

BHA BRIEFING 2011 : Protection of Freedoms Bill, Commons 2nd Reading
1st March 2011



Briefing from the British Humanist Association (BHA):
Protection of Freedoms Bill: Repealing the law on compulsory collective worship in state schools

Why this Bill?

- The Protection of Freedoms Bill is designed to scrap outdated laws that restrict personal freedoms.
- In a press release (11/02/11) celebrating the publication of the Freedom Bill the Liberal Democrats stated that the Bill 'drew on views put forward by the public through the radical 'Your Freedom' website set up after the coalition government came to power.'¹
- **On the very first day the 'Your Freedom' website was launched a suggestion to repeal the law requiring compulsory collective worship in schools became the most popular idea suggested.**
- Under a section of the website, where people were able to suggest laws to be repealed and comment on other suggestions, scrapping this law became the most rated idea within an hour of being submitted.

However, **despite this huge public support, a repeal of the law on compulsory collective worship in schools is a conspicuous omission from the Bill.** It infringes on freedom, is discriminatory, unnecessary and widely unpopular. It undermines the autonomy of individual schools and causes parents unnecessary dilemmas.

We strongly recommend that the Bill must be amended to ensure that the opportunity to clear the statute book of this law is not missed.

¹ See http://www.libdems.org.uk/latest_news_detail.aspx?title=Protection_of_Freedoms_Bill:_Restoring_hard-won_British_liberties_&pPK=a3e43a9a-7fe4-47c8-a7cb-29805d0a4a4f

Consultation

We have asked people online, including through social media, to tell us why they think it is important for the law on collective worship to be scrapped².

'I was one of the people who added this law to the ones to get rid of on the Your Freedom Website and followed with delight the huge numbers of like minded individuals who also did the same. I find it outrageous that such a large portion of the population can have their views so summarily ignored'

'I hope you get a massive response on this issue and that the government is forced to reconsider. I mean, why ask for the public's opinion and then ignore it?'

The Law

In England all state maintained schools are legally required to provide daily collective worship for all their pupils. In community schools the majority of the acts of daily collective worship that are provided in a given term are legally required to be 'wholly or mainly of a broadly Christian character'³. In state maintained schools with a religious character collective worship should be provided in accordance with the school's trust deed or the tenets and practices of the religion of the school.

Why is this a problem?

- **The law is prescriptive and at odds with the Governments wider commitment to give schools greater autonomy.**

The law prevents schools from providing assemblies that are appropriate to their pupils. Although schools can apply to the local authority for exemption from providing worship that is 'broadly Christian' for some or all of their pupils, these 'determinations' are not a solution: schools still cannot opt out of providing 'worship'. 'Worship' is by its nature a meaningless act for children who are of a range of beliefs including Buddhist, Jain or non-religious beliefs.

'Being forced to take part in religious ceremonies you do not believe in is the opposite of freedom'

- **There is widespread dissatisfaction with the current law and support for its reform among professionals, the public and parliamentarians**

As far back as 1998 reform based on a statutory requirement for regular assemblies of 'a spiritual and moral character' in place of the present act of worship was supported by all the major teaching unions and by religious and secular groups such as the Methodist Church, the Buddhist Society, the British Humanist Association, the Sikh Education Council and the Board of Deputies of British Jews, and by parent and local government groups and professional RE associations.⁴

² A selection of anonymised comments are included in this briefing

³ Education Reform Act 1988. Available at http://www.opsi.gov.uk/acts/acts1988/ukpga_19880040_en_2

⁴ Collective Worship Reviewed (1998). Available at http://www.culham.ac.uk/Res_conf/cw_reviewed/index.html

A YouGov Poll in 2010 found that 43% of adults were in favour of (and 30% opposed to) going even further than repealing the law on collective worship and 'replacing it with a requirement that schools, including faith schools, should hold assemblies which consider spiritual, moral and ethical issues shared by different religious and non-religious groups'

'I'm shocked that such an archaic law still exists. It's embarrassing that a law like this wasn't rescinded years ago, so we definitely need to do something about it now that we have the chance.'

'How could the introduction of such a law be justified?'

Early Day Motion 395 tabled July 2010 and calling for the Government to repeal the requirement for compulsory worship in schools has gained cross party support.

- **The law places parents in an invidious position**

Parents have the right to remove their children from collective worship. However, many parents are reluctant to single out their child as different as well as risk removing them from broader parts of school assemblies such as visits from speakers or school notices.

'Collective worship shows up differences between children and gives yet another opportunity for bullying. My child has been exposed to all sorts because she has had the courage to stand up and say that that is not what she believes'

'My child (age 9) is made to feel like a hypocrite if he joins in or a weirdo for not wanting to participate at his school. And that's wrong!'

- **The law infringes the freedom of belief and expression of pupils**

Current arrangements that allow sixth form pupils and those over compulsory school leaving age to withdraw themselves are insufficient. In 2008 the Joint Committee on Human Rights ruled that the current arrangements violate pupils' freedom of religion and that students of 'sufficient maturity, intelligence and understanding' must be able to withdraw themselves.

However, we believe that revisions that require teachers to assess pupils 'maturity, intelligence and understanding' place an unmanageable and unnecessary bureaucratic burden on schools. Scrapping the law requiring worship altogether is the simplest and most rational option.

'Religious people of private Faiths are deeply affected by this, too. It is unacceptable for someone whose Faith is private to pray or meditate in public. They are often forgotten by the media, who focus more on atheists and those who publicly follow a religion. People of private faiths also need Secularism'

'I am a year ten at a state grammar school I try to stand up for my beliefs, but how can I if I am reprimanded for not praying to the Christian God with the rest of the school?'

- **The requirement is unworkable and difficult for schools to enact**

Ofsted's 2002-03 annual report states that 'four fifths of schools do not hold a daily act of collective worship for all pupils'. An ignored law is a bad law and unhealthy in a democratic society.

It is wrong to conclude that the fact that certain schools are forced to break a law is adequate protection from it. It must also be understood that collective worship is still held by many schools – especially at primary level.

'Having worked in education and visited many schools from what I have seen the vast majority of religious assemblies, particularly at secondary level, are a waste of time. The pupils aren't interested and most of the teachers are but going through the motions.'

- **It excludes pupils and lacks real meaning**

The law is confusing to children raised and educated in an otherwise inclusive setting. Collective worship is exclusive and isolates pupils, especially those from a non-Christian background. Good religious education encourages pupils to reflect on the concept of belief and the role that it plays in the traditions and values of this country. Collective Worship does not allow for meaningful engagement with these issues.

'This law is counter productive particularly as children get older because it tends to increase the sense that school is wasting their time.'

'Quote from my 8 year old granddaughter: "Then she makes us put our hands together and we have to say 'Amen'. So boring!"'

- **It crowds out opportunities for alternative collective assemblies**

Inclusive school assemblies can help to build shared values and a sense of community within a school. It undermines opportunities for school assemblies that involve all pupils and stands in the way of inclusive assemblies that encourage reflection around issues that have meaning to all pupils and help to build a sense of a shared school ethos. Collective assemblies can motivate pupils, encourage a sense of togetherness in the student body and promote tolerance.

'That time each day could be far better used - extolling the benefits of equality, supporting and celebrating success, encouraging support of fellow human beings and reveling in our glorious diversity!'

'School assemblies can be a valuable experience'

- **In no way does scrapping the law requiring all schools to hold a daily act of collective worship undermine the ability for schools of a religious character to hold daily acts of collective worship**

The law compels all state maintained schools to hold a daily act of collective worship. Repealing this law does not prevent schools with a religious character from holding a daily act of collective worship if they choose to do so – rather it allows schools to respond to the needs of their pupils as they feel most appropriate.

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