Joint statement: Trans children and young people in schools deserve safety and understanding

News, Inclusion and Equality, Education, Non-binary, Trans, United Kingdom

This statement was drafted by IGLYO with input from UK inclusive education experts and Members, and was endorsed by ILGA-Europe and Transgender Europe (TGEU).

> We condemn the UK Statutory Guidance for Schools & Colleges and their failure to include trans and non-binary students in an affirming, supportive way.

Returning to school in September should be an exciting time for young people, catching up with friends, and new adventures ahead. Yet, trans children and young people in England continue to be targeted by exclusionary policies in education. On 2 September, the UK government published its updated legally-binding guidance for schools and colleges in England, with a section on LGBT persons that remains under review, titled "Keeping Children Safe in Education 2024".

While we recognise the importance of providing clear guidance to schools and colleges in relation to safeguarding young people, we are concerned about the harmful and untrue narratives underlying this guidance in relation to young people's identity. If kept in its current state, this guidance could provide a pathway to strip young trans people of their rights and agency, while perpetuating harmful stereotypes.

We are particularly concerned by the following:

1. The updated guidance refers to children and young people being LGB in affirming ways but has removed parallel references for trans children and young people. We strongly condemn the government's decision to remove trans identities from this list and its previous guidance and stress the need to reintroduce language that protects young trans people. To keep trans children safe in education, we call upon the UK government to recognise the harms of transphobia and bullying ever present in UK schools and colleges and to provide a clear framework in relation to safeguarding trans children's well-being and identity.
2. We also note with concern that the UK government continuously refuses to recognise trans identities in young people as real, conflating such terminology with 'gender questioning' throughout its guidance. This rejects the idea that young people can be trans. We recall that this linguistic shift was observed in other recent government guidance, including the draft schools and colleges guidance "Gender questioning children" and the "Draft Relationships Education, Relationships and Sex Education (RSE) and Health Education" statutory guidance.
3. The UK government cross-references guidance that is in draft form and in consultation to reinforce its harmful messaging. There has been no response by the government to the consultation, including to concerns expressed through inputs by educators, policy experts, human rights groups, and young people themselves during the consultation.
4. The "Keeping Children Safe in Education 2024" guidance uses the Cass Review as an evidentiary basis for this policy change, despite its poor and inconsistent use of evidence, pathologising approaches, and exclusion of service users and trans healthcare experts. As stated by healthcare activist and feminist

researcher Dr Ruth Pearce in an article titled "What's wrong with the Cass Review? A round-up of commentary and evidence" (2024), the Cass Review "has been extensively criticised by trans community organisations, medical practitioners, plus scholars working in fields including transgender medicine, epidemiology, neuroscience, psychology, women's studies, feminist theory, and gender studies".

5. The "Keeping Children Safe in Education 2024" guidance recommends that families are involved in social transition in schools, despite the potential safeguarding risks of outing students to their caregivers. Research by Galop (2022), UK's LGBT+ anti-abuse charity, noted that 2 in 5 trans or non-binary people had experienced abuse at the hands of family members, with the majority experiencing this before they turned 18 and often in relation to their gender identity. We reiterate that all young people, including trans young people, have the right to privacy, which must be respected. Trans children and young people should be supported in choosing for themselves when and how to share information about themselves with their parents or guardians. We are also concerned that the government refers to 'exceptionally rare' situations in which there could be a safeguarding reason to not inform parents but provides no evidence for this being exceptionally rare and no guidance for how schools decide when this risk threshold is met.
6. We also stress that the guidance as it stands now recommends that schools encourage parents to seek "clinical help and guidance", which is not only dehumanising and pathologising, it is also virtually impossible due to the UK government's restrictions on gender-affirming care to young trans people. Parents and guardians should listen to trans children and young people and respect their identity and wishes. Not rush them off to a doctor's office.
7. We further condemn the guidance's conflation of being trans with mental illness and autism. While some trans young people may experience mental health difficulties both as a result of transphobia and unrelated reasons, neither mental illness nor autism is intrinsic to their gender identity. We urge the government to stop scapegoating trans young people and creating further divides across communities. This is extremely dangerous and harmful to not only trans youth, but also neurodivergent and autistic youth, including those that are both trans and autistic.

On the guidance, Alex Feis-Bryce (He/him), Executive Director of our UK Member Diversity Role Models noted: "I am very concerned about the lack of clarity this update provides teachers and school leaders on their return to school and the impact it could have on trans young people. The proposed changes, that remain under review, could strip young trans people of their agency. To keep children safe in education and ensure that their right to privacy is protected, any education policy should recognise the challenges young trans people currently face in education, including bullying on the basis of their real or perceived difference, not introduce additional barriers."

The "Keeping Children Safe in Education 2024" guidance is just another step in the deeply worrying march toward the attack against trans people in the UK. We urge our members across the Council of Europe region to take note and prepare for similar attacks in their home nations.

IGLYO, the world's largest network for LGBTQI young people and students, and signatories of this statement ILGA-Europe and Transgender Europe (TGEU) call on the UK government and policymakers to stop fueling this moral panic against trans young people and discard dangerous changes proposed to the aforementioned pieces of guidance. Trans children are at increasing risk of isolation, alienation and violence. It's time to get on the right side of history and protect trans children, and their human rights.