

U.N. Protocol Used To Regulate Homeschoolers

New Brit report: Authorities have 'right to access of the home'

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By Bob Unruh
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A British plan to allow local authorities "the right of access to the home" and "the right to speak with each child alone" in order to evaluate homeschooling families and make certain they do what the [government](#) wants is a warning about what could happen in the [United States](#), according to the world's largest homeschool advocacy organization.

"On June 11, 2009, a report on home education in England by Graham Badman, a former [Managing Director](#) of Children, Families and Education in the County of Kent, was accepted in full by the British Secretary of State for Children, [Schools](#) and Families," according to today's report from the [Home School Legal Defense](#)

[Association](#).

"The report makes the case that homeschooling should be extensively regulated in England," the HSLDA continued. "Aside from registering with the state and mandating reports by homeschoolers, the Badman report makes references to balancing the rights of [parents](#) with the rights of children. This idea is expressed in the UNCRC."

That is the U.N. [Convention](#) on the Rights of the Child, a document that the HSLDA has been warning about for a number of years already.

It has been adopted in the [United Kingdom](#), and it is on its way toward approval in the United States, lacking mainly the approval of two-thirds of the U.S. Senate.

The document, however, grants dozens of "rights" to children, sometimes running roughshod over conflicting parental rights, the organization said.

For example, under the international document parents no longer would be allowed to administer reasonable spankings to their children, children would be granted the authority by the state to choose their own religion, the "best interest of the child" would govern all decisions and give the government the authority to override any parental decision, children would have a legally enforceable "right to leisure" and parents would be required to have their children attend state-sponsored sex [education](#) courts.

There is a [ParentalRights.org website](#) that notes if approved, the treaty would supersede "the [laws](#) of all 50 states on children and parents."

The HSLDA now is sending a very gentle "I told you so" message. "Ever since the United Nations Convention on the Rights of the Child (UNCRC) was adopted by the United Nations General Assembly and opened to nations across the world for ratification in 1989, HSLDA has been deeply concerned about the implications of this treaty for U.S. homeschoolers, if the U.S. were to ratify the treaty," the organization said today. "We have consistently warned that this treaty could be the vehicle opponents of home education could use to effectively ban or severely regulate homeschooling."

If the U.S. Senate ever approves it, "the UNCRC will automatically supersede all state laws and U.S. judges will be obligated to follow the provisions of the treaty. Currently, family and [education laws](#) are state-based; however, ratification of the UNCRC would transfer the jurisdiction for making family and education law to the U.S.

Congress. Congress would, in turn, be obligated to follow the U.N. mandates contained in the CRC," the HSLDA said.

UNCRC supporters have scoffed at such concerns, saying, "There is no language in the CRC that dictates the manner in which parents are to raise and instruct their children," the HSLDA said.

But now, with the adoption of the Badman report in Britain, "Sadly, HSLDA's position has been proven to be correct. Contrary to what proponents like the Children's Rights Campaign claim, UNCRC will be used to significantly restrict the freedom to homeschool in England."

[According to the report now awaiting legislative action in Britain](#), Badman concludes, "I am not persuaded that under the current regulatory regime that there is a correct balance between the rights of parents and the rights of the child either to an appropriate education or to be safe from harm. The United Nations Convention on the Rights of the Child (UNCRC) gives children and young people over 40 substantive rights which include the right to express their views freely, the right to be heard in any legal or administrative matters that affect them and the right to seek, receive and impart information and ideas. Article 12 makes clear the responsibility of signatories to give children a voice:

"Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.'

"Yet under the current legislation and guidance, local authorities have no right of access to the child to determine or ascertain such views," the report finds.

Therefore, authorities not only must have access to homes and private interviews with children, they should, "secure the monitoring of the effectiveness of elective home education," Badman wrote.

"In short, the Badman report recommends that the state should have the authority to choose the curriculum for homeschoolers and he used Britain's treaty obligations under the UNCRC to justify this intrusion," the HSLDA report said.

"Remember, the Badman report has already been accepted by the British government. It is now only a question of time before the legislation is introduced and a vote occurs in the British Parliament. Not surprisingly, the estimated 80,000 British homeschooling families are outraged at the Badman report. The Badman report is a stark reminder of how government officials in an English-speaking democracy have interpreted the UNCRC. It's clear that the right to homeschool in America will be negatively impacted if the U.S. Senate ever ratifies the UNCRC," the HSLDA said.

Among Badman's recommendations:

- At the time of registration parents/carers/guardians must provide a clear statement of their educational approach, intent and desired/planned outcomes for the child over the following 12 months.
- That the government review the current statutory definition of what constitutes a "suitable" and "efficient" education.
- That all local authorities analyze the reasons why parents or carers chose elective home education and report those findings to the Children's Trust Board.
- Authorities should regard the move to home education as a trigger to conduct a review and satisfy themselves that the potentially changed complexity of education provided at home, still constitutes a suitable education.
- Michael Farris, founder of the [Home School Legal Defense Association](#), a college and a church and now a dedicated leader in the effort to change the U.S. Constitution [through the amendment process to restore and protect parental rights](#), has told WND even U.S. courts in recent years have refused to acknowledge parental rights in many cases.