



LGBT+ inclusive Relationships and Sex Education is a human right

A briefing on the proposed draft RSHE guidance within the context of globally coordinated attacks on human rights

December 2024

Introduction

Relationships, Sex and Health Education (RSHE) was made mandatory for all schools in England in 2017 with mass cross-party political support. Statutory RSHE guidance (2019) set out a broadly comprehensive curriculum for RSHE, with full integration of LGBTI+ inclusive content for the secondary phase and encouragement to primary schools to approach the curriculum inclusively. The 2019 guidance was informed and supported by evidence across the health, education, safeguarding sectors and faith groups.

The government announced a review of RSHE guidance in 2023. The draft guidance published for public consultation (May-July 2024) seeks to impose age restrictions, ban the teaching of gender identity and move backwards on LGBT+ inclusive curricula. This would be detrimental to all children and young people, increasing the risk of violence and discrimination, poor mental and sexual health.

The UK has long presented itself as 'a champion for the human rights of LGBT+ people around the world. We support and advocate for the right for all people, irrespective of their sexual orientation or gender identity, to live with dignity, free from prejudice, violence, or discrimination.'¹ This commitment must be matched at home and reflected in an inclusive RSHE curriculum and whole school approach.

Protect inclusive and evidence based RSHE

At a global level, despite 30 years of evidence of the benefits of relationships and sex education (RSE)², the provision of RSE curricula as a universal entitlement for children is increasingly attacked by anti-human rights actors on the basis that it advances 'gender ideology' and the sexualisation of

¹ [Promoting and Protecting the Rights of LGBT+ People Programme summary 2022 to 2023](#)

² [A systematic review of scientific literature from 1990](#) is clear of the many benefits of sex education, including the prevention of violence in interpersonal relationship and child sexual abuse.

children. One of the main arguments used against inclusive RSE is the right of parents³ to decide what their children learn at school. In report published in August 2024, which found increased rates of unprotected sex among adolescents in Europe, the World Health Organization noted the impact of this increasing opposition: 'Age-appropriate comprehensive sexuality education remains neglected in many countries, and where it is available, it has increasingly come under attack in recent years [...] We are reaping the bitter fruit of these reactionary efforts'⁴.

This briefing explores how the concepts of 'parental rights' and 'gender ideology' are used to limit the rights of children and the LGBT+ community.

Inclusive RSE is a human right

Inclusive RSE benefits all children and young people and must start early to be protective. RSE is necessary for children's health and well-being, it provides the knowledge and skills they need to

Monitoring the UK's progress on the United Nations Convention on the Rights of the Child

In 2023, the Committee on the Rights of the Child, in its concluding observations about the UK's periodic report recommended to:

'Increase efforts to eliminate discrimination and bullying, including cyberbullying, especially on the grounds of race, sexual orientation, gender identity or sex characteristics, disability, migration or other status in the school context and ensure that such measures: (i) are adequately resourced and developed in consultation with children; (ii) address the root causes of bullying; and (iii) encompass prevention, early detection mechanisms, the empowerment of children, mandatory training for teachers, intervention protocols, consistent and robust recording and monitoring of bullying behaviour and awareness-raising on the harmful effects of bullying'. Para 47 (f)

make informed choices about their sexual and reproductive lives and to form mutually respectful and fulfilling relationships. To be effective RSE must start early and be relevant to the daily challenges children and young people face. LGBT+ inclusive RSE is part of children's rights to education, health, information and privacy and to be free from violence and discrimination. Whilst LGBT+ content has been part of mandatory RSHE that schools in England must follow (since 2020-1), a recent poll of 1000 young people aged 16 and 17⁵ found that only 25% rely on school as their main source of information about LGBT+ issues and 30% rely on social media. This contrasts with learning about consent, for which 47% rely on school and only 11% on social media. Young people have repeatedly highlighted their need for an inclusive curriculum:

"We need to be told more about LGBT sexuality. I am a lesbian and growing up I never knew you could have sexual diseases from same sex until the age of 15 when I started myself."

³ The use of the term 'parents' includes carers.

⁴ [Press release on survey of adolescent contraceptive use](#). World Health Organization 2024

⁵ Sex Education Forum, [RSE Young People Poll](#), 2024

RSE for all years of education

There is a misconception that RSE is not appropriate for younger children. The Convention on the Rights of the Child (CRC)⁶ is clear that children have evolving capacities and age cannot be the rationale for restrictions. RSE for younger children is necessary and appropriate as it focuses on protection from abuse and helps children recognise if their boundaries are being violated.

Effective RSE is a spiral of developmentally appropriate information delivered at the right age to support children throughout their education. The need for RSE to include all age groups for it to be preventative is embedded in the Istanbul Convention, which the UK ratified in 2022. State parties commit to teaching about equality (between men and women) in formal curricula and at all levels of education⁷. Similarly, the Convention on the Elimination of all forms of Discrimination against Women (CEDAW)⁸ commits states to modify the ‘social and cultural patterns’ that lead to gender stereotypes and inequality.

Critics of RSE are concerned with RSE spoiling the ‘innocence of childhood’ by exposing children to topics deemed disturbing and inappropriate for their young age. However, 10% of children are watching porn from as young as 9, and most commonly from 13⁹. Childhood and innocence are powerfully suggestive terms, however, there is no explanation for what this means in practice and this lack of clarity coupled with disinformation about what RSE is and its outcomes, results in suspicion about RSE.

The belief that RSE leads children to become sexually active at an early age is completely unevidenced. UNESCO’s analysis of global evidence¹⁰ in 2008 (87 studies from different countries) and 2016 (22 systematic reviews and 77 randomized controlled trials in a broad range of countries and contexts) confirms that comprehensive sexuality education contributes to delayed initiation and frequency of sexual intercourse, increased use of condoms and other forms of contraception and reduced risk-taking.

Objections to LGBT+ inclusive RSE

For those suspicious of RSE, the inclusion of LGBT+ content makes it even more threatening. This view is underpinned by the idea that being gay, lesbian, bisexual or trans is a deviation from the norm and something to be afraid of. The reality is that being LGBT+ is, in the words of the World Medical Association, part of a ‘broad and fluid spectrum of natural sexual orientations, gender identities, gender expressions, and sex characteristics’¹¹.

The current review of the statutory guidance was prompted by reports of inappropriate materials shared in the classrooms. Former MP Miriam Cates stated in Parliament: ‘Graphic lessons on oral

⁶ [UN Convention on the Rights of the Child](#), Article 5 and 14 and [General comment No. 14](#) (2013) on the right of the child to have his or her best interests taken as a primary consideration.

⁷ [Istanbul Convention Against Violence Against Women and Domestic Violence](#), 2011, Art. 14

⁸ [UN Convention on the Elimination of all forms of Discrimination against Women](#), 1979. Art. 5.

⁹ [Children’s Commissioner – Pornography and Young People](#), 2023

¹⁰ [UNESCO International technical guidance on sexuality education: an evidence-informed approach](#), 2018

¹¹ [WMA Statement on Natural Variations of Human Sexuality](#), 2023

sex, how to choke your partner safely and 72 genders - this is what passes for relationships and sex education in British schools'¹². These comments prompted the current review, however, the Department for Education does not have systematic evidence of such materials being shared in schools.¹³

Not discussing issues relevant to LGBT+ children, young people and their families is discriminatory and absurd, given the lived reality of children. With civil partnerships having been in place since 2004 and equal marriage since 2014, diverse families are a fact of life that should be recognised and celebrated. Embedding healthy, loving relationships as part of different family structures in the curriculum not only recognises LGBT+ lives but will also help LGBT+ children and young people to recognise abusive patterns and understand that domestic abuse can occur in LGBT+ relationships. LGBT+ survivors face barriers to seek and access help, including not recognising their experiences as abuse or not understanding that domestic abuse can occur in LGBT+ relationships.

Because there is no evidence against LGBT+ inclusive RSE, opponents resort to disinformation, misinformation and sensationalism to stir up moral panic and provide justifications to restrict RSE. The narrative and tropes used to attempt to restrict RSE are very much reminiscent of Section 28¹⁴ which scarred a generation of LGBT+ people who went through school having to hide their true selves. Today's 'gender ideology' is yesterday's 'promotion of homosexuality'.



Fig 1. Daily Press front page 12/11/1999

Fig. 2 Daily Mail online front page 19/06/2023

¹² <https://www.miriamcates.org.uk/news/keeping-our-children-safe>

¹³ https://www.whatdotheyknow.com/request/evidence_for_72_different_gender

¹⁴ Stonewall, [2003 Section 28 bites the dust](https://www.stonewall.org.uk/section-28-bites-the-dust)

Restrictions to RSE hurt all children and young people

One thing those opposing inclusive RSE seldom talk about is that restrictions to RSE that target LGBT+ children and young people, including trans children and young people, have a negative impact on all children. Discriminatory attitudes underpinned by patriarchal values start at a very early age and, if not tackled, shape young people for the rest of their lives. Patriarchal social norms, which value men over women and so called ‘traditional families’ over other forms of families, are the root cause of discrimination and gender-based violence. This includes male violence against women as well as violence against LGBT+ people, who are perceived as threatening traditional relationships.

Patriarchal social norms confer more power to men in all aspects of life but are also harmful to boys and men because they promote a model of masculinity which values traits such as dominance, aggression and not displaying emotion. Surfacing and discussing the nature and impact of patriarchal social values on children and young people of all sexual orientations and genders is critical if we want RSE to be relevant and protective for all. Evidence suggests that LGBT+ inclusive curricula have the greatest impact on the school environment in terms of students feeling safe and equipped to spot and tackle prejudice and bullying¹⁵.

Sex, sexual orientation, gender stereotypes, presentation, identity, reassignment are distinct but interlinked topics. A ban on teaching gender identity would make it very difficult for teachers to address the root causes of harmful attitudes and foster a school environment where all students can thrive. Often, for young LGBT+ people experiencing abuse at home, schools are a key place to seek help and support – and may be the only place where they are safe from their perpetrators. Galop’s report ¹⁶ on the experiences of abuse by family members found that nearly half of trans and non-binary people surveyed had experienced abuse from their family, usually starting before they were 18 and 21% of those experiencing familial abuse did not tell anyone about their experiences.

The anti-rights movement against RSE

The anti- rights movement comprises organisations, state actors and individuals who actively seek to limit women and LGBT+ people from enjoying their full human rights. Anti-rights actors are both religious and secular, ultraconservative and right-wing actors as well as some groups that identify as leftist or feminists.

The invented concept of ‘gender ideology’ which they rally against, is deployed instrumentally and acts as a ‘glue’ for movements which, at first sight, have different concerns, including limiting access to abortion, contraception and fertility care, the rights of LGBT+ people, comprehensive sexuality education, immigration and the ‘defence’ of ‘indigenous’ culture and national sovereignty. Anti-gender approaches are often used as an ‘entry point’ for broader anti-rights movements.

¹⁵ Eva S. Goldfarb, Ph.D. *, and Lisa D. Lieberman, Ph.D., [Three Decades of Research: The Case for Comprehensive Sex Education](#), Journal of Adolescent Health 68 (2021) 13-27

¹⁶ Galop, [LGBT+ Experiences of Abuse from Family Members](#), 2022

Anti-rights actors approach children's rights by dividing them into 'protection rights' (good) and 'autonomous rights' (bad). Protection rights are 'essential for the well-being of children and should be secured and promoted,' while 'autonomous rights', are used to 'sexualize children and to indoctrinate them in radical ideologies and behaviours'¹⁷.

However, since the Universal Declaration of Human Rights, human rights are inalienable, indivisible, interdependent and interrelated. There are no good and bad human rights.

Anti-rights actors instrumentalise existing human rights protections, such as the Convention of the Rights on the Child¹⁸ (CRC, which the UK has ratified) by advocating for a new set of rights, such as 'parental rights', which have no support in human rights standards.

'Parental rights'

Opponents of LGBT+ inclusive RSE are attempting to construct a legal category of 'parental rights'. However, this notion has no support in existing human rights standards. Paradoxically the concept of 'parental rights' uses protections that are conferred to children through the CRC to exert control over children.

'Parental rights' are used to justify opposition to RSE, portraying inclusive RSE as indoctrination (rather than education), which undermines the 'traditional' family by promoting immoral content and posing a risk to children's safety. According to the Alliance Defending Freedom (ADF), a US advocacy and lobby group which helped overturn Roe v Wade, RSE undermines 'parental rights' by 'teaching children they have a right to privacy from their parents'¹⁹. Yet everyone, including children, has the right to privacy. The Convention on the Rights of the Child (CRC) is clear that each child is a rights holder, 'a unique and valuable human being with an individual personality, distinct needs, interests and privacy'²⁰.

Anti-rights actors assert that parents know what is best for their children and should make choices for the child, thus instrumentalising the right of the child to have their best interest taken as a primary consideration (CRC, Article 3) in any decision-making process.

Establishing what is in the best interest of the child is not a top-down process. The child's participation is necessary for their best interest to be determined. All children have the right to participate, express their views, and for their views to be heard, otherwise their best interest cannot be determined. Article 12 of the CRC is clear that listening to the child is not sufficient but that their views must be taken seriously.

All children have the right to education, freedom of expression and non-discrimination. Using 'parental rights' to ban inclusive RSE results in some parents controlling not only their child but

¹⁷ Family Watch International, [Protecting Children and the Family from the Global Sexual Rights Revolution](#), 2016

¹⁸ <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>

¹⁹ Alliance for Defending Freedom, [Parent's Toolkit on Critical Theory](#)

²⁰ [Committee on the Rights of the Child, General Comment 13, The right of the child to freedom from all forms of violence \(2011\)](#)

other children and parents too, discriminating against LGBT+ children and their parents, LGBT+ parents and all parents who respect their child's right to education.

The CRC recognises that parents have a role: they have rights and responsibilities to provide direction and guidance to their child. However, 'this is to enable the child to exercise his or her rights and requires that direction and guidance are undertaken in a manner consistent with the evolving capacities of the child'²¹. The principle of the 'evolving capacities of the child' is also misrepresented by anti-right actors to claim that there is an age below which children cannot be heard. However, children have equal rights, regardless of age.

General comment 14²² on the best interest of the child is clear that the more the child knows, has life experience and understands, the more parents 'have to transform direction and guidance into reminders and advice and later to an exchange on an equal footing'. There is no fixed age for this transformation, it must increase 'as the child is encouraged to contribute her or his views'. The role of parents is therefore to enable the child to exercise their rights, to increasingly take on an active role in their life rather than being controlled according to the parent's wishes, often couched as freedom of belief.

'Gender ideology'

The term 'gender ideology' is a construction deployed by anti-rights state and non-state actors to restrict the rights of women and LGBT+ people to bodily autonomy, including the right to abortion and gender affirming care. Anti-rights actors construct 'gender ideology' as what they perceive is an attack on the nation and traditions, as well as an attack on the family, marriage, and religious freedom. These narratives rely on provoking uncertainty and fear, often relying on misinformation and sensationalism.

'Gender ideology' is a catch-all term that encompasses different concerns, it is used transnationally but deployed in a context-specific way. Different actors privilege their specific issue and make it relevant to their context (for example abortion or the rights of trans and gender non-conforming children or domestic violence) while at the same time, finding a coherent narrative in the global fight against 'gender ideology'.

Creating a threat means also creating an enemy: human rights, LGBT+ rights and feminist movements are portrayed as a gender/transgender lobby, powerful and dictatorial, seeking to undermine the institution of the family and to indoctrinate children.

²¹ [CRC General Comment No. 12 \(2009\) The right of the child to be heard](#)

²² [CRC Committee General Comment No. 14 \(2013\) on the right of the child to have his or her best interests taken as a primary consideration \(art. 3, para. 1\)*](#)

These are key tactics are deployed by anti-rights actors²³

1. Twisting legitimate concerns to serve anti-rights agendas

For example, anti-rights actors take a legitimate and vital issue such as male violence against women and women's right to safety and use it to rally against trans people accessing spaces aligned with their gender and to attempt to strip the right of trans people to have their gender legally recognised. This narrative forgets to point out that the root of violence against women and LGBT+ people is the same and relies on 'stranger danger' tropes when in fact most of the violence against women is perpetrated by someone the victim knows. Both CEDAW and the Istanbul convention recognise that women experience violence in different and specific ways according to aspects of their identity, including gender identity.

2. Developing a parallel human rights narrative

This consists of purposefully mystifying human rights concepts and interpretations. 'Parental rights' is an example of this tactic. This allows anti-rights actors to infiltrate and influence human rights spaces and to gain legitimacy and political support.

3. Provoking moral panic

Concepts and tropes such as 'transing children', 'prenatal genocide', the idea that feminism has gone too far and men are now discriminated against are all used to manufacture panic and build political support for anti-rights agendas.

4. Obstructing human rights education

Anti-rights actors decry school education about human rights, diversity and discrimination as 'indoctrination'. Inclusive RSE is a target, but more recently anti-rights actors have attacked approaches such as critical race theory and the teaching of the history of colonisation²⁴. In the US such movements have successfully banned several books e.g. about civil rights and slavery from school libraries.

Funding for anti-rights movements

Anti-rights actors talk about a 'gender lobby' or 'transgender lobby' as an all-powerful entity infiltrating every institution in society, from politics to education to the health system. However, if we compare the resources of anti-gender actors with those who advocate for the rights of women and LGBT+ people it is immediately clear that the opposite is true.

The European Parliamentary Forum on Sexual and Reproductive Rights estimated that annual anti-gender spending in Europe has increased by a factor of four starting from USD 22.2 million in 2009

²³ Adapted from the Observatory on the Universality of Rights, "["Gender Ideology" Narratives: A Threat To Human Rights](#)", 2022

²⁴ In the US The Alliance Defending Freedom has produced several [toolkits](#) for parents to defend children from 'critical theory' and gender ideology'

to reach 96 million in 2018²⁵. The Global Philanthropy Project has found that, in the period 2013-2017, LGBT+ movements worldwide received USD 1.2 billion, while the anti-gender movement received 3.7 billion²⁶. In addition, most funding for human rights, feminist and LGBT+ organisations is short-term and tied to specific projects and objectives rather than flexible and long-term, something anti-rights actors can count on instead²⁷.

Anti-rights actors' investment in the UK is growing. For example, the UK branch of the ADF spent £1 million in 2023 up from about £400,000 in 2022 and its income almost doubled between 2022 and 2023²⁸. ADF's UK 2023 accounts list activities such as providing briefing and legal advice and holding events and engaging with decision makers²⁹. Other outfits, such as the think tank Policy Exchange, mostly known for lobbying around economic issues and which does not disclose its donors, started producing reports against 'gender ideology' in the past couple of years³⁰.

What is needed from the RSHE Review and to strengthen LGBT+ inclusive RSE:

- Discard the draft guidance on RSHE and draft guidance for schools on 'Gender questioning children'.
- Restore the 2023 wording of the LGBT+ section of the Keeping Children Safe in Education statutory guidance.
- Ensure any future change to RSHE is underpinned by rigorous, credible evidence and informed by the views of LGBT+ experts and practitioners.
- Establish a process for updating RSHE that enables incremental evolution informed by evidence and expertise as opposed to politically motivated reviews.
- Set up a mechanism to ensure meaningful consultation with diverse communities of children and young people in the monitoring, evaluation and review of RSHE guidance.
- Embed the views and experiences of young people in processes to update RSHE guidance nationally, and the guidance itself should include a requirement that schools ask their pupils if their RSHE is meeting their needs.
- Communicate responsibly and confidently about RSE, challenging misinformation, avoiding artificial divisions and properly representing the widespread support from parents and carers for preventative and inclusive RSHE.

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²⁵ European Parliamentary Forum for sexual and reproductive rights, [Tip of the Iceberg: Religious Extremist Funders against Human Rights for Sexuality & Reproductive Health in Europe](#)

²⁶ The Global Philanthropy Project, [Meet the Moment](#), 2020

²⁷ Equal Rights Coalition, [Anti-Gender Movement Background Paper](#), 2022

²⁸ ['Extreme' US anti-abortion group ramps up lobbying in Westminster](#), The Guardian, 06/04/2024

²⁹ ADF INTERNATIONAL (UK) [Annual report and financial statements for the year ended 30 June 2023](#)

³⁰ [Policy Exchange. Biology Matters list of publications](#)