

Would you be happy if this happened to your child?

Under new proposals a government official could enter *your* home, and question *your* child about what *you* teach them - and all without *you* being present. At the moment, this is being proposed for home-schooling families. But which families will be next? Children do not belong to the state. Even if you don't home school, tell the Government to keep families free.

Officials to get new powers over families

Government officials will be given powers to question children without their parents being present, under new proposals for England.

The Government has accepted the recommendations of the Badman Report that it should exert formal oversight over how parents teach their children at home.

The proposals by Graham Badman, which mark a major shift in the official approach to home education, are subject to a public consultation which ends on 19 October.¹

Until now local authorities have been able to intervene where they suspect problems with individual families. But critics have pointed to the shift towards government control and intrusion into family life under the proposed new regime, with home-educated children subjected to far greater individual surveillance than children in state education. It may also contravene the right to private and family life under the Human Rights Act.

¹ Badman, G, *Report to the Secretary of State on the Review of Elective Home Education in England*, TSO, June 2009

Questioning kids without parents' presence

The Badman Report recommends that local authority officials should be given power to enter a family home, take a child into a room alone and question them about what his or her parents are doing.

Other recommendations include requiring home educators annually to provide local authority staff with a "statement of approach to education" and a list of educational aims, and to register on a national register. Failure to register would be a criminal offence.

Yet there is growing alarm in Britain at increasing government control of family life. Recent threats from Ofsted that parents who childmind one another's children could be prosecuted, and a controversial registration scheme for volunteers (which could extend



to parents who take their children's friends to sports events), have faced nationwide criticism as an unjustified invasion of families.¹

In a similar way, the Badman Report mixes up child abuse with the issue of home education. Government Minister Baroness Morgan alleged at the outset of the review that home education could be used as a cover for "abuse".² The Report suggested that there was a disproportionate level of abuse among home-educated children, but provided no documented evidence for this.³ In fact local authorities already have sufficient powers to address child abuse in any home.

¹ *The Independent*, 29 September 2009; *The Daily Telegraph*, 15 September 2009

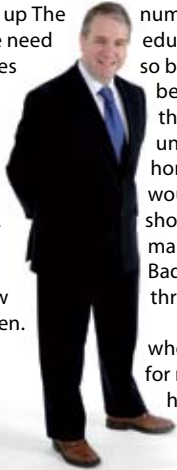
² *The Times*, 20 January 2009

³ Badman, G, *Op cit*, pages 31 and 32

Parents should have freedom of choice

In 1989 I left my job as a teacher in a state school to set up The Christian Institute. The need to promote good values in state schools and to protect children has been a major theme of our work right from the time the Institute was founded.

Christian parents come to different conclusions about how to educate their children. The overwhelming majority choose state education; some are able to opt for the independent



sector. A small but increasing number choose home education. They may do so because their child has been bullied or they judge that their local schools undermine the faith of the home. Surely all Christians would agree that parents should ultimately be free to make that choice. But the Badman Report seriously threatens that freedom.

In the Bible it is parents who have the responsibility for raising children. Parents have a God-given authority over their children (Exodus 20:12;

Ephesians 6:4). Of course government must step in where child abuse is occurring, but that is a separate issue.

Most parents can think of circumstances where they would take their children out of school and educate them at home, if only for a short time. The freedom to make this choice is being undermined. We must act now to defend it.

A handwritten signature in blue ink, appearing to read 'Colin Hart'.

Colin Hart,
Director of The Christian
Institute

US officials order girl to state school for being 'too Christian'

Earlier this year a 10-year-old Christian girl in the USA was ordered to attend a government-run school. A judge made the order following claims by a local official that the girl, home educated by her mother, needed to begin to "critically evaluate multiple systems of belief".¹ Her mother's lawyer said officials believe the girl's "religious beliefs are a bit too sincerely held" and need to be "mixed among other worldviews".²

¹ *Wall Street Journal*, 8 September 2009

² Alliance Defense Fund, Press Release, *NH Court Orders Home-Schooled Child into Government-Run School*, 26 August 2009

What the law has always allowed

It has always been lawful for parents to educate their children at home. This right was enshrined in the landmark 1944 Education Act. Current government guidelines, based on this law and issued in 2007, are clear: "The responsibility for a child's education rests with their parents. In England, education is compulsory, but school is not."¹

Section 7 of the Education Act 1996 provides that:

"The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable –
(a) to his age, ability and aptitude, and
(b) to any special educational needs
either by regular attendance at school or otherwise."

Home education falls under the definition of education 'otherwise'. Case law has described 'efficient' education as an education that "achieves that which it sets out to achieve", and a 'suitable' education as one that "primarily equips a child for life within the community of which he is a member, rather than the way of life in the country as a whole..."²

At present local authorities can only intervene if they suspect a child is not receiving suitable education at home, and can issue a school attendance order. Parents have a right of appeal to the Secretary of State or can go to court.³

¹ *Elective Home Education: Guidelines for Local Authorities*, Department for Children, Schools and Families, 2007, page 4

² *Loc cit*

³ Education Act 1996, Sections 437, 442 and 443