendation that all recommendations made under the Inquiry are implemented without delay.³¹

The UK has further emphasised its commitment to full sexual and reproductive rights in the Agreed Conclusions of the CSW 65 conference in 2021³², and in its commitment to the UN Generation Equality Forum initiative³³, which includes a new global Action Coalition on Bodily Autonomy and Sexual and Reproductive Rights. It should be emphasised that in its statement at the closing of CSW65, the UK stressed that action on the commitments made in the Agreed Conclusions also is required 'at home'³⁴.

It is essential to note that the Committee on the UN Convention on the Rights of People with Disabilities (CRPD), with the CEDAW Committee, has emphasised that using disability rights as an argument to oppose safe abortion is a misinterpretation of the Convention on the Rights of Persons with Disabilities³⁵. The statement stresses that disability rights and gender equality are two components of the same human rights standard that should not be construed as conflicting, and clarifies that States must take effective measures to enable women, including women with disabilities, to make autonomous decisions about their sexual and reproductive health and ensure that women have access to evidence-based and unbiased information in this regard. It also underlines as a critical issue that all women, including women with disabilities, are protected against forced abortion, contraception or sterilisation against their will or without their informed consent.

Specifically, the comment states that 'States parties should fulfill their obligations under articles 5 and 8 of CEDAW and CRPD Conventions respectively by addressing the root causes of discrimination against women and persons with disabilities. This includes challenging discriminatory attitudes and fostering respect for the rights and dignity of persons with disabilities, in particular women with disabilities, as well

²⁹ [Convention on the Elimination of All Forms of Discrimination against Women](#) (CEDAW, 1979), article 12. The UK signed the Convention in 1981 and ratified in 1986.

³⁰ CEDAW Committee (2018) [Inquiry into abortion legislation in Northern Ireland under Article 8 of the Optional Protocol to CEDAW](#)

³¹ [Concluding Observations](#) 2019, 2013, 2008 on examinations of the UK under CEDAW

³² See UN Women press release 26 March 2021: '[UN's largest gathering on women's rights delivers robust blueprint on strengthening women's leadership and participation in public life](#)'.

³³ Generation Equality Forum blueprint for [Compact on women, peace and security and humanitarian action](#)

³⁴ See UK statement to the closing ceremony of CSW65 in [a video recording by UN WebTV](#); the UK statement begins at 0'22"00 of the recording.

³⁵ CEDAW and CRPD Committees (August 2018). '[Guaranteeing sexual and reproductive health and rights for all women, in particular women with disabilities](#)': Joint statement by the Committee on the Rights of Persons with Disabilities (CRPD) and the Committee on the Elimination of All Forms of Discrimination against Women (CEDAW)

as providing support to parents of children with disabilities in this regard. Health policies and abortion laws that perpetuate deep-rooted stereotypes and stigma undermine women's reproductive autonomy and choice, and they should be repealed because they are discriminatory'.

4. Response to Consultation Questions

Please select the box that best describes you:

X Other

If Other, please specify: Voluntary/ Community Sector Organisation

Name: Elaine Crory on behalf of the Women's Policy Group NI

Q1. The content of teaching and learning resources for Learning for Life and Work developed by CCEA should be factual and contain age-appropriate, comprehensive and scientifically accurate education on sexual and reproductive health and rights, covering prevention of early pregnancy and access to abortion and these resources should not advocate, or oppose, a particular view on the moral and ethical considerations of abortion or contraception.

Agree

ADDITIONAL COMMENTS

We agree entirely with the fact that this part of the curriculum must be factual, age-appropriate, comprehensive and scientifically accurate - this applies to all parts of the RSE curriculum, not just to the parts about abortion, contraception and reproductive rights. The question above says that these resources developed by CCEA "should" meet these standards - the legislation is clear that they *must* meet these standards; they are not optional.

Therefore, while we agree with this, we are not clear why this question is asked; the legislation requires that this approach is taken and therefore the question may be misleading to respondents, who may gather the impression that this is something that is over and above the legislation, or even that it is something that convincing argument may persuade DoE against. We also have concerns that this part of the consultation does not refer to the rights of children to receive education on this subject area and on RSE as a whole. Within the context of the consultation itself, of the legislation it flows from, and of the wider public conversation on this issue, it would have been helpful to use this framing.

Education that covers all aspects of reproductive health will necessarily include factual and scientifically accurate information on abortion. Doing this, and doing it in an objective, non-judgemental way, is not uniquely challenging nor is it uniquely controversial - framing any part of the curriculum in this way is harmful in that it increases scepticism and especially stigma. In recent months a concerted campaign has been mounted against RSE, from a number of sources, and opening the consultation with this approach is a mistake because it cedes the argument that something uniquely challenging is happening in our schools.

There may yet be repercussions for schools, resulting from this approach and from the misinformation campaigns, as opposed to from the long-overdue changes, which are as yet unforeseen.

When adding this subject area to the remit of the minimum content order, due regard must be paid to ensuring that there are sufficient, up-to-date resources to enable teachers to present these lessons with confidence. This also presents an opportunity to go beyond the “minimum” - at present there is still an outstanding CEDAW recommendation on tackling gender stereotyping, and this reassessment of teaching materials presents an opportunity to address that. Due regard must be paid to the whole curriculum that a student will engage with; it is vital that the positive approach taken in RSE on reproductive health is not undermined by any other part of the curriculum.

It is also essential that the needs of children with special educational needs are adequately considered in any new RSE proposals. Recognising the need for sex education for marginalised groups, the Gillen Review (May 2019) recommended the need to ‘include in the school curriculum for disabled children, children with sensory disability and those who are members of marginalised communities’ sex education designed in a culturally sensitive manner on matters such as consent, personal space, boundaries, appropriate behaviour, relationships, fears of homophobia and transphobia, gender identity and sexuality.’

2. Parents/carers should be informed about the specific nature and content of the age-appropriate, comprehensive and scientifically accurate education on sexual and reproductive health and rights, covering prevention of early pregnancy and access to abortion.

Agree

ADDITIONAL COMMENTS

We agree with this because it is the WPG’s position that parents/carers should have information on the curriculum as a whole, with every part of the curriculum treated in the same way. Failure to do this frames RSE as a unique subject area, especially sensitive and controversial, and uniquely open to challenge.

With that said, we would welcome further information about the proposals here; what exactly is meant by “specific nature and content” and how differently will this be approached, compared with the information given on other parts of the curriculum? It would be beneficial to children and to their parents/carers to know more broadly what their children are learning about, and when, so that the family can have conversations about certain issues if necessary - but treating RSE as a uniquely meriting this is a step backwards and may cause parents/carers to interpret the information as a warning about especially problematic subject areas, rather than as information to assist in their parenting of their child. Standardising this approach to all subject areas would therefore be a positive step forward.

While doing this, it would be enormously beneficial if DoE also instructed schools to directly address misinformation that circulates about RSE, and provided them with the necessary tools to do so. A letter sent to school principals on this topic in August 2023³⁶ was a welcome intervention at a time of unique pressure,

³⁶ BBC News, ‘Sex Education: “False information” being spread about lessons, 8th August 2023 <https://www.bbc.co.uk/news/uk-northern-ireland-66432411>

but this is a positive and proactive approach that should be expanded upon to prevent a situation where significant numbers of children are withdrawn from a vital part of the curriculum.

We are also concerned about the framing of this question, specifically the piece in the consultation document that purports to list the subject areas currently covered by the minimum content order:

“The Education (Curriculum Minimum Content) Order (Northern Ireland) 2007 provide statements of statutory minimum entitlement, which all pupils must legally receive. In relation to RSE, it is the responsibility of the Board of Governors of each school to ensure that a comprehensive and age-appropriate programme is taught and that the standardised minimum content is covered. The curriculum is designed to help our children and young people gain the knowledge, skills and attributes needed for life in the 21st century. Topics should include, but are not limited to:

- *Consent*
- *Violence against women and girls*
- *Domestic abuse*
- *Healthy and Respectful Sexual Relationships*
- *Marriage*
- *LGBTQ+ issues*
- *Abstinence*
- *Menstrual health and wellbeing*
- *Social Media and Online safety”*

We are concerned with a number of these; some of these topics are not, so far as we can tell, covered under the current curriculum; certainly Violence Against Women and Girls and the full spectrum of online safety seem to be absent although they ought to be included, and we are glad to note that “abstinence” is not listed in the RSE progression framework³⁷. Others, such as “LGBTQ+ issues” are covered inappropriately; LGBTQI+ lives and perspectives should be integrated into all parts of the RSE curriculum, not relegated to a discreet module, and indeed they should be integrated into all parts of the broader curriculum.

The approach taken here may encourage parents/carers who are hostile towards LGBTQI+ people to opt their children out of this part of the curriculum, leading to deep damage if the children are themselves LGBTQI+ and contributing to the perpetuation of hostile attitudes and behaviours towards LGBTQI+ people, who - despite legal progress in some areas - are disproportionately likely to experience hate crime in Northern Ireland.

“Marriage” is listed here, but it is not clear if this means heterosexual marriages or if all marriages are covered, and indeed why it merits its own subject area, as distinct from other family configurations which are just as valid and worthy of respect and consideration. Finally, “abstinence” is an inappropriate subject area for any modern RSE curriculum; not only is it unscientific and therefore in contravention of the new legislation, it leads to higher rates of unplanned pregnancy, stigma, shame and increased levels of sexual assault. It is especially harmful to LGBTQI+ people and neurodiverse people who may internalise the idea

³⁷ CCEA, RSE Progression Framework, accessed 24/11/2023 <https://ceea.org.uk/learning-resources/relationships-and-sexuality-education-rse/relationships-and-sexuality-education>

that the kind of sex that they might have - or indeed any sex - is bad and shameful, and this can damage future adult relationships as well as a person's understanding of their own sexuality, and therefore their health.

Overall, in our view, the current content needs to be reviewed and updated as needed. Crucially, this applies also to training materials provided by external providers that very often come to schools to provide RSE or part of the RSE curriculum. This occurs in 94% of schools that responded to NIHRC's recent research, and their training materials are not developed by CCEA.

*"The independent experts analysed materials provided by eleven external providers. The materials varied in their emphasis and providers tended to develop materials that reflected their organisational objectives and specialisms. They noted that external providers "may have specialist knowledge or comfort with certain topics that teachers themselves lack, particularly in relation to gender, abuse, and LGBTQ issues". However, the materials were not in all cases considered to be comprehensive, pluralistic and objective. They noted that schools appeared to select the external providers, and their additional resources, based on their schools' ethos."*³⁸

This degree of disparity between classroom resources and any degree of significant deviance from the curriculum would not be tolerated in any other subject area, and it is vital that any external providers materials are also reviewed so that they are in keeping with the new minimum content order and compliant with the legislation. Ideally, to further the aim that RSE and the messages it imparts to children and young people become normalised and integrated into school life like any other part of the curriculum, RSE would eventually become something taught by school staff. PGCE programmes and primary school teacher training programmes must ultimately equip teachers to provide as much of the school curriculum as possible.

3. The United Nations Convention on the Rights of the Child includes at Articles 1-3 and 12 the rights of the child to 'express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously' and at Article 5 'the rights and responsibilities of parents and carers to provide guidance and direction to their child as they grow up so that they fully enjoy their rights. This must be done in a way that recognises the child's increasing capacity to make their own choices.'

The Department's guidance, when developed, should consider in such instances how schools balance the rights of both children and parents/carers in implementing the regulations.

Disagree

ADDITIONAL COMMENTS

WPG NI fundamentally disagree with the framing of this question as we believe it misrepresents children's rights as outlined in Article 5; the implication that there are two competing rights that must be balanced is an incorrect interpretation of Article 5. In the text of the article, parents/carers have responsibilities to

³⁸ Northern Ireland Human Rights Commission, 2023 <https://nihrc.org/publication/detail/nihrc-report-relationships-and-sexuality-education-in-post-primary-schools-in-northern-ireland-a-compelling-case-for-reform> p.49

provide guidance to their child “so that they fully enjoy their rights” - the right or responsibility of a parent/carer is not designed to be used to frustrate or limit the child’s rights. It is important to note also that article 29 of the UN Convention on the Rights of the Child is clear that the purpose of education is both the development of the child themselves in all their unique personality, as well as “the preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin.”³⁹ This does not need “balancing” against a parent or carer’s rights, as a child is a unique person in and of themselves and holds these rights fully.

Children and their parent or carer do not have equal power in their relationship to each other, either, and this power dynamic is essential to consider in this; choices that seem freely made may not be, and the power that can be wielded by a parent who overrides a child in this matter may be a fraction of the power that they wield in other ways; abuse is not impossible in these scenarios, and it is vital that DoE have considered that sometimes parents and carers do not act in the best interest of their child for reasons more sinister than may first appear. The state must take care not to enable abusive or controlling parents.

The phrasing of the question also does not make it clear when the Department think this “balancing” is necessary, it says “The Department’s guidance, when developed, should consider in such instances how schools balance the rights of both children and parents/carers”, but which instances does it mean? This needs to be clarified by the Department, as it implies that parents/carers may be allowed to override their children’s wishes to take part in RSE when they choose, and if that is what it means it amounts to an extremely concerning declaration. It also does not make it clear, either, how such a determination might be made, or by whom.

The very idea that a parent/carer would be allowed to override a child’s wishes to take part in any part of the curriculum does not demonstrate a grasp of children’s rights. There is evidence that shows how harmful it can be when children and young people are denied proper RSE⁴⁰ and how it can leave them vulnerable to abuse⁴¹. In addition, in no way would a parent/carer be allowed to opt their child out of other subject areas that are fundamental to their education, even if the child was in favour of opting out; children have a right to an education that overrides any feelings that a parent has about this subject area. Framing it such that this may be possible is dangerous and stigmatising; it implies that RSE is inherently harmful and corrupting. In fact, the opposite is true; proper, comprehensive RSE, delivered in a scientifically accurate and age-appropriate way can and does save children and young people from abuse as a child, from harmful relationships, from exploitation, and reduces unplanned pregnancies⁴² and STIs⁴³. As some concerns about this new programme of education focuses on the inclusion of information about the prevention of

³⁹ UNICEF Un Convention on the Rights of the Child https://www.unicef-irc.org/portfolios/general_comments/GC1_en.doc.html

⁴⁰ Pound P, Denford S, Shucksmith J, et al. What is best practice in sex and relationship education? A synthesis of evidence, including stakeholders’ views. *BMJ Open* 2017;7:e014791. doi: 10.1136/bmjopen-2016-014791

⁴¹ Spotlight: School-based relationships and sexuality education (RSE): lessons for policy and practice. (Oireachtas Library and Research Service 2018) https://opac.oireachtas.ie/AWDData/Library3/Spotlight_Sex_Education_final_182710.pdf

⁴² UNESCO, *Emerging Evidence, Lessons and Practice in Comprehensive Sexuality Education: A Global Review* (Paris: France, 2015); WHO. Defining sexual health. Report of a technical consultation on sexual health 28-31 January 2002. Geneva: WHO; 2006

⁴³ Fonner *et al.* School based sex education and HIV prevention in low and middle-income countries: A systematic review and meta-analysis. (2009) *PLoS ONE* 9(3): e89692. Doi: <http://journals.plos.org/plosone/article?id=10.1371/journal>

pregnancy, or contraception, and the availability of abortion services, it is especially important to note that good quality RSE also sees delayed age of sexual initiation⁴⁴ and falling numbers of abortions⁴⁵.

On the issue of opting out of part of the RSE curriculum, we have very grave concerns for a number of reasons. To begin with, the “R” part of the curriculum will not work as well as it should if separated from the “S” part of the curriculum; a healthy adulthood involves an understanding of sexuality, even if only one’s own. How can students be taught about healthy relationships, if it is separated from discussions around sexual consent and sexual violence? How does a LGBTQI+ child learn about a healthy relationship if they are presented with heterosexual relationships as the standard and never allowed to discuss sexuality in the classroom setting? All of these scenarios are worsened in a situation where a parent or carer means harm to the child in some way; whether they themselves are committing abuse, or whether they believe keeping their child ignorant will prevent them from being LGBTQI+, or any combination thereof. It can also have the effect of perpetuating harmful ideas across generations. Fundamentally, it disempowers the child.

RSE will only be effective if everyone gets the same standard of education in all schools, regardless of the ethos of the school and regardless of the views of the children’s parents. This need was recognised in the Gillen Review recommendations⁴⁶ as well as in the recent draft Ending Violence Against Women and Girls (EVAWG) Strategic Framework looked in great detail at the need for a standardised approach to the education our young people are getting and the feeling from the co-design group was that RSE was a critical cog in the process towards achieving Outcome 2, Healthy, Respectful Relationships.⁴⁷ In both of these pieces of work RSE was recognised as both a tool of personal empowerment but also as a means to decrease harms and particularly sexual crimes.

It is essential also that RSE is a safe environment for children, and while this question is not asked explicitly here, we are aware of conversations in Great Britain around changing the protocol in schools to oblige teachers to share information on sexual orientation and gender identity that children may disclose to them, with those children’s parents. This is not only extremely dangerous for LGBTQI+ children, it also undermines the very goal of RSE, which should be to enhance a young person’s safety and confidence in their own sexuality, regardless of their relationship status and regardless of whether their parents would be supportive or not. Children and young people with disabilities also deserve and need fully compliant RSE education; and failure to deliver this will limit their enjoyment of their full human rights. We encourage the Department to engage with Queen’s University on their RESIDE (Relationships and Sexuality in Intellectual Disability Education) project⁴⁸, ensuring that the needs of all of our citizens are met.

⁴⁴ Young H, Burke L, Nic Gabhainn S. Sexual intercourse, age of initiation and contraception among adolescents in Ireland: findings from the Health Behaviour in School-aged Children (HBSC) Ireland study. *BMC Public Health*. 2018;18:362. doi:10.1186/s12889-018-5217-z

⁴⁵ Pound P, Denford S, Shucksmith J, et al. What is best practice in sex and relationship education? A synthesis of evidence, including stakeholders’ views. *BMJ Open* 2017;7:e014791. doi: 10.1136/bmjopen-2016-014791

⁴⁶ Sir John Gillen, Review into Law and Procedures in Serious Sexual Offences in Northern Ireland (DOJ, 2019) <https://www.justice-ni.gov.uk/sites/default/files/publications/justice/gillen-report-may-2019.pdf> p.29, recommendation 4

⁴⁷ EVAWG Strategic Framework, The Executive Office, 2023 <https://www.executiveoffice-ni.gov.uk/sites/default/files/consultations/execoffice/evawg-strategic-framework.pdf> p.28

⁴⁸ Queen’s University Belfast, It’s My Life – Making it Our Reality, 2023: <https://www.qub.ac.uk/schools/media/Media.2137844.smx.pdf>

We are aware that, in Wales, no option to opt-out of all or part of the curriculum was built into their current legislation, the Curriculum and Assessment Act (Wales) 2021. This was a change from the previous practice, and it was challenged by a number of parents who brought a judicial review in late 2022. The Court was unequivocal in its judgement that there was no constitutional right to opt out of RSE, and also clear as to the value of RSE, and the dangers of misinformation campaigns. The full judgement is linked below⁴⁹, but there are some vital parts that relate directly to this question, that we will quote below:

(6) In determining the content of education and the manner of its provision the state has a duty to respect parents' convictions, be they religious or philosophical. Respect entails more than merely acknowledging or taking into account parents' convictions; it implies a positive obligation. For the purposes of A2P1⁵⁰, convictions are views that attain a certain level of cogency, seriousness, cohesion and importance; are worthy of respect in a democratic society; and are not incompatible with human dignity, or the child's right to education under A2P1.

(7) However, the Convention does not guarantee the right not to be confronted with opinions that are opposed to one's own convictions.

(8) The setting and planning of a curriculum is, in principle, a matter for the state, and this mainly involves questions of expediency within the state's competence and margin of appreciation.

(9) Teaching of information or knowledge of a directly or indirectly religious or philosophical kind will be compatible with A2P1 if the state takes care to ensure that such information or knowledge is conveyed in an objective, critical and pluralistic manner, and does not breach the prohibition on indoctrination.

(10) If those criteria are not breached, A2P1 does not permit parents to object to the inclusion of such teaching in the curriculum, even where compulsory school attendance with no possibility of home schooling is required. In this regard, it is relevant that compulsory schooling does not deprive parents of the ability to educate their children outside school in line with their own religious and philosophical convictions.

In addition, the Welsh Court was clear that the motivation in taking the court case was influenced by misinformation, with the judges stating clearly that “A lot has been said about the content of RSE, and much of that has been wrong”⁵¹. We are in a similarly febrile environment in Northern Ireland at the moment, and that is despite the fact that there is an option to withdraw from RSE, a provision that we think is a mistake. It is valuable to examine carefully the fact that a UK Court has recently rejected a right to withdraw from RSE, and in doing so recognised the cultural environment that precipitated the case.

This precedent has also been affirmed internationally, having been taken to the European Court of Human Rights by a Swiss mother who wished for her child's teachers to refrain from answering questions relating

⁴⁹ Welsh Government, Verdict of High Court on Relationships and Sex Education, Full Decision: <https://www.gov.wales/sites/default/files/inline-documents/2022-12/decision.pdf>

⁵⁰ European Convention of Human Rights, Guide to Article 2, Protocol 1 on the Right to Education: https://www.echr.coe.int/documents/d/echr/guide_art_2_protocol_1_eng#:~:text=%E2%80%9CNo%20person%20shall%20be%20denied,own%20religious%20and%20philosophical%20convictions.%E2%80%9D&text=1.,-The%20first%20sentence

⁵¹ Welsh Government, Verdict of High Court on Relationships and Sex Education, Full Decision: <https://www.gov.wales/sites/default/files/inline-documents/2022-12/decision.pdf> p.1

to relationships or sexuality, as is standard practice in Swiss nursery and primary school settings. The High Court of Switzerland, eventually supported by the European Court, ruled against the parent, finding that it was in the best interests of the child to have information vital to their health⁵².

“The Court first recognised that one of the aims of sex education was the prevention of sexual violence and exploitation, which posed a real threat to the physical and mental health of children and against which they had to be protected at all ages. It also stressed that one of the objectives of State education was to prepare children for social realities, and this tended to justify the sexual education of very young children attending kindergarten or primary school. The Court thus found that school sex education, as practised in the canton of Basel-Urban, pursued legitimate aims.”

This ruling rejected both Article 8 (respect for private and family life) and Article 9 (freedom of thought, conscience and religion) challenges, the latter due to a lack of supporting evidence. However it is clear that the notion of a “parental right to withdraw” does not stand up to scrutiny as the basis for limiting a child’s right to health and to access comprehensive relationships and sexuality education.

We are aware that the right to withdraw from RSE was built into the legislation and DoE are working within the parameters set out by that legislation, laid by the Secretary of State. We nonetheless are concerned that the framing of this question implies that parents/carers rights may be “balanced” with children’s rights to an education and to health in another set of undefined cases, and this requires immediate clarification.

4. Pupils and parents/carers should have access to an overview of their school’s RSE policy and planned RSE programme.

Agree.

ADDITIONAL COMMENTS

As in response to question 2, we agree that it is valuable for parents/carers to have an overview of their children’s educational curriculum as a whole, but this implies more than the standard overview that most schools supply as a matter of course. Therefore we can agree only if this is supplied on a similar basis and with a similar degree of detail, and in a similar format, to all other parts of the curriculum.

It is good practice in general for schools to be transparent in all parts of their curriculum and policies, and in practice, most are. This allows parents/carers to be aware of when their children might be studying issues that may require particular care or attention from the adults in their lives, and those children and adults are best placed to judge what those issues may be - it may not be obvious to the school that, for example, novels with particular themes may bring up a lot of feelings for young people that would benefit from being explored with their trusted adults. Transparency is also a safeguard against misinformation, at least where the misinformation is based on error and not very deliberately fictionalised.

With all of that said, we remain unconvinced on this measure unless it applies equally to all parts of the curriculum and all school policies.

⁵² [Decision A.R. and L.R. v. Switzerland - Refusal to exempt primary school pupil from sex education did not breach Convention](#)

5. Additional Comments

We are concerned that the RSE curriculum must remain flexible and adaptable to enable schools to address emerging issues. Writing this in November 2023, it is a mistake not to include within the Minimum Content Order issues such as online harassment and abuse, including Image Based Sexual Abuse (IBSA) and online misogyny. We know this is a real issue for young people; in recent research it was one of two major issues raised in focus groups⁵³ and so for it to be absent from the minimum content order is an oversight. At a time when we know that online influencers are having a real influence on young people's perception of what is healthy and acceptable in relationships - for example recent research by Women's Aid showed that "children and young people exposed to misogynistic social media content like Andrew Tate were almost 5x more likely than those not exposed to view hurting someone physically as acceptable if you say sorry afterwards"⁵⁴. It is quite evidently vital that teachers are equipped to respond to these things in real time. It is therefore essential to ensure that there is a policy to continually review and update materials and that every effort is made to make the policy a "living document".

In addition, external providers are the main source of RSE provision in Northern Ireland, and it is therefore vital that their materials are reviewed and not left out of the obligation to ensure that RSE is comprehensive, scientifically-accurate and age-appropriate. We note that the majority of external provision is provided by a small number of organisations and we urge a review of this procurement process so that other organisations, including those with a more inclusive suite of training ready to go, have an opportunity to provide something better.

We understand that the Education Authority commissioned Youth Action and Cara Friend to create a "backpack" resource covering the full curriculum⁵⁵, but this resource has not been used by schools. The reality is that this kind of work is exactly what schools need - the EA recognised this need when the work was commissioned - but without a review of external providers' materials, this kind of resource will remain under-utilised.

This represents an opportunity to rethink RSE in Northern Ireland, and we owe it to our young people to seize it.

ENDS

For any questions or queries relating to this submission, please contact:

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⁵³ McAllister, Schubotz Templeton and Neill *It's Just What Happens: Girls and Young Women's Views and Experiences of Violence in Northern Ireland*, Queens University Belfast and The Executive Office <https://www.executiveoffice-ni.gov.uk/sites/default/files/publications/execoffice/its-just-what-happens.pdf> p.8

⁵⁴ Women's Aid Influencers and Attitudes, 2023 <https://www.womensaid.org.uk/wp-content/uploads/2023/10/CYP-WWF-FINAL-SMALL.pdf> p.5

⁵⁵ Youth Action & Cara Friend *Backpack* <https://irp.cdn-website.com/11ec25d7/files/uploaded/RSE%20Resource.pdf>