

LGB ALLIANCE AOTEAROA NEW ZEALAND'S SUBMISSION ON THE EDUCATION & TRAINING AMENDMENT BILL (No 3)

LGB Alliance Aotearoa New Zealand is a group of women and men who share one thing in common: we're same-sex attracted and we're here to defend that reality from homophobia in all its forms. Unfortunately, a whole generation are now growing up facing a new homophobia that comes directly from "gender identity" ideology. This is the inevitable outcome of an ideology of which its foundations rely on the outright misuse of all sex-based language.

To quote LGB activist Menno Kuijper:

"Saying 'lesbians have penises' and 'gay men have vaginas' is the most insidious form of homophobia - a blatant denial of what homosexuality is, and used to shame us all over again. I ain't having it"

Neither are we.

CLAUSE 38: INSERTION OF 'GENDER' [IDENTITY]

We're concerned that Clause 38 of the Education and Training Amendment Bill (No 3) seeks to insert the questionable belief of 'gender' [identity] in Schedule 23 Clause 1(1)(a)(ii) of the Education and Training Act while removing the statement of fact that approximately half the population of New Zealand is male and half female.

We acknowledge that most English speakers use 'sex' and 'gender' interchangeably when referring to people, with both terms referring to biological sex. We also acknowledge that some people's use of 'gender' may refer to the cultural/social norms, customs, and expectations imposed (directly or indirectly) onto the sexes (often referred to as the 'social construct' of 'gender'), to differentiate from sex itself.

As both 'gender' and 'sexes' are proposed in Clause 38, there must be difference between the two. In line with recent trends, such as NZ Census 2023, it is reasonable to assume that 'gender' here refers to the notion of 'gender identity' which is typically defined as one's personal sense of being male or female or neither, regardless of one's actual sex. Since male and female are material reality and not feelings, 'gender identity' is based on cultural/social stereotypes associated with the sexes. Many people reject this concept altogether and find the notion itself greatly offensive and regressive.

We object to the proposal that when appointing co-opted and elected school board members that a belief in 'gender' [identity] across school communities is assumed by default. No other belief system is elevated or imposed upon others like this. We believe current language referring to sex (male and female) in Schedule 23 Clause 1(1)(a)(ii) is accurate and relevant to all in school communities, including those with DSD conditions [1] [2], and should not be changed.

LGB ALLIANCE AOTEAROA NEW ZEALAND'S SUBMISSION ON THE EDUCATION & TRAINING AMENDMENT BILL (No 3) [cont.]

CLAUSE 38: INSERTION OF 'SEXUALITIES'

We're concerned that Clause 38 of the Education and Training Amendment Bill (No 3) seeks to insert 'sexualities' in Schedule 23 Clause 1(1)(a)(ii) of the Education and Training Act.

Firstly, it is 'sexual orientation', not 'sexualities', that is protected in the NZ Human Rights Act.

Secondly, we find it questionable that primary and intermediate age (5-13) children are presumed to all have 'sexualities'. This is not true. While some children may begin to experience attraction earlier than others, children, at this minor age range, typically do not. We do not believe this assumption of 'sexualities' applying to young children is age appropriate.

Thirdly, we're concerned about how information regarding 'sexualities' (and indeed 'gender' [identities]) is to be obtained and stored and echo the Office of the Privacy Commissioner which stated [3]:

This type of information about an individual can be highly sensitive. The Ministry will need to consider whether this change to more collection of sensitive, personal information and how any collection will comply with the Privacy Act – how this information can be kept safe and that the information is only retained for a reasonable period of time.

We object to the proposal that when appointing co-opted and elected school board members that 'sexualities' should be reflected upon and are presumed to be experienced by all across school communities, particularly young children.

SUPPORT OF SPEAK UP FOR WOMEN'S SUBMISSION

LGB Alliance Aotearoa New Zealand supports the submission made by women's rights organisation, Speak Up For Women. We share their concerns regarding practicality, privacy, and compliance with the Plain Language Act 2022. In addition, we were appalled to learn of the timing of the submission period over school holidays outside of most school board meetings periods, and that neither Ministers, Ministry of Education, nor the latest New Zealand Schools Trustees Association (NZTA) newsletter highlighted Clause 38 proposed changes regarding Schedule 23 Clause 1(1)(a)(ii) of the Act.

LGB ALLIANCE AOTEAROA NEW ZEALAND'S SUBMISSION ON THE EDUCATION & TRAINING AMENDMENT BILL (No 3) [cont.]

RECOMMENDATIONS

LGB Alliance Aotearoa New Zealand recommends that Schedule 23 Clause 1(1)(a)(ii) of the Act remain unchanged and not be replaced by Clause 38 (1) proposals in this amendment bill.

We believe the current provisions in the Act for selecting co-opted and appointed members of school boards, particularly Schedule 23 Clause 1(1)(a)(iv), permit for the diversity of school communities to be considered.

We also believe that the privacy of students and other school community members are paramount and they should not be required to disclose highly sensitive information like their 'sexualities' or 'gender[identities]'.

REFERENCES

1. Wright, C. (2023). *Understanding the Sex Binary*. City Journal. <https://www.city-journal.org/article/understanding-the-sex-binary>
2. Elliot, Z. (2023). *Defining vs Determining Sex*. The Paradox Institute. <https://www.theparadoxinstitute.com/read/defining-sex-vs-determining-sex>
3. NZ Legislation: Disclosures. Education and Training Amendment Bill (No 3). *Modernising the co-option criteria*. <https://disclosure.legislation.govt.nz/bill/government/2023/239>

Thank you for taking the time to consider our submission.

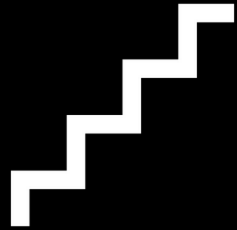
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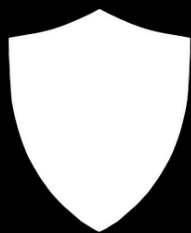


LGB RIGHTS

We work to advance the rights & diverse interests of lesbians, gay men, and bisexual women and men

FREEDOM OF EXPRESSION

We promote respectful freedom of expression on lesbian, gay, & bisexual issues



SAFEGUARDING

We advocate strong safeguarding practices to protect children & vulnerable people from harmful, unscientific ideologies

LESBIAN VISIBILITY

We highlight the dual discrimination faced by lesbians

