

Education (General Provisions) and Other Legislation Amendment Bill 2024

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From: [REDACTED]
To: [Education, Employment, Training and Skills Committee](#)
Subject: Submission against Education (General Provisions) and Other Legislation Amendment Bill 2024
Date: Sunday, 24 March 2024 10:16:50 PM

Dear Committee

I strongly object to the proposals put forth in the Education (General Provisions) and Other Legislation Amendment Bill 2024. As a mother who homeschools her two children, I am deeply concerned, as I know that if these amendments are passed into law, many children and families will be greatly damaged. Below are my main points of concern:

<!--[if !supportLists]-->1. <!--[endif]-->**The inclusion of “best interest of the child” into the law.**

The inclusion of the above statement into the law raises some serious and concerning questions. If this is put into law, how will it be reflected in the policies and processes surrounding the homeschooling registration process? Presumably, part of the process must somehow qualify that homeschooling will be in the best interest of the child. How will this be done? What will the criteria be? What if the Home Education Unit disagrees with the parent's reasons as to what is best and why? Could some homeschool applications be rejected, forcing parents to send their child to school against their will? Does the Home Education Unit, or the State have the right to decide what is in the best interest of my child, or is it not the inherent right and duty of the parent to decide what is best for their own child? To allow a government body to have a part in deciding or approving what is the best way to educate you child an assault on parents and their rights.

The Universal Declaration of Human Rights, Article 26, point 3 states that “Parents have a prior right to choose the kind of education that shall be given to their children.” Including the above amendment into legislation will potentially create a more restrictive homeschooling registration process, ultimately making it more difficult for parents to exercise their right to choose to homeschool their child.

<!--[if !supportLists]-->2. <!--[endif]-->**Removal of Provisional Registration**

It is a parent's fundamental right and responsibility to protect their child. Provisional registration is an important protection for children and parents, and it would be dangerous and potentially harmful if it were removed. As you are aware, the current process to become fully approved to homeschool can take 2 or more months. Many parents who are currently homeschooling have had to remove their child from school because they were being bullied or some sort of trauma was occurring. In this type of situation, it is urgent to have the child removed, as they are experiencing either physical, emotional, or mental harm. The removal of provisional registration will make it very difficult for parents to do this, because there will be no interim between having sent in your initial application and being fully approved. Is it the intention of the bill to ensure that these children are trapped in school for months while their parent is waiting to be approved to homeschool? Why is the current process being changed, and what evidence do you have to show that the current process is not best for the child? Currently in NSW there is no provisional registration, and I know from speaking with countless parents in NSW, that it can be an absolute struggle to remove a child from school when found in this type of situation. Schools will fight to keep kids in school, they will mark the child as truant for every day the child is absent, and the only way around this is if you can get a doctor's certificate. I have even heard testimonials from parents being threatened by schools with child protection services.

On this note, I would like to share my daughter [REDACTED] story with you. [REDACTED] was a healthy, normal 5 year old when she started Kindergarten. However, by the end of the first week of school, my daughter's beautiful bright spirit had been damaged. I had to remove her from school, and luckily nobody could stop me from doing this, as she was not yet of compulsory school age. [REDACTED] showed up to the first day of school bright, excited and enthusiastic. She waved me goodbye, no tears, and skipped off with her new school mates. However, when I went to pick [REDACTED] up that afternoon, I could see immediately that something was off. She told me that school was horrible and that she didn't like it. That week, every evening, [REDACTED] would cry and cry for more than an hour before bed. She found it very hard to fall asleep. She was very distressed and fearful to go back to school the next day and she would beg me not to send her. She would tell me about how she would spend each day crying. Crying in the classroom, crying in the playground, crying in the toilets. The other kids would run off and play and she would sit there on her own during her breaks, feeling sad and alone, wishing she could get out of there. She didn't like being away from me, she said that she felt that the teacher did not care about her, and that she would get frustrated that [REDACTED] just wouldn't stop crying. The teacher would tell her that she HAS to stop crying and so she tried to hold in her tears, but she just couldn't. [REDACTED] also didn't like that the children weren't given any choices within the activities they did and that she wasn't allowed to read any of the books that were in the classroom. Meanwhile, I was not contacted by the school. I only found out these things from [REDACTED] when she returned home. Shortly after removing [REDACTED] from school, I noticed that she had developed a fearfulness of both being away from me (not by my side), and being around other children, especially if they were in a group. If suddenly found herself in a group of children, she would freeze up, start breathing heavily and crying. She became quite intimidated by adults she didn't know very well and would not ever be more than one step away from me. Later, I took her to a child psychologist, and she confirmed that this fear and anxiety had been caused by the trauma she experienced in that 5 days at school, and she gave us some exercises to manage these panic attacks, although I didn't find they helped very much. I had been researching homeschool upon removing [REDACTED] from school and I had joined some Facebook groups. Some weeks later we went along to our first homeschool meet up. I was pleasantly surprised to see such a big community of people, and everyone was lovely and welcoming. From that point on we continued to go to 2 to 3 social meet ups a week, where the kids can play freely and socialise with each other. At first, [REDACTED] would not feel comfortable enough to play, approach kids or be away from my side. For the whole first year I would have to go with [REDACTED] around the playground and help her with talking to the other children. 2 years have passed now, and she has come a long way in healing, however, she is still afraid of children if they are in a school uniform, especially if there is a group of them, and she will not want to be in the playground at the same time as them.

Had these proposed amendments been in place, would my application to homeschool have been successful? Would I have met the required criteria? Crying in the first week of school is totally normal, isn't it? "She'll get used to it" is what everyone told me. Would I have been able to remove [REDACTED] from school (had she been the compulsory age) if there was no provisional registration? To what extent would [REDACTED] be further damaged emotionally and mentally if she was forced to stay in school? These questions deeply trouble me, and I feel my heart wrenching as I am typing these words.

The United Nations Convention on the Rights of the Child, Article 29, point 1 states "State Parties agree that the education of the child shall be directed to a) The development of the child's personality, talents and mental and physical abilities to their fullest potential". I ask you to reflect on this and consider whether mainstream school is currently focussed on or even capable of developing a child in such a way.

I can assure you, that since homeschooling, every single one of the mothers I have met (including myself), is incredibly dedicated to giving their child the best kind of education and upbringing for the whole development of their child. Many have removed their child from mainstream school because it was either harmful in some way, or because it just was not working. Homeschooling families take on a huge amount of responsibility, and an immense time and financial commitment because they believe that homeschooling is the best and most healthy way to educate and raise their child. It is

essential that we protect our children and the parent's right to choose to homeschool. It is in the best interest of the community to try and understand, support, and protect homeschooling, and not make this process difficult.

Thank you for your time in considering my submission and for representing my concerns.

Sincerely

Cheryl Martin

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