

BHA BRIEFING 2010: Sex and Relationship Education Bill

8th September 2010

Briefing from the British Humanist Association: Chris Bryant MP's '10 Minute Rule Bill', Sex and Relationship Education (SRE)

On Wednesday 8th September, Chris Bryant MP will introduce a 10 Minute Rule Bill to make sex and relationships education (SRE) compulsory in schools. It was a great disappointment that provisions to make PSHE (which includes SRE) compulsory in state-maintained schools were dropped from the Children, Schools and Families Bill (now Act) earlier this year, and the British Humanist Association (BHA) largely supports Chris Bryant's Bill, which seeks to resurrect clauses from the CSF Bill, with amendments, relating to the statutory teaching of SRE in schools.

The BHA has campaigned independently and with others for many years on SRE, to have it made a statutory subject in all schools with a broad, balanced and objective curriculum. We are also a member of the Sex Education Forum and make our particular contribution on the inclusion of beliefs and ethics in the SRE curriculum.

The BHA supports the teaching of SRE in all state-funded schools. Good SRE is known to reduce unwanted pregnancies, to reduce the spread of sexually transmitted infections, and equip young people with the language and tools to be clear about personal boundaries, understand appropriate and inappropriate behaviour, to be able to resist pressure assertively and to know who to talk to and how to ask for help if and when they need it. For older children it helps them resist pressure, make safe choices and be able to challenge and be critical of misleading and inappropriate messages about sex in the media.

The effect and detail of the SRE Bill

The Bill removes the right for parents to withdraw their children from SRE, replacing it with provision for pupils to withdraw themselves following a formal request to do so. See below for our position.

The Bill also makes specific inclusion of learning about civil partnerships and the importance of strong and stable relationships. The BHA supports this measure. In addition to this, we would ideally like the resurrection of the principles of teaching SRE in all schools similar to the original drafting in the CSF Bill, that:

Schools must teach SRE that is (1) accurate and balanced, (2) appropriate to the age and religious and cultural backgrounds of pupils, and (3) in ways that endeavour to promote equality, encourage acceptance of diversity, and emphasise the importance of both rights and responsibilities.

The former parliamentary Joint Committee on Human Rights (JCHR) describes the introduction of compulsory SRE along those principles as having 'a foundation in human rights law'¹.

SRE in Academies and "free schools"

The SRE Bill makes the teaching of Sex and Relationships Education a statutory subject in schools, referring to maintained schools, city technology colleges, city colleges for the technology of arts, and Academies (which includes "free schools").

At present, the national curriculum, while not including statutory SRE, does ensure that maintained all schools, including "faith schools", at the very least teach human sexual reproduction as part of the science syllabus. Nothing in the new, deregulated system for Academies obliges religious Academies to do the same. We are pleased that this Bill would apply to Academies and "free schools" as it does to other state-funded schools.

¹ Joint Committee on Human Rights (2009) Legislative Scrutiny: Children Schools and Families Bill; Other bills. Eighth Report of Session 2009-10. 19 February 2010, HL Paper 57, HC 369.

SRE and “Faith Schools”

Earlier this year, the Labour government introduced provisions in the Children, Schools and Families Bill (now Act) to make PSHE (which includes SRE) a statutory requirement in all schools. This provision had cross-party support and was widely welcomed by parents, teachers and professionals alike. However, the government amended the Bill in a way to allow “faith schools” to teach PSHE in ways that reflect the religious character of the school, effectively exempting state-funded state schools from having to teach SRE accurately, in ways that are balanced, promote equality and respect for diversity, and reflect different views. This amendment was condemned by the BHA, the Children’s Rights Alliance for England (CRAE) and the Accord Coalition for inclusive schools, among others.

Although “faith schools” are not specifically mentioned in the text of Chris Bryant MP’s SRE Bill, the intention of the Bill is that ‘no school should be able to dilute, caveat or shroud in ethics and theology, the sex education it provides to pupils’². We strongly support the intention of this Bill that “faith schools” should not be able to deny pupils their right to good, comprehensive and objective SRE on religious grounds.

Parental and Pupil ‘Opt-out’ from SRE

The SRE Bill amends the current rules by transferring the right of withdrawal from SRE from parents to pupils ‘of sufficient maturity, as defined under Gillick competence’. In other words, under the Bill parents may no longer refuse to allow their children to attend SRE lessons but that pupils themselves may withdraw from lessons if they put in a request themselves.

Ultimately, given the importance of the subject, we hope for SRE (and wider PSHE) to be taught in a high quality way in all state-maintained schools and so there should be no need or option for an opt-out, whether for parents or for children.

About us

The British Humanist Association (BHA) is the national charity representing and supporting the non-religious and campaigning for an end to religious privilege and discrimination based on religion or belief. Our expertise lies in the ‘religion or belief’ equality strand, which includes non-religious beliefs such as Humanism, and how that strand relates to and intersects with other protected characteristics.

For more detail and evidence on our position on the below amendments, please contact us:

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² Letter from Chris Bryant MP to the British Humanist Association, ‘Sex and Relationship Education Bill’, 4th August 2010.