



Call for Input: Report on the human right to education and the protection against violence and discrimination based on sexual orientation and gender identity (SOGI)

21 April 2025

INTRODUCTION

The Affiliation of Australian Women's Action Alliances (AAWAA) is a secular, non-partisan, independent women's rights peak body representing groups from each state and territory in Australia. Our members are women from diverse backgrounds and professions and we advocate for women and girls, especially in domains where we face discrimination or vulnerability because of our sex.

We welcome the opportunity to respond to the call for input on the human right to education and the protection against violence and discrimination based on sexual orientation and gender identity (SOGI)¹ and to draw the Independent Expert's attention to the systemic failures of Australian schools to uphold the rights of same-sex attracted and gender-questioning girls under the Convention on the Rights of the Child (CRC). We refer here particularly to Articles 2 (non-discrimination), 3 (best interests), 12 (participation), and 24 (health rights).

These failures are especially evident in the lack of accurate information about the risks of medicalising gender dysphoria, the conflation of gender-affirming care with conversion therapy, and secretive social transitioning practices that undermine both parental rights and schools' duty of care.

2. LAWS, POLICIES, AND PRACTICES AFFECTING SOGI-DIVERSE STUDENTS

Discrimination in school policies

Australian schools, particularly in the ACT and Victoria, enforce policies enabling social transitioning (name, pronoun, and uniform changes) without parental consent under the guise of "student-led affirmation".² Examples of policies that violate CRC Article 18 by sidelining parents in critical health and identity decisions include the following:

¹ [OHCHR | Call for Input: Report on the human right to education and the protection against violence and discrimination based on sexual orientation and gender identity \(SOGI\), 2025](#)

² See [LGBTIQA+ Student Support: Policy | education.vic.gov.au](#); [Guide to supporting a student to affirm or transition gender identity at school.](#); [A School's Legal Obligations With Respect to Transgender Students](#) ;

- The Student Wellbeing Hub (national) provides templates for gender transition plans that prioritise student privacy over parental involvement, contravening CRC Article 5 (parental guidance).³
- Victoria's "mature minor" doctrine permits schools to withhold transition details from parents, even when students lack Gillick competence.⁴

Restrictive curricula and misinformation

Educational materials endorsed by state governments in Australia perpetuate misinformation and promote harmful, sexist stereotypes, contrary to CRC Article 17 (access to accurate information):

- Resources from Transcend Australia advise schools to circumvent parental consent, framing dissent as unsupportive, making it clear that lack of parental support is treated as a challenge to be managed, and that the school's legal and ethical responsibility is to the student's wishes and wellbeing.⁵
- Supporting resources (e.g., from the Queensland Human Rights Commission) instruct schools to manage parental dissent by prioritising the student's wishes, and treat lack of parental support as a risk factor for student wellbeing.⁶
- The ACT's Safe and Inclusive Schools Initiative promotes books that reinforce gender stereotypes by linking gender identity to stereotypical clothing and behaviours, for example by suggesting that liking "girl things" makes one a girl rather than challenging restrictive gender norms.⁷

3. RIGHT TO HEALTH AND MEDICALISATION RISKS

Affirmation-only pathways as conversion therapy

Gender-affirming care in schools often funnels girls toward irreversible medical interventions.⁸ This is contrary to CRC General Comment No. 15, which mandates that health interventions for children be evidence-based and minimally invasive:

- Puberty blockers and cross-sex hormones are prescribed without robust evidence, despite international reviews (e.g., UK Cass Review) urging caution.⁹
- Co-morbidities ignored: Many gender-questioning girls have autism, trauma, or internalised homophobia, yet schools lack protocols to address these issues.¹⁰

³ [A Guide for Schools](#), Transcend Australia

⁴ [A Guide for Schools | Transcend Australia](#) and [A School's Legal Obligations With Respect to Transgender Students](#) and [LGBTIQA+ Student Support: Policy | education.vic.gov.au](#)

⁵ [A guide for schools](#), Transcend Australia and [Supporting gender diverse, intersex and sexually diverse children and young people policy](#), South Australian Government, Education SA, 2024; and [Trans @ School | LGBTI Legal Service](#).

⁶ [Trans @ School | LGBTI Legal Service](#)

⁷ [IDAHOBIT for Early Childhood and Primary School Teachers](#)

⁸ [Gender dysphoria in young people is rising—and so is professional disagreement | The BMJ](#)

⁹ [National clinical practice guidelines for the care of trans and gender diverse people under 18 with gender dysphoria | NHMRC](#) and [gender-affirming medical treatment for minors: international legal responses to an evolve debate](#)

¹⁰ [Gender questioning children and family law: an evolving landscape.; Hearing from trans and gender diverse children and young people in WA; Sexual Orientation and Gender Identity Conversion Practices ISSUES PAPER NO 31; Gender questioning children and family law: an evolving landscape.](#)

Suppression of exploratory therapy

Bans on "conversion therapy" in Australia (e.g., Victoria's Change or Suppression Act 2021) restrict access to neutral psychotherapy, forcing girls into affirmation pathways.¹¹ This mirrors historical practices where lesbians were pressured to transition, violating CRC Article 24 (right to health).¹²

4. DATA GAPS AND ACCOUNTABILITY FAILURES

Australia collects no national data¹³ on:

- Students undergoing social/medical transition.
- Detransition rates or long-term health outcomes.¹⁴
- Co-morbidities¹⁵

This violates CRC Article 24 and hinders evidence-based policymaking.

5. RECOMMENDATIONS

To align with CRC obligations, Australia must:

1. Mandate parental involvement when a child discloses gender confusion at school.
2. End affirmation-only models in schools, adopting the UK's cautious, evidence-based approach.
3. Audit educational materials to eliminate stereotypes and provide balanced, accurate information on gender dysphoria.

CONCLUSION

Australian schools are failing same-sex attracted and gender-questioning girls by prioritising ideological adherence over CRC rights. Urgent reforms are needed to halt medicalisation, protect parental rights, and ensure schools fulfil their duty of care.

¹¹ [Change or suppression practices | vic.gov.au](#); [Change or Suppression \(Conversion\) Practices Prohibition Bill 2020 - Parliament of Victoria](#); [Victoria's conversion therapy ban - 'Not affirming gender identity' outlawed in Australia](#);

¹² [Psychological Harm and the Prohibition of 'Conversion Therapy'](#)

¹³ [FOI 25-0197 LD – Puberty Blocker Ban](#)

¹⁴ [Gender questioning children and family law: an evolving landscape](#), Paper for the Australian Family Law profession, 2023.

¹⁵ [Gender questioning children and family law: an evolving landscape](#).