

# INDEPENDENT REVIEW OF EDUCATION: RESPONSE TO CHAIR

Response from Northern Ireland Humanists  
February 2022



## Introduction

We have prepared this response following an invitation from Dr Keir Bloomer.

While we have submitted an organisational response to the 'Initial Request for Views' online, in his letter Dr Bloomer also suggested we use three headings as a guideline for this longer form response, namely:

- A vision of education – i.e. what education in Northern Ireland should aspire to be in the 21st century.
- The strengths and weaknesses in the current system.
- Key issues to be considered during the Review.

Therefore, following some brief background, the response will be set out into three corresponding sections.

## About Northern Ireland Humanists

Northern Ireland Humanists is a part of Humanists UK, working with the Humanist Association of Ireland. We want a tolerant world where rational thinking and kindness prevail. We work to support lasting change for a better society, championing ideas for the one life we have. Our work helps people be happier and more fulfilled, and by bringing non-religious people together we help them develop their own views and an understanding of the world around them. Founded in 1896, we are trusted to promote humanism by 100,000 members and supporters and over 100 members of the All-Party Parliamentary Humanist Group. Through our ceremonies, pastoral support, education services, and campaigning work, we advance free thinking and freedom of choice so everyone can live in a fair and equal society.

We have a long history of work in education, children's rights, and equality, with expertise in the 'religion or belief' strand. We have been involved in policy development around the school and the curriculum for over 60 years. We also provide materials and advice to parents, governors, students, teachers and academics, for example through our Understanding Humanism website and our school speakers programme. We have made detailed responses to all recent reviews of the school curriculum in England, Wales, and Northern Ireland, and submit memoranda of evidence to MPs, MLAs, civil servants, and select committees on a range of education issues.

We are an active member of many organisations working in education in the UK, including the Religious Education Council for England and Wales (REC), of which we are a founding member; the Sex Education Forum; the PSHE Association; Rights of the Child UK (ROCK); and the Children's



Rights Alliance for England (CRAE). In Northern Ireland, we have recently established a coalition of groups that support inclusive education.

It follows that our engagement with the Review will focus primarily on religious education, and the role of religious groups within Northern Ireland's education system.

## **Summary**

Our policy calls can be summarised as follows:

- Tackle segregation
  - Further expansion of integrated schools to meet both current and future demand and all new schools to be integrated
  - Removal of the exemption to equality law that currently enables schools to employ, remunerate, and promote teachers according to faith
- Improve the curriculum
  - Introduce an RE curriculum that is objective, critical, and pluralistic
  - Introduce a requirement to bring RE in integrated schools into the general inspection framework and also require that it should be regularly inspected (not just at the request of Boards of Governors)
- Reform collective worship
  - Introduce a requirement for inclusive assemblies as opposed to solely religious worship.



## **1. A vision of education**

We were pleased to see in the terms of reference for this review that it is hoped to agree a vision that 'should not be constrained by the existing structure of education'. It is in this bold spirit of reform that we set out what our vision would be.

The lack of community cohesion caused by the religious divide in Northern Ireland is well established. However, schools can help to mitigate bias and prejudice by playing a central role in bringing children together, to foster greater understanding and tolerance of each other, rather than unwittingly playing a part in ongoing segregation as they do currently. Our vision therefore is for an education system in which students from different religion and belief backgrounds are educated together in a single, inclusive education system. This cannot happen overnight, but can be achieved by a significant expansion of integrated schools, with all current schools placed on a path towards integration (for example via the IEF Integrate My School programme<sup>1</sup>), and a presumption that all new schools would be of an inclusive nature.

Within this fully inclusive system, the curriculum, including the syllabus for Religious Education, must be objective, critical, and pluralistic, and compulsory collective Christian worship would be replaced with inclusive assemblies suitable for children of all religions and beliefs.

There would no longer be any bias in pupil admissions, or in the recruitment of teachers. All teachers would be able to teach at any school, regardless of their own religious background or the religious ethos (or absence thereof) of the school.

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<sup>1</sup> [www.integratemyschool.com](http://www.integratemyschool.com) [accessed 1 February 2022]



## 2. The strengths and weaknesses in the current system

### 2.1 Strengths

Although there are many strengths in the current system, not least the commitment and dedication of the workforce, it strikes us that they do not fall within our policy remit, and are potentially undermined by some of the issues we will raise. Therefore this response will focus on the areas requiring improvement.

### 2.2 Weaknesses

We believe that the weaknesses in the system are found primarily in three areas: segregation, compulsory collective worship, and the RE curriculum.

**Segregation.** Integrated schools work hard to balance the proportion of pupils from each community they serve, aiming to achieve 40% Catholic, 40% non-Catholic (Protestant), and 20% 'other'. However, only 6% of primary pupils are educated in integrated schools,<sup>2</sup> a figure that rises to just 16% in non-grammar secondary schools.<sup>3</sup> Just 672 pupils classified as 'Protestant' attend Catholic maintained primary schools, representing less than 1% of the 78,766 pupils who attend such schools. In the post-primary sector, this number has been suppressed. This is presumably because the number is so low that it would be possible to identify specific pupils if it were published. The controlled sector is nominally open to pupils from all backgrounds, but primarily serves the Protestant community. In controlled schools, just 8% of primary pupils are classified as 'Catholic'. In secondary schools this figure drops to 4% in non-grammar schools.<sup>4</sup> In Catholic Grammar schools, 96% of pupils are Catholic, 1% Protestant and 3% other. Meanwhile in Controlled Grammars the picture is only marginally better: 68% are Protestant, 10% Catholic, and 22% Other.<sup>5</sup>

In addition to the long-running separation of Catholic and Protestant families that is evident in the system, it is also worth noting that pupils from other Christian backgrounds, as well as those with minority faith or non-religious backgrounds, are more likely to attend integrated or controlled schools. They account for just 4.5% of pupils attending Catholic primaries and an even lower proportion of those at post-primary Catholic schools (the exact number has, once again, been suppressed). This means that, alongside being unlikely to meet those of other religions, children

<sup>2</sup> NISRA Annual enrolments at schools and in funded pre-school education in Northern Ireland 2020-2021 <https://www.education-ni.gov.uk/sites/default/files/publications/education/Revised%2028%20May%202021%20-%20Annual%20enrolments%20at%20schools%20and%20in%20funded%20prescho....pdf> [accessed 28 January 2022]

<sup>3</sup> Annual enrolments at schools and in funded pre-school education in Northern Ireland 2019-2020 (March 2020), Table 5  
<<https://www.education-ni.gov.uk/sites/default/files/publications/education/revised%203rd%20March%202020%20-%20Annual%20enrolments%20at%20schools%20and%20in%20pre-school%20....pdf> [accessed 28 January 2022]

<sup>4</sup> NISRA Enrollments 2020-2021 <https://www.education-ni.gov.uk/topics/statistics-and-research/school-enrolments> [accessed 28 January 2022]

<sup>5</sup> Ibid.



who attend schools in the Catholic sector are also less likely to meet children from other ethnic backgrounds.

Segregation also occurs during the admissions process. For example, while many Catholic schools do not make explicit reference to religion in their admissions criteria, some do give preference to pupils for whom the school is the nearest Catholic school. Furthermore, policies that favour pupils whose family members have previously attended a school are likely to act as a proxy for religious selection because they ensure that members of the groups who traditionally attended a school in the past are prioritised over those without such a history (i.e. newcomer pupils or those from other backgrounds).

The distribution of teachers in Northern Ireland's schools follows very similar patterns of community segregation to that of pupils, meaning that children from Catholic backgrounds are generally taught by Catholic teachers, and children from Protestant backgrounds by Protestant teachers. Indeed, research conducted by the UNESCO Centre at Ulster University in 2018 found that only 2% of teachers working in Catholic maintained primaries had themselves been educated in controlled (mainly Protestant) primary schools, and 7% of those employed at controlled schools had attended Catholic primary schools.<sup>6</sup> In the post-primary sector, 8% of those teaching at Catholic maintained schools had attended controlled primary schools and 17% of those teaching in controlled schools had been educated in primary schools with a Catholic ethos. In grammar schools those figures were 17% for teachers in Catholic schools and 23% for teachers in controlled schools.<sup>7</sup>

These problems are worsened by the exemption to equality law that enables schools to employ, remunerate and promote teachers according to faith.

By comparison, the proportion of teachers from each community teaching at integrated schools largely reflects their targeted pupil composition; namely, 40% Catholic, 40% Protestant ('Non-Catholic'), 20% 'other'.<sup>8</sup>

The tendency for teachers to be employed in schools that educate children from the same background as their own is further compounded by the composition of governing bodies.

In controlled schools, places on Boards of Governors are legally reserved for representatives of three Protestant denominations (the so-called 'Transferors' – the Church of Ireland, the Presbyterian Church, and the Methodist Church). In Catholic maintained schools, the Catholic Church also has a guaranteed proportion of governors. These governors will often sit on interview panels which, in many cases, will be entirely composed of those from one denomination.

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<sup>6</sup> Matthew Milliken, Employment Mobility of Teachers and the FETO Exception (April 2019), p.1  
<[https://www.ulster.ac.uk/\\_data/assets/pdf\\_file/0003/409458/TEUU-Report-01-Feto.pdf](https://www.ulster.ac.uk/_data/assets/pdf_file/0003/409458/TEUU-Report-01-Feto.pdf)> [accessed 28 January 2022]

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.



A recent report by the UNESCO Centre at Ulster University<sup>9</sup> argues that the ‘denominationally specific’ composition of Boards further embeds community division in schools. This is not only because ‘vested denominational interests’ work against the drive for a system of common schooling, but because, ‘consciously or unconsciously,’ the interview panels these boards generate are likely to favour candidates from the same denomination, thus replicating existing demographics and meaning that the children attending these schools are denied contact with teachers from a diverse range of backgrounds.

**Collective worship.** Unlike in England and Wales, there is no legal requirement that school worship in all schools in Northern Ireland has a distinctly Christian character but, owing to the ‘faith-informed’ nature of the system, including the faith-based composition of Boards of Governors, this is invariably how the law is understood.

Parents do have a legal right to withdraw their children from collective worship. However, this ignores the fact that, under both the Human Rights Act 1998 and Article 14 of the UNCRC, children and young people also have the right to freedom of religion or belief; a right that is not respected when religious worship is imposed upon them. Indeed, the United Nations Committee on the Rights of the Child recently pressed governments across the UK to ‘describe the measures taken to repeal legal provisions for compulsory attendance at collective worship in publicly funded schools and ensure that children can independently exercise the right to withdraw from religious observance at school.’<sup>10</sup>

Furthermore, by treating Christian worship as the default, the current system illegitimately favours one faith perspective over other religious and non-religious beliefs, and presupposes that children will participate in religious activities unless their parents opt out. This not only risks the freedom of conscience of pupils and families who are not aware of the right to withdraw, but indirectly requires those who do exercise this option to reveal information about what they believe in a way that could risk the right to privacy outlined in Article 16.

By failing to give even those aged over 16 the option to opt out of collective worship, the law also entirely fails to enable children and young people to exercise their ‘Gillick competence’ rights in a ‘manner that is consistent with’ their ‘evolving capacities’, as established in European case law and reflected in Articles 12 and 14 of the UNCRC. This view has been repeatedly endorsed by the UK Parliament’s Joint Committee on Human Rights (JCHR), for example in reports in 2006, 2008, and 2010.

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<sup>9</sup> Matthew Milliken, *The Governance of Schools*, Ulster University (September 2020), p. 5  
[https://www.ulster.ac.uk/\\_data/assets/pdf\\_file/0006/640563/TEUU-Report-05-Governance-of-Schools.pdf](https://www.ulster.ac.uk/_data/assets/pdf_file/0006/640563/TEUU-Report-05-Governance-of-Schools.pdf)  
[accessed 2 February 2022]

<sup>10</sup> United Nations (2021) *List of issues prior to submission of the combined sixth and seventh reports of United Kingdom of Great Britain and Northern Ireland*  
[https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/GBR/CRC\\_C\\_GBR\\_QPR\\_6-7\\_44382\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/GBR/CRC_C_GBR_QPR_6-7_44382_E.pdf)  
[accessed 28 January 2022]



The requirement for collective worship in all schools should be replaced with fully inclusive assemblies, which do not discriminate and demonstrate respect for children and families from all religion and belief backgrounds.

The High Court is currently considering a challenge to the laws requiring faith-based Christian religious education (RE) and collective worship in schools in Northern Ireland. The parents who have brought the case argue that the exclusion of their non-religious beliefs in schools is incompatible with the state's legal duty to teach about religions and humanism in an 'objective, critical, and pluralistic' way. This requirement was established through a successful legal case in England. There the High Court found that a curriculum that systematically excluded non-religious views like humanism would be unlawful.<sup>11</sup>

The claimants are also challenging the law on collective worship. Parents have a legal right to withdraw their children from these sessions which, like RE, are exclusively Christian in nature. However this can be isolating and no meaningful educational alternative is offered. It is being argued that this is discriminatory.

**Curriculum.** Since the 1990s, the core Religious Education syllabus taught in grant-aided schools has been developed and overseen by representatives of the four main Christian churches in Northern Ireland. Key Stage 3 includes one module entitled 'World Religions', but otherwise this syllabus is almost exclusively Christian in content. Since the rationale given in the syllabus for the minimal teaching about religions other than Christianity is 'to develop knowledge of and sensitivity towards, the religious beliefs, practices and lifestyles of people from other religions in Northern Ireland', it is clear that the assumption is that all pupils will be Christians learning about other faiths, rather than those who hold these faiths themselves.

Humanism is entirely absent from the curriculum, as is any discussion of the fact that there are people who hold non-religious beliefs. In 2015, the High Court in England found that the Government had made an 'error of law' when it claimed that a school that simply teaches GCSE Religious Studies, the specification for which does not have to include substantive content on non-religious worldviews like humanism, would be providing sufficient teaching to meet its mandatory duty to provide religious education. This was because the failure to ensure that Key Stage 4 pupils would receive RE that considered both religious and non-religious perspectives amounted to a breach of the duty, under the European Convention on Human Rights, to 'take care that information or knowledge included in the curriculum is conveyed in an objective, critical and pluralistic manner'.<sup>12</sup>

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<sup>11</sup> *R (Fox) -v- Secretary of State for Education (2015)*,  
<https://www.judiciary.uk/wp-content/uploads/2015/11/r-fox-v-ssfe.pdf> [accessed 2 February 2022]

<sup>12</sup> United Nations (2021) *List of issues prior to submission of the combined sixth and seventh reports of United Kingdom of Great Britain and Northern Ireland*  
[https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/GBR/CRC\\_C\\_GBR\\_QPR\\_6-7\\_44382\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/GBR/CRC_C_GBR_QPR_6-7_44382_E.pdf)  
[accessed 28 January 2022]



Following the case, the landmark report of the Commission on Religious Education (CoRE) also argued that the subject should be fully inclusive of humanism and renamed Religion and Worldviews to reflect the fact it should cover both religions and humanism.<sup>13</sup>

Although neither the High Court ruling nor the Commission have yet led to RE in England becoming adequately inclusive of humanism, the number of schools that do cover the subject is growing year on year and humanist representatives are now active in over 100 of the bodies that oversee the syllabus at local authority level (known as Standing Advisory Councils on Religious Education or SACREs). Furthermore in Wales, as part of an overhaul of the curriculum, the Government has recently included humanism in the new Religion Values and Ethics (RVE) curriculum, and humanist representatives the bodies responsible for it.<sup>14</sup>

According to the latest Northern Ireland Life and Times Survey, 27% of adults belong to no religion. The proportion of non-religious people now exceeds that of every other religion or belief group except Catholics (28%), with Presbyterians accounting for 18% of the population and those who identify as Church of Ireland/Anglican/Episcopal 11%.<sup>15</sup>

The failure to include adequate coverage of the beliefs of such a significant proportion of the population on the curriculum is not in keeping with Article 13 of the UNCRC, which guarantees the right of the child 'to seek, receive and impart information and ideas of all kinds', as well as with the overall principles of non-discrimination in Article 2, and the freedom of religion or belief enshrined in Article 14.

Finally, RE in Integrated Schools is not currently inspected within the general inspection framework, and any inspection happens only at the request of Boards of Governors. We believe this is a weakness that would allow a non-inclusive RE curriculum to pass under the radar.

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<sup>13</sup> Commission on Religious Education (2018) *Religion and Worldviews: The Way Forward* <https://www.commissiononre.org.uk/wp-content/uploads/2018/09/Final-Report-of-the-Commission-on-RE.pdf> [accessed 3 February 2022]

<sup>14</sup> Welsh Government (2022) Humanities: Designing your Curriculum <https://hwb.gov.wales/curriculum-for-wales/humanities/designing-your-curriculum/#religion.-values-and-ethics-guidance> [accessed 3 February 2022]

<sup>15</sup> Northern Ireland Life and Times (2021) <https://www.ark.ac.uk/nilt/> [accessed 3 February 2022]





### 3. Key issues to be considered during the Review

Our key policy areas of interest are referenced in section 2, and this section will look at how they might be put into practice.

It is important for the Review to be bold in its recommendations: we believe that legislative change is required for Northern Ireland's education system to truly progress from segregation to cohesion. However, legislative change in itself is not enough if the wording of the law leaves too much room for the status quo to continue. For example, the changes made to the Integrated Education Bill during the Consideration Stage in January 2022 have weakened it to the extent that it will now do little to bring different communities together. The changes included:

- removing a duty for the Government to 'promote' integrated education, replacing it with a requirement to 'support' it instead;
- removing a presumption that all new schools are integrated, saying that education bodies must simply 'consider integrated education when planning for the establishment of a new school';
- removing a duty for the Government to aim to 'increase demand for the provision of integrated education' so it need only meet existing demand.

If we are genuinely serious about a future of integrated education, then an element of 'stick' along with the 'carrot' is required. At the very least, it must become legally binding that *all* new schools are of an integrated nature, that existing schools gradually transition to being integrated, and that the Executive has a duty to promote the concept: if the Integrated Education Bill fails to do these things then we urge the Independent Review to make the recommendations. We would welcome some clarity from the Panel as to the intentions of the Review – will it be recommending legislative change where necessary?

However, it is of course naive to presume that every neighbourhood would overnight be suitable for an integrated school with a ratio of 40:40:20 (Catholic, Protestant, other background) pupils. Demographics simply mean this is an impossibility: even if a school is by name integrated, if it is located in an area that is solely or predominantly inhabited by families from particular backgrounds, mixing is going to be difficult. In addition, self-segregation of communities is widespread. In these situations, Shared Education might have a role to play, although from our point of view it is far from ideal, as the segregation continues.

A potential solution may be found in the idea of 'busing' students from different communities to the same school. While this would need to be sensitively handled, evidence from Charlotte-Mecklenburg in the US suggests that, in the era when busing was used to ensure students from different racial backgrounds could be educated together, the majority of pupils



attended desegregated schools and, amongst other things, educational achievement improved.<sup>16</sup> What is more, when busing came to an end in 2001, schools re-segregated and racial inequality widened again, demonstrating the need to actively attend to integration once policies have been implemented.<sup>17</sup>

All this said, the fact that desegregation is difficult must not prevent decision makers from proudly promoting the concept of full integration as the goal, nor from working hard to ensure that it is introduced wherever there is demand – and making contingency plans for when that demand grows. Over 70% of parents already think that schools should be integrated, but this is far from being reflected on the ground.

**For more details, information, and evidence, contact Humanists UK:**

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<sup>16</sup> See Roslyn Arlin Mickelson (2016) *School Integration and K-12 Outcomes: An Updated Quick Synthesis of the Social Science Evidence*, The National Coalition on School Diversity, <https://files.eric.ed.gov/fulltext/ED571629.pdf> [accessed 3 February 2022].

<sup>17</sup> Stephen B. Billings, David J. Deming & Jonah Rockoff (2014) 'School segregation, educational attainment, and crime: Evidence from the end of busing in Charlotte Mecklenburg' *Quarterly Journal of Economics*, [https://scholar.harvard.edu/files/ddeming/files/the\\_quarterly\\_journal\\_of\\_economics-2014-billings-43-5-76-1.pdf](https://scholar.harvard.edu/files/ddeming/files/the_quarterly_journal_of_economics-2014-billings-43-5-76-1.pdf) [accessed 3 February 2022].

