

Parliamentary Briefing: Teaching 'gender identity' in the RSE curriculum

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We support good, factual and relevant relationships and sex education in schools. We also support age-appropriate teaching of 'LGBT' and that LGBT people have equal rights and should not be discriminated against.

The Department for Education statutory RSE guidance states that schools need to be mindful of the Equality Act and the protected characteristics including sexual orientation and gender reassignment. Schools must ensure material is age appropriate and they are free to determine how and when LGBT content is introduced. In the guidance for secondary schools however, the DfE guidance moves into areas not covered by the Equality Act and goes beyond the law by introducing the concept of 'gender identity':

"Pupils should be taught the facts and the law about sex, sexuality, sexual health and gender identity in an age-appropriate and inclusive way."

There is in fact no law on 'gender identity' and teaching this concept goes further than the requirement to teach children that transgender people exist, should have full rights and should not be discriminated against.

'Gender Identity' is not a protected characteristic in the Equality Act 2010 and is not defined in the Act, nor is it mentioned in the Gender Recognition Act 2004. 'Gender' and 'transgender' are also not protected characteristics. 'Gender reassignment' is the protected characteristic and the group of people protected by this characteristic are defined as 'transsexuals.'

The DfE guidance continues:

"Sexual orientation and gender identity should be explored at a timely point and in a clear, sensitive and respectful manner. When teaching about these topics, it must be recognised that young people may be discovering or understanding their sexual orientation or gender identity."

As well as no legal basis for teaching gender identity there is no scientific basis to the idea that all human beings are born with an innate sense of being male or female, and that this feeling overrides their biological sex in determining whether they are boys or girls. The concept of 'gender identity' as it is defined by trans activists is a political/ideological idea.

If taught in schools, it must be presented accurately as a belief which some people hold - and have a right to hold - along with other, different beliefs about gender which are in disagreement with the idea of innate gender identity. To teach gender identity alone, as fact, would be in breach of the Education Act 1996 which prevents political indoctrination of children.

The concept of 'gender identity' by definition erases two EA2010 protected characteristics, sex and sexual orientation, by replacing 'sex' with 'gender' in the definitions of men, women, gay, lesbian and bisexual people, thus eroding legal protections for these groups. The result of conflating sex and gender is to teach children information which is not legally or biologically correct. This harms children in different ways by:

1. Confusing children about sex.

For example, Brook states:

“Often, but not always, the things we call female produce eggs and get pregnant, while the things we call male produce sperm and don’t get pregnant.”

“...man and woman are genders. They are social ideas about how people who have vulvas and vaginas, and people who have penises and testicles should behave”¹

“Gender refers to the way in which a person feels and thinks about themselves, and the way they dress, speak or move. This can be different to the ‘sex’ they were given at birth. In other words, you may feel female and have a penis, you may feel male and have a vulva or may feel like a mix of the two.”²

Barnados tells children that “Gender is assigned at birth, depending on biological characteristics.”³

Bish Training states:

“Many biologists used to think of this ‘males have penises’ and ‘females have clitorises’ idea of sex too – but not anymore [...] there are actually so many similarities between penises and clitorises that to some extent the only differences might be how much it sticks out of the body.”⁴

Gay and lesbian people are redefined as not same-sex attracted, but, as the Anti- Homophobic, Biphobic and Transphobic Bullying Alliance says:

“A person who is attracted to someone of the same gender.”⁵

This material misleads young people about both the protected characteristics in law and the objective reality of biological sex, which puts girls and lesbians in particular at risk; to understand that a person is male is important for girls’ safety and ability to give consent.

2. Erasure of biological sex in language

The Proud Trust states:

"Some simple tips for being LGBT-inclusive are [...] to use the phrase "a person with a vagina" rather than "a woman's vagina" and "a person with a penis" instead of "a man's penis." This is because, as we will learn, not all women have a vagina, and not all men have a penis."⁶

Consortium, in a factsheet written by MESMAC and ClinicQ states:

“When delivering sex education, it is important to use inclusive language. For example, avoid saying ‘men’s/boy’s penises’ and just say ‘penis’ (trans women/girls might have penises).”⁷

¹ <https://www.brook.org.uk/your-life/difference-between-sex-and-gender/>

² <https://www.brook.org.uk/topics/gender/>

³ <https://www.pshe-association.org.uk/barnardos>

⁴ <https://www.bishuk.com/about-you/sex-and-gender/>

⁵ <https://www.pshe-association.org.uk/system/files/Factsheet%20-%20Terminology.pdf>

⁶ The Proud Trust <https://www.theproudsttrust.org/training-and-education/education-resources/sexuality-agender/>

The resulting dehumanising language is illustrated in the Sex Education Forum’s Puberty handout in the section ‘How to adapt language to include menstruators of all genders in menstruation education’:⁸

Q: “Does the person menstruate?”

A: Yes – they are a menstruator

A: No – they are a non-menstruator”

This is dangerous information. If a girl doesn’t start her periods it may be indication that there is a serious health problem. In this case a girl may believe that she is just one of the ‘non-menstruators’ and fail to tell anyone or seek medical advice.

This is another example, this time from the Proud Trust:

“Unplanned pregnancies can occur if penis-in-vagina sex happens where the penis ejaculates sperm, and the person with the vagina also has a womb.”

This kind of language undermines girls’ right to be taught facts about themselves as the female sex, to gain understanding of their female bodies and be given accurate information about issues which only affect women, such as menstruation and pregnancy. This kind of language is particularly dangerous for girls with learning disabilities and those with English as a second language. Information about biological sex must be clear, factual and unambiguous.

Obfuscation and impoverishment of language around sex disempowers all children by making them less confident of using the correct biological words to report abuse. This is a serious safeguarding risk.

3. Erosion of Sexual Boundaries/Consent

Once boys and girls are defined as genders based on internal feelings, and biological sex differences are deemed irrelevant, the inevitable result is erosion of any boundary between the sexes. This is from a GIRES/Mermaids factsheet on the PSHE Association website:

“If boys’ and girls’ toilets are separate, the school must ensure that a pupil who transitions to use the facilities that match their new gender presentation and their wishes.”⁹

Barnados agrees:

“There is nothing that should prohibit a trans young person from using the changing room or toilet of their gender identity. It is in fact their right that if the Trans young person wants to use the facilities of their new gender, they should be able to do so.”¹⁰

⁷ Consortium fact sheet by Mesmac with ClinicQ <https://www.pshe-association.org.uk/system/files/Factsheet%20-%20Sex%20education.pdf>

⁸ <https://www.sexeducationforum.org.uk/sites/default/files/field/attachment/The%20Puberty%20Issue.pdf>

⁹ Transition of a Pupil in School (GIRES and Mermaids factsheet) <https://www.pshe-association.org.uk/system/files/Factsheet%20-%20Transition%20of%20pupil.pdf>

¹⁰ Barnados Secondary School resource <https://www.pshe-association.org.uk/barnados>

A common theme running through these resources is that people know themselves best, and no-one has the right to question them. Children are instructed by Bish to believe that anyone is the sex they say they are:

“Also sex, like gender, is not just about biology but is also to do with how we feel about ourselves and what society tells us about ourselves.

1. If someone tells you their gender believe them.
2. Don't assume you know what their body is going to look like.
3. Don't be so obsessed with people's bodies in the first place, perhaps we can all be more interested in people's stories about who they are instead.”¹¹

Cross-dressers appear in the glossaries of these resources under the umbrella term 'trans.' Brook gives us the most honest definition in their guidance:

“Cross dressing is a lifestyle choice and is often driven by feeling comforted or turned-on by wearing clothes of the opposite sex.”¹²

Are girls expected to accept the presence of men who are sexually aroused by wearing women's clothing in their toilets and changing-rooms? Mixed-sex facilities deny all children their right to privacy, comfort and dignity, and put girls especially at risk by taking away their right to assert their boundaries with the opposite sex, or even recognise that they have that right. Single-sex exemptions exist in the Equality Act and single-sex facilities are lawful.

Telling someone that a reality is not true and that they are the crazy one for believing it is called 'gaslighting.' Forcing girls to accept males in their private spaces and refer to them as 'girls', for fear of being seen as bigoted or transphobic, is a form of coercive control. Schools should be teaching children to recognise the techniques of coercive control so that they are able to recognise abusive relationships.

Finally, the harm done to children by the idea of innate gender identity is apparent by the exponential rise in the number of children being referred to the Tavistock clinic, especially adolescent girls, believing that if they don't fit society's stereotyped expectations for their sex they must be 'transgender' because they do not conform to the definition of 'cisgender.' The idea of innate gender identity is rooted in regressive and harmful sex stereotypes.

4. Gender Stereotyping

'Trans' is presented to children as the only way to be non-conforming; the only alternative is to be a boring conformist to regressive sex stereotypes. This is how Brook defines being 'cis':

“There are many more ways, in fact, of being trans than there are of being cis.

Cis people may never have to think about their gender expression. That's because they often behave in ways that they are expected to, so people may not say much about it.”¹³

¹¹ Bish <https://www.bishuk.com/about-you/whats-your-gender/>

¹² Brook <https://www.brook.org.uk/your-life/gender-a-few-definitions/>

¹³ <https://www.brook.org.uk/your-life/what-is-gender/>

Jigsaw explains it in this way in their glossary in child-speak:

“Cisgender: Someone who is male and happy being a boy or a female who is happy being a girl.”

And in their adult-speak glossary:

“Cisgender: a person whose gender identity, gender expression and biological sex align (e.g. woman, feminine and female).”¹⁴

If you are a girl and you are not ‘feminine’ then you must be ‘trans’ or ‘non binary’ according to this model of understanding.

Barnados explains gender identity in this way:

“A person’s internal, self-perception of their own gender.”¹⁵

What young person has an internal self-perception, particularly in adolescence, that they are, completely happily, a boring, conforming stereotype of their sex? There is no space created for the girls who reject all things feminine or the boys who feel uncomfortable with the pressure to be macho. There is no recognition that this generation of girls is growing up in a culture where porn is shared on smartphones in the playground and the porn industry has infiltrated the music, entertainment and film industries to the extent that it’s not surprising girls don’t ‘identify as’ the sex which is routinely abused, degraded and humiliated in the name of entertainment.

The only answer to the distress of gender dysphoria according to the orthodoxy of ‘gender identity’ is that they were mistakenly born the ‘wrong sex’ - and the next step on that pathway is medical ‘correction’ of the body. The concept of ‘gender identity’ offers children only one prescribed way to conceptualise their distress and feelings of being different.

Validation of the concept of ‘gender identity’ in teaching materials, so that it is synonymous with sexual orientation, forecloses any other means of understanding and any other way of supporting a young person who is feeling distress or confusion around being a boy or a girl. The idea of ‘gender identity’ allows for one interpretation only: the fault lies with the physical body. This is a harmful model of understanding to teach adolescents.

¹⁴ <https://www.jigsawpshe.com/wp-content/uploads/2016/12/Jigsaw-and-LGBT.pdf>

¹⁵ Barnados Secondary School resource <https://www.pshe-association.org.uk/barnados>