



**NCCA**

An Chomhairle Náisiúnta  
Curaclaim agus Measúnachta  
National Council for  
Curriculum and Assessment

# **Draft specification**

## **for Senior Cycle SPHE**

NCCA consultation, 2023

## NCCA consultation on draft specification for Senior Cycle SPHE

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The NCCA is currently updating the Social, Personal and Health Education (SPHE) curriculum and as part of this work an updated Senior Cycle SPHE curriculum is now available for consultation. A key part of the consultation is feedback from individuals and groups who are interested in this area of young people's education. The consultation on the draft Senior Cycle SPHE curriculum will remain open until October 18th . You can share your feedback by completing this template and sending it to: [SPHEdevelopments@ncca.ie](mailto:SPHEdevelopments@ncca.ie)

Before completing the template, please read the draft Senior Cycle SPHE curriculum at this link: <https://ncca.ie/en/senior-cycle/curriculum-developments/senior-cycle-social-personal-and-health-education-sphe/>

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## Senior Cycle SPHE – Feedback

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If you are contributing your views **an individual**, please provide details below

Name:	
Email address:	
Do you wish to be listed as a contributor to this consultation on the NCCA website?	Yes/No
Do you wish to have your written submission published on the NCCA website?	Yes/No

If you are contributing your views on behalf of **an organisation or group**, please provide details below

Name:	John Denning
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Name of organisation/group:	The Christian Institute
Does your organisation wish to be listed as a contributor to this consultation on the NCCA website?	Yes/ <del>No</del>
Does your organisation wish to have this written submission published on the NCCA website?	Yes/ <del>No</del>

## Questions to consider

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### Question 1: Aim

The aim of the updated curriculum is to '*empower students to become healthy, resilient, responsible and empathetic young adults; nurture respectful and caring relationships; and prepare for the opportunities, responsibilities and experiences of life now and beyond school.*'

Please state whether you agree this aim summarises the purpose of SPHE for senior cycle students and your reason for agreeing/disagreeing.

**Insert response here:**

Seeking to “empower students to become healthy, resilient, responsible and empathetic young adults; nurture respectful and caring relationships; and prepare for the opportunities, responsibilities and experiences of life now and beyond school” is a worthy aim, but actions to achieve it need to be in keeping with, rather than in opposition to, education law.

This aim needs to begin with the words “*In partnership with parents,*”. This follows from the Education Act 1998:

*“9. A recognised school shall... use its available resources to–*

- (d) promote the moral, spiritual, social and personal development of students and provide health education for them, **in consultation with their parents**, having regard to the characteristic spirit of the school”*

While all of the curriculum is to be delivered with regard for the role of parents (see below), SPHE is given a particular status in law because it deals with sensitive issues on which views differ widely.

This principle needs to shape the SPHE curriculum, from its aims through to the details of lessons. It is important schools are not misdirected into pre-determining their approach before consulting with parents, or they risk breaching this requirement of the Act. The NCCA should not therefore be presenting aims and learning outcomes to schools without qualification as if they are predetermined. Schools should be able to rely on material from state bodies such as NCCA to direct them to exercise their functions lawfully.

Section (30)(2)(e) of the Act states that the Education Minister:

*“shall not require any student to attend instruction in any subject which is contrary to the conscience of the parent of the student or in the case of a student who has reached the age of 18 years, the student”.*

Schools are acting on behalf of the Minister, and the Minister has a duty to ensure schools are complying with this. We welcome the Minister’s clarity on this point in public statements, but there may well be schools which are not aware of it. The NCCA specifications are likely to be the primary reference point for schools, so they need to make this requirement clear.

Section (30)(2)(e) is an important backstop protection which appropriately empowers parents. Schools, rightly, will want to avoid a situation where students do not attend lessons as a consequence. In the vast majority of cases, this can be avoided by proper consultation with parents, to understand the range of views that exist, what the sensitivities are, and to construct the curriculum accordingly, having regard to parents’ wishes and views. For senior pupils, this can often be achieved through presenting – fairly – a range of viewpoints on contested issues and teachers encouraging critical consideration of the arguments. Indeed, this is the approach to contested issues set out in case law on Article 2, Protocol 1 of the European Convention on Human Rights, see *Lautsi v Italy (2012) 54 EHRR 3 at paragraphs 62, 63*.

These requirements follow from the Constitution of Ireland, as well as from European human rights law. Article 42 of the Constitution states:

*“The State acknowledges that the primary and natural educator of the child is the Family and guarantees to respect the inalienable right and duty of parents to provide, according to their means, for the religious and moral, intellectual, physical and social education of their children.”*

The NCCA must respect this inalienable right, and use its role directing schools’ teaching of SPHE with a view to ensuring they also respect it.

Most parents provide this education by sending their children to state-funded schools, but the Constitution makes clear that the parents are delegating part of their right and duty to the school, and Article 42 continues to apply. Article 41 1.1 therefore underlines the principle that teaching should not be promoted which undermines the moral views and rights of parents:

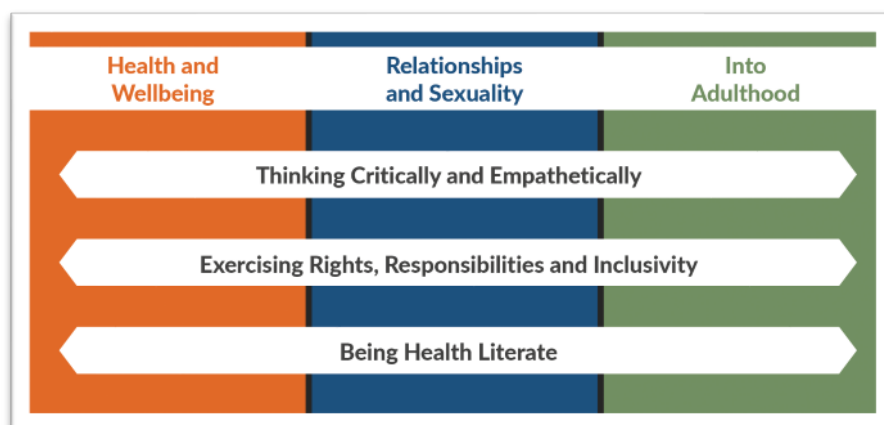
*“The State recognises the Family as the natural primary and fundamental unit group of Society, and as a moral institution possessing inalienable and imprescriptible rights, antecedent and superior to all positive law.”*

The European Convention on Human Rights states at Article 2 of Protocol 1:

*“No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions.”*

## Question 2: The Learning

The draft course is structured around three strands and three cross-cutting elements, illustrated below:



Below provides extracts from the draft specification. See draft specification pp 11–15 for a more detailed outline of the learning.

**In the following section, we would value your feedback on each of the three strands.**

### Strand 1: Health and Wellbeing

Within this strand, students will explore the factors that influence their physical, social, emotional and mental health and the relationships between these aspects of health. They will learn ways to take care of themselves and stay as healthy as possible, with a particular focus on gaining awareness, skills, techniques and information to protect their mental health and wellbeing.

Students should be able to	
1.1	research the determinants of good health
1.2	discuss the enablers and barriers to managing a healthy life balance - including study, work, play, sleep, people, 'me time', and ways to manage greater balance
1.3	critically analyse the origins and effects of social norms and attitudes to alcohol and drugs
1.4	explore the factors that influence mental health and wellbeing, including the influence of family, peers, societal attitudes, media, technology, alcohol and drugs, and one's sense of self
1.5	recognise unhelpful thinking patterns and negative self-talk and how these can affect emotions and behaviour

1.6	draw on a variety of strategies that can help regulate and manage harmful thoughts and emotions in order to nurture positive mental health
1.7	recognise the signs and symptoms of stress and anxiety in themselves and others and recognise when help should be sought, where to go and how to access help if needed
1.8	discuss healthy and unhealthy ways of responding to stress and anxiety
1.9	explain the pathways towards addiction, the signs and consequences of different kinds of addictions and where to go and how to access help, if needed
1.1	discuss and devise ways to safely manage social situations where their own or others' health or safety may be at risk.

Having considered the learning outcomes in Strand 1, please comment on whether you think the learning outcomes provide (a) clarity on expectations for learning in Senior Cycle SPHE and whether you consider the learning outcomes to be (b) relevant to the lives and needs of 16-18 year olds today. Please also let us know if you think anything important is missing from this Strand.

**Insert response here:**

[We are not responding to this question, but please see our response to the other strands below.](#)

## Strand 2: Relationships and Sexuality

Within this strand students will explore the wide range of relationships that are important for their lives with a particular focus on gaining the awareness, knowledge and skills to support them in creating and nurturing respectful, caring and healthy relationships. This strand also supports students to recognise and be empowered to respond to instances of abuse or violence in relationships.

**Note:** Each of the learning outcomes below should be taught in a way that LGBTQ+ identities, relationships and families are fully integrated and reflected in teaching and learning, as opposed to being addressed within stand-alone lessons.

Students should be able to	
2.1	demonstrate the awareness and skills needed for nurturing healthy in-person and online relationships, including respecting boundaries, communicating feelings and needs and preventing and managing conflict
2.2	reflect on how their attitudes, beliefs, values and identity can influence the dynamics of friendships, relationships and sexual behaviour
2.3	discuss sexual activity as an aspect of adult relationships characterised by care, respect, consent, intimacy and mutual pleasure
2.4	examine how harmful attitudes around gender are perpetuated in the media, online and in society and discuss strategies for challenging these attitudes and narratives
2.5	identify and consider common signs of abusive relationships, including coercive control
2.6	explain the root causes and consequences of gender-based violence (GBV), with a particular focus on violence against women and girls, and outline the supports available
2.7	investigate the influence of pornography on attitudes, behaviours and relationship expectations
2.8	discuss image-based abuse, sexual harassment, sexual assault and rape and what to do if they or someone they know has experienced any of these
2.9	explore sexual and reproductive health, including fertility, safer sexual practices, possible responses to an unplanned pregnancy, and how to access sexual health services.

Having considered the learning outcomes in Strand 2, please comment on whether you think the learning outcomes provide (a) **clarity** on expectations for learning in Senior Cycle SPHE and whether you consider the learning outcomes to be (b) **relevant** to the lives and needs of 16-year olds today. Please also let us know if you think anything important is missing from this Strand.

**Insert response here:**

### (a) Clarity

Some of the terminology used here is contested. Unless this is clearly acknowledged in the specification, schools may be misdirected into adopting a one-sided approach that could fail to respect the legal requirements outlined in our response to question 1.

**'LGBTQ+ identities'**

It is simply a statement of fact that some people would describe themselves in these terms and it is beyond dispute that they should be treated with respect and dignity. However, the document refers to 'LGBTQ+ identities' as if there is consensus that all these identities exist as objective realities as opposed to subjective self-descriptions. This adopts a one-sided, politicised position that is inappropriate in a curriculum document, which should be impartial.

'LGBTQ+' is a political term, referring to an alliance of different groups which have always had different characteristics and sometimes different agendas. In recent years, this has led to groups such as LGB Alliance Ireland distancing themselves from the 'TQ+' of the acronym. Women's advocacy group The Countess has expressed concerns about lesbian erasure.<sup>1</sup> These groups reject LGBTQ+ as a collective term that includes them. They oppose transgender ideology because they reject its theory of gender identity and its understanding of the relationship between gender and biological sex.<sup>2</sup> Most Christians and many belonging to other religious groups and none, including scientific materialists such as Richard Dawkins,<sup>3</sup> share that rejection of gender theory.

Christians recognise that same-sex attraction exists but do not accept that patterns of sexual attraction should characterise the core of a person's identity and believe that the desire to engage in sexual activity outside of heterosexual marriage should be resisted.

The curriculum must not marginalise those holding these beliefs, or promote a view with which parents holding these beliefs would disagree. To do so would be to breach the legal duties outlined in our response to question 1.

### **'Challenging harmful attitudes around gender'**

This learning objective suggests the aim of the curriculum is to change social attitudes, not to inform and educate young people and help them form their own opinions. That is wholly inappropriate and again risks directing schools to breach their legal duties.

Some men do perpetrate crimes against women which may be influenced by attitudes they hold towards the opposite sex, though it is not obvious that such criminal behaviour could have been prevented by SPHE lessons. However, this learning objective is not referring to these appalling attitudes but to "attitudes" and "narratives" that are "perpetuated in the media" and in "society". It seems these are beliefs that are widely held, which NCCA is deciding to label as "harmful" based on the opinion of the authors of the specification.

It is not for the NCCA or teachers to use the curriculum to promote their own view of what is harmful over against the views of others, especially parents, or to require teachers to promote a view with which they disagree. This would amount to compelled speech and be a breach of their human rights.

The meaning of the word 'gender' is disputed. It has been generally understood as synonymous with biological sex. However, through the controversial work of Judith Butler



and other academics, a new understanding of 'gender' has been advanced, where it is thought to be possible to have a gender which is distinct from biological sex. Those who believe that this is a misleading construct based on stereotypical views of masculine and feminine personality traits are sometimes accused of promoting harmful narratives. Yet they believe it is this idea itself which is deeply harmful, supported by those who have undergone irreversible hormonal and surgical treatment to alter their healthy body and later regretted it. A number of people in this position spoke at the Detrans Awareness Day 2023, hosted by prominent psychotherapist, Stella O'Malley.<sup>4</sup>

This is a highly contentious debate, as could be seen for example in the Let Women Speak event in Dublin and the associated protests on 16 September this year,<sup>5</sup> where prominent journalist Helen Joyce described the gender affirming view as itself deeply misogynistic.<sup>6</sup>

It may be appropriate in the senior cycle to discuss the different views, as long as those viewpoints are fairly presented. However, the specification should not use any phrasing that unquestioningly adopts gender ideology or that assumes widely held views in society are harmful. Changing social attitudes should not be an aim of the curriculum or in any learning objective.

It is common for adolescents to be uncomfortable with their developing body. So it is possible that one-sided presentation of gender ideology in schools could contribute to young people adopting the belief that their 'gender' is different from the biological sex of their bodies. This could lead them to reject their bodies and pursue social transition, hormonal injections and even surgery, with very serious consequences including infertility or the inability to engage in sexual relations. This is not to say that there should be no teaching on gender in the senior cycle. However, in addition to avoiding promoting a partisan view, schools must be directed to consider the safeguarding issues involved. The topic should be approached in a cautious and considered way, as would be the case if addressing, for example, the issue of suicide in lessons.

**(b) Relevant topics omitted**

Marriage is notable by its absence from these learning objectives, despite being the prime exemplar of a sexual relationship in Irish culture and in almost every culture around the world. There is substantial evidence that children brought up by their married parents achieve more educationally, are healthier and more economically productive.<sup>7</sup> Where the parents of a child are married, the evidence demonstrates they are far more likely to remain together throughout their children's childhood, and beyond. That remains the case when adjusted for other factors, such as family income.<sup>8</sup>

There is increasing evidence that engaging in sexual activity early in a relationship increases the chances of breakdown of that relationship and reduces the probability of establishing a long-term relationship.<sup>9</sup>

While there is a need for sensitivity, young people must not be denied objective, factual information which will inform some of the most important decisions they will make in their lives. An understanding of the nature and distinctive characteristics of marriage and its significance for the upbringing of children and for society should be a learning objective in its own right.

Marriage is increasingly being confined to wealthier segments of society, and it is those children who have not benefitted from married parents who most need to know this information, otherwise the cycle of deprivation is perpetuated.

In the context of learning objective 2.3, students should also be made aware of the commonly held view of all major religions and many others that people should abstain from sexual activity outside marriage.

The consumption of online pornography by young people is a major problem. This fuels human trafficking and sexual abuse. It can lead to the distortion of sexual desire in those consuming it, itself increasing the risk of abusive relationships or relationships that are immoral in other respects.<sup>10</sup> SPHE should address this issue. However, it is important that teaching does not widen the harm by suggesting to students who have not been exposed to pornography that it is morally acceptable or harmless.

### Strand 3: Into Adulthood

Within this strand students will gain specific knowledge and skills to support them as they make the transition to adulthood and learn how to take greater responsibility for themselves. This includes being able to manage choices, develop the skills that are needed to plan for the future, establish and maintain good habits, and achieve goals. It also supports students in learning how to take care of themselves in times of change or challenge, understand their rights and responsibilities before the law, and build the skills needed to be a good ally to those experiencing discrimination or inequality.

Students should be able to	
3.1	explore strategies for self-care that can help maintain health and prevent ill-health
3.2	demonstrate self-management skills necessary for life
3.3	explore a range of life events where they might experience change, loss or heartache and discuss how to care for themselves and/or others during these times
3.4	summarise accurately their rights and responsibilities before the law as a young adult with reference to online communicating, age of consent, alcohol and drug use, their right to access services and work-place rights
3.5	consider the skills needed to stand up for themselves and others, and the range of situations where this might arise
3.6	demonstrate allyship skills to challenge unfair or abusive behaviours and support greater equity and inclusion.

Having considered the learning outcomes in Strand 3, please comment on whether you think the learning outcomes provide (a) **clarity** on expectations for learning in Senior Cycle SPHE and whether you consider the learning outcomes to be (b) **relevant** to the lives and needs of 16–18 year olds. Please also let us know if you think anything important is missing from this Strand.

**Insert response here:**

Learning objective 3.6 gives the appearance of a deeply partisan approach.

“Allyship skills” is a phrase primarily used by LGBTQ+ campaigners to describe those who support their campaign aims, though they may not personally describe themselves as LGBTQ+. This raises significant questions about where this leaves students who do not agree with all the aims of LGBTQ+ campaigning. This could be for a range of reasons, as outlined in our response to Strand 2. In addition, many parents and students have significant concerns with the concept of equity, which refers to equality of outcome rather than equality of opportunity, believing that equality of outcome can only be achieved by creating *inequality* in opportunity. Many believe this is often unjust.

It would amount to indirect discrimination if students were disadvantaged because their religious or philosophical beliefs mean they cannot in good conscience demonstrate ‘allyship skills’.

The document needs to contain a clear commitment to free expression for students who do not accept transgender ideology, or who cannot affirm sexual practices which are contrary to their religious beliefs. The UK Supreme Court found that the right of free speech in the European Convention includes the right not to be compelled to express a view.<sup>11</sup> This judgment was subsequently cited in a June 2023 ruling by the US Supreme Court.<sup>12</sup> It must be clear that there is no requirement for students to hold or express a particular view, and no disadvantage to them because of their religious beliefs. The objectives of the curriculum must be impartial, and must be drafted in such a way as to help ensure schools are impartial in their delivery, in order to abide by their legal duties.

Page 10 of the specification suggests that “teaching and learning... affirms diversity... This involves using inclusive and affirming language”. In the most general sense, the diversity of people’s character, gifts, culture etc. is something that can be appreciated by all. However, the language of affirmation and the reference to inclusive and affirming language implies that teaching and learning must affirm other people in their beliefs or choices. A person of integrity cannot in good conscience “affirm” something with which they disagree or hold to be morally wrong. Similarly, members of the teaching profession must not be forced to espouse beliefs which run counter to their personal conviction.

SPHE teaching must also not compel schools to teach material against their religious position, see Section 9(d) of the Education Act referred to above. In some cases, this could require schools to breach their trust deeds. The specification must not direct schools to breach their legal duties.

### Question 3: Any further suggestions

We would appreciate any further suggestions for how the draft updated Senior Cycle SPHE curriculum could be improved?

**Insert response here:**

The reference to social justice (figure 3 of the specification) also suggests that the documentation has adopted a contentious approach to culture and worldview.

This is also borne out by the statement that “allyship involves recognising and using one’s privileged status (for example as white or male or Irish person) to support individuals from minority identity groups”, Appendix 2 (page 18). The concept of privileged status based purely on personal characteristics is deeply divisive and is reflective of contested Critical Theory. This should be removed.

**Thank you for taking the time to share your views with us. Please email this document to before 3 November, 2023**



**NCCA**

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<sup>1</sup> *The Countess*, see <https://thecountess.ie/product/lesbian-short-sleeve-unisex-t-shirt/> as at 2 November 2023

<sup>2</sup> *Irish Independent*, 10 November 2020

<sup>3</sup> *The Telegraph online*, 17 September 2023, see <https://www.telegraph.co.uk/news/2023/09/17/richard-dawkins-interview-trans-ideology-genetic-book-dead/> as at 2 November 2023

<sup>4</sup> 'Videos', *Beyond Trans*, see <https://beyondtrans.org/videos/> as at 2 November 2023

<sup>5</sup> *Irish Examiner*, 16 September 2023

<sup>6</sup> 'Kellie-Jay Keen & Helen Joyce, Let Women Speak Dublin', Karl Martin YouTube video, 17 September 2023, see [https://www.youtube.com/watch?v=2lo\\_OHR6R3k](https://www.youtube.com/watch?v=2lo_OHR6R3k) as at 2 November 2023

<sup>7</sup> Manning, W and Lamb, K, 'Adolescent Well-Being in Cohabiting, Married, and Single-Parent Families', *Journal of Marriage and Family*, 2003, 65(4), page 885; *The Long Term Effect of Marriage on Social Mobility*, Marriage Foundation, January 2018; Waldfogel, J, Craigie, T, and Brooks-Gunn, J, 'Fragile Families and Child Wellbeing', *Future Child*, 2010, 20(2), pages 102 and 105; *Family Structure Still Matters*, Centre for Social Justice, August 2020, page 9; *Children Whose Families Struggle to Get On are More Likely to Have Mental Disorders*, Office for National Statistics, 26 March 2019

<sup>8</sup> *Family Structure Still Matters*, *Op cit*, page 6

<sup>9</sup> Smith, J and Wolfinger, N, 'Re-Examining the Link Between Premarital Sex and Divorce', *Journal of Family Issues*, February 2023 (online)

<sup>10</sup> Wright, P J, Tokunaga, R S, and Kraus, A, 'A Meta-Analysis of Pornography Consumption and Actual Acts of Sexual Aggression in General Population Studies', *Journal of Communication*, 2016, 66(1), pages 183–205

<sup>11</sup> *Lee v Ashers Baking Company Ltd and others* [2018] UKSC 49

<sup>12</sup> *303 Creative LLC et al v Elenis et al*, Supreme Court of the United States, 30 June 2023