

Pray and display?

NSS launches legal challenge over discriminatory parking charges

The National Secular Society has launched legal action against Woking Borough Council, claiming that its policy of allowing churchgoers to park free while charging everyone else amounts to unlawful discrimination. Churchgoers have either been given free parking permits or are able to validate their tickets using validating machines which have been placed in local churches. The loss of revenue to local taxpayers is over £50,000 per year.

After being warned by the NSS about potentially unlawful discrimination, the Council recently extended free parking to other faith groups despite the discriminatory

concession having vociferous opponents on the Council, particularly the LibDems.

We decided to take up the issue after receiving a number of complaints from residents in Woking borough and taking legal advice.

Preferential treatment

In seeking to defend the legality of its preferential treatment for worshippers, Woking Borough Council is expected to repeat its justification for the parking charge exemption by claiming it reflects the 'important role' that religion plays in society and how it

promotes 'social inclusion'. Yet the [Equality Impact Assessment](#) commissioned by the council observed that secular activities also promote social inclusion and are as important as religious

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"As someone who doesn't attend church, I should not be treated any less favourably than anyone else parking their car in Woking town centre on a Sunday morning".

Local resident, Aidan Griffin



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Victory for campaign to protect victims of caste discrimination

The Government is to outlaw discrimination on grounds of caste by making caste an aspect of race under the 2010 Equality Act. The decision follows a hard fought campaign by an alliance of campaigners including the NSS, which played a leading role.

The caste system is rooted in religion and involves the division of people into social groups where assignments of rights are determined by birth, are fixed and hereditary. Inequality is at the core of the caste system.

Initially, the Government had proposed to tackle the problem with a wholly inadequate 'education programme' and informal conciliation service. Given how ingrained and widespread such discrimination is, the informal arrangements would have been impossible to enforce without legislation to back them up.

Our bid to make caste a protected characteristic was through an amendment to the flagship Enterprise and Regulatory Reform Bill. With the end of the parliamentary session approaching – when all Bills that have not been agreed by both Houses of Parliament fall – the Government came under intense pressure to concede the amendment or risk losing the whole Bill.

In the face of a potentially damaging third revolt in the House of Lords it reluctantly conceded and wording for the Bill was agreed requiring it to make caste discrimination unlawful. The NSS was the first to announce the sensational concession.

Caste discrimination has been found in 21 localities in the UK. At work it included bullying and harassment, social exclusion, recruitment, promotion, task allocation and dismissal. It extended to social health care, worship and politics. These were the findings included in the report commissioned by the (previous) Government and undertaken by the National Institute for Economic and Social Research



Hundreds of British Asians gathered outside Parliament calling for caste discrimination to be outlawed.

(NIER).

The NSS was partly responsible for bringing the UK's failure to provide statutory protection to the attention of the UN (we did so through the International Humanist and Ethical Union, to whom we are affiliated).

The [UN recommended](#) "immediate" legislation, but the Government refused. We therefore commissioned a legal opinion, which confirmed that the UK was obliged in international human rights law to legislate against caste discrimination. Our executive director Keith Porteous Wood and campaigns manager Stephen Evans presented this opinion to senior officials of Baroness Warsi's office (Baroness Warsi is Minister of State for Faith and Communities and Minister of State for Foreign and Commonwealth Affairs) and sent it to other Ministers and the amendment sponsors.

In order to maximise support for the amendment, we invited the Christian Institute (Indian Christians are disproportionately from lower castes) to co-operate with us in sending joint letters to MPs and peers, urging them to provide victims of such discrimination with an effective remedy.

The increase in population of those who have arrived in the UK from the Indian subcontinent means some communities that have settled here have also brought with them their own social habits, norms and religious customs – such as the

institution of caste. Many UK citizens from the South Asian diaspora continue to experience the effects of the caste system in their daily lives.

Thanks to this successful campaign, UK equality law now sends out a clear signal that discrimination on such grounds will no longer be tolerated.

While the amendment was debated in Parliament, hundreds of campaigners, mostly second-generation

immigrants from Punjab, gathered at Westminster to make their voices heard.

The National Secular Society has been campaigning on caste since assisting IHEU to organise the first world Conference on Untouchability in London in 2009 chaired by NSS life member Roy Brown, who drew up the [Conway Hall declaration](#) on caste.

Whilst the Government is now statutorily committed to bringing in legislation, it will first consult on how best to implement it. When

it is implemented, the UK will become the first country outside India to outlaw caste discrimination.

NSS honorary associate Lord Avebury, the Liberal Democrat peer, was among those instrumental in moving the amendment and we pay tribute to his determination to root out this demeaning injustice. His lobbying was key to the success of the amendment. Thanks also

go to Lord Harries of Pentregarth, Labour spokesperson Baroness Thornton and many NSS honorary associates for promoting this cause including the Indian-born Baroness Flather (who spoke in the debate).

We are grateful to lawyers Gráinne Mellon and Lionel Nichols who drew up the opinion and Michael Rubinstein, publisher of the influential Equal Opportunities Review which endorsed the opinion.

Thanks also to all of our members who got involved in this campaign by contacting their MPs.



Plans to prioritise faith school pupils in community school admissions successfully challenged

Plans to indirectly apply discriminatory faith based admissions criteria to two separate non-religious schools have been successfully challenged by the NSS working alongside local campaigners.

As we highlighted in our previous *Bulletin*, [Reigate Priory](#), a community school in Surrey, and [Tudor Grange Academy](#) in Solihull, both planned to name religiously selective 'faith' schools as 'feeder' schools.

In formal letters to the local authority (in the case of the community school) and the Academy, campaigns manager Stephen Evans argued that the proposals would unfairly advantage children from religious backgrounds when attempting to gain admission to non-religiously designated schools. We made it clear that our legal advice suggested that the plans were therefore potentially both unlawful and a breach of the admissions code.

Both schools have now withdrawn or amended their proposals.

In February, Surrey County Council wrote to the National Secular Society to confirm that it would not accept the proposal to

amend the admissions criteria for Reigate Priory School. The Council acknowledged that it failed to take into account the particular issues of the link between a faith and a non-faith school, and said "any future assessment will certainly do so."

In April, Tudor Grange Academy followed suit and amended its admissions proposals so that pupils of one of the two named faith schools would no longer be prioritised. Pupils attending another local faith school will still be prioritised under the revised policy, but that school has launched its own separate consultation on proposals which include the removal of its faith criteria for admissions.

While this is a substantial improvement on the original proposal, we remain concerned that – even if the faith-based admissions criteria are removed – this will not filter through to pupils leaving the faith school and starting secondary school until 2021. This means that the Tudor Grange Academy admissions policy will still unfairly prioritise pupils on religious grounds for some time to come. We are therefore submitting a formal complaint to the Office of the Schools Adjudicator.

◀“Pray and Display” continued



Free pass: the permits issued by Woking Borough Council to worshippers

observance to building and maintaining the social as well as the economic fabric of communities. Even the Council's own legal advisor told them "What I have struggled with in this case is what the legitimate aim is".

Our lawyers have sent a pre-action letter to Woking Borough Council claiming unlawful discrimination. We await the Council's response.

UN Special Rapporteur on Freedom of Religion or Belief concerned about daily worship in schools

In April, NSS executive director Keith Porteous Wood attended a seminar given by Professor Heiner Bielefeldt, the UN's Special Rapporteur on Freedom of Religion or Belief. It was chaired by leading human rights lawyer and NSS member Ronan McCrea. Keith pointed out to Professor Bielefeldt that as well as the UK's Parliament being the only one in the world to give bishops the right to sit, England and Wales requires daily worship in every school.

Professor Bielefeldt expressed clear concern. He acknowledged that despite the withdrawal options, such daily worship is still something that needs to be investigated by the UN. He recalled that his predecessor, Ms Asma Jahangir, had raised concerns about it in her report about the UK.

Concerns raised over children being forced into faith schools

The NSS has raised concerns with Michael Gove, the Secretary of State for Education, over parents being left with no option other than to send their children to 'faith' schools – often against their wishes.

In one recent example, non-religious and Muslim parents were unsuccessful at securing a place in any of the five community schools they listed as preferences – and were instead allocated places for their children at an Orthodox Jewish School.

A report from the National Audit Office in March said an

estimated 250,000 new places (mainly primary) will be needed by autumn 2014 to meet rising demand caused by the rising birth rate. Meanwhile, the body that represents London's 33 local authorities says at least 118,000 more state-funded school places will be needed in London alone within the next three years.

The NSS has called on Michael Gove to ensure that these places are created in non-selective and inclusive community schools that provide education without imposing religion on pupils.

NSS keeps up pressure on sharia councils

In the previous *Bulletin*, we reported on the progress of the Arbitration and Mediation Services (Equality) Bill. This was a Bill – introduced by Baroness Caroline Cox and co-sponsored by the NSS – which sought to restrict religious ‘courts’ from acting in discriminatory ways, particularly against women.

Despite having received substantial support in the House of Lords during its second reading, the Bill was unable to progress to the Committee stage because the Government failed to allocate it Parliamentary time. Given the backing the Bill had received, Baroness Cox has re-submitted the Bill, in a slightly

revised form, for consideration during the next Parliamentary session. Keith Porteous Wood and Council member Anne Marie Waters are continuing to work closely with Baroness Cox on this.

Baroness Cox also appeared on a recent *Panorama* exposé on the nature and influence of Sharia courts in the UK. The programme highlighted the ways in which some of the services provided by Sharia councils undermine women’s rights to equal treatment under UK law by discriminating against them, especially with regards to child custody and domestic violence cases.

Sharia: what’s going on?

Launch of student essay competition!

A student essay competition has been launched about sharia and how it has impacted criminal law, family law, gender equality and child welfare across Europe.

The competition, which has been sponsored by the NSS and organised by the Lawyers’ Secular Society (LSS) and One Law for All, aims to encourage and foster a more developed and rigorous understanding of sharia’s reach and influence within Europe and to highlight any harm or human rights abuses that might be



taking place as a result of its implementation. The organisers are looking for essays which provide well-researched and well-referenced evidence and analysis of the issues. The winner will receive a prize of £300 and have their essay published on the websites of the LSS, One Law for All, and the NSS. Runners-up may also have their essays published on these websites.

For more information on the competition, please see the LSS website for details lawyerssecularsociety.org

Environment Minister called on to consider labelling of meat from religious slaughter

In February we called on the Government to consider mandatory labelling of meat from religious slaughter as part of its response to the horse meat scandal.

Responding to the scandal earlier this year, Secretary of State for Environment, Food and Rural Affairs, Owen Paterson MP, called for European Commission recommendations on labelling the origin of all processed meat to be “accelerated and published as soon as possible”.

As part of that process we urged Ministers to also consider the concerns of people who, for ethical reasons, or reasons of religion and belief, wish to avoid meat from animals killed under the legal exemption that permits slaughter without pre-stunning, as happens under the Shechita (Jewish) and some Halal methods of animal

slaughter.

David Heath CBE MP, Minister of State for Agriculture and Food, responded by agreeing that it was “right, in principle, to ensure people know what they are buying and how their food has been prepared”. Method of slaughter labelling is currently being considered by the EU Commission in a welfare context and Mr Heath said: “This could include consideration of a modified health mark scheme to help identify meat from the carcasses of animals slaughtered without stunning”.

In a recent Government consultation on the implementation of a European Council Regulation on the protection of animals at the time of killing, the NSS called on the Government to end the religious exemption to animal welfare legislation that permits animals to be slaughtered without stunning.

NSS enlists UN help over clerical child abuse

The UN Committee on the Rights of the Child (CRC) has issued a report including remarkably outspoken observations about clerical child abuse in the United States, criticising both religious groups (clearly aimed primarily at the Catholic Church) and law enforcement authorities.

This follows a submission by the NSS to the UN, believed to be

the only one on this issue. The relevant paragraphs of the report’s observations are:

35 The Committee is deeply concerned at information of sexual abuse committed by clerics and leading members of certain faith-based organizations and religious institutions on a massive and long-term scale amounting to sexual slavery or servitude of

children and about the lack of measures taken by the State party to properly investigate cases and prosecute those accused who are members of those organizations and institutions.

36 The Committee urges the State party to take all the necessary measures to investigate all cases of sexual abuse of children whether single or on a massive and long-



Secularist of the Year prize fund awarded to girls' education in honour of Malala Yousafzai

This year's Secularist of the Year prize was awarded to Plan UK in honour of Malala Yousafzai, the schoolgirl from Pakistan who was shot by the Taliban last October for campaigning in support of female education. Her story sparked outrage around the world after the Taliban said they shot Malala for "promoting secularism".

The award recognises the excellent campaigning work carried out by Plan UK to ensure girls' access to education. We were honoured to be able to present the award to Debbie Langdon-Davies,

whose father founded Plan in 1937. The prize fund of £7,000 was handed over at a lunch event in central London by NSS honorary associate Michael Cashman MEP.

We were also very honoured to present a Special Achievement award to Nigerian Human Rights campaigner Leo Igwe. Leo has campaigned against the naming of children as "witches" and "warlocks" by evangelical churches, which leads to these children being abandoned by their parents.

An award was also presented to

Queen Mary University of London Atheism, Secularism & Humanism Society for their efforts to promote secularism on campus and in particular their defiant and robust response to attempts to close down free expression on campus.

Thanks go to Dr Michael Irwin for again sponsoring the event. We are also grateful to NSS member Caroline Pridgeon for contributing so generously to this year's prize fund.

Videos from this year's event can be seen on our Youtube channel <http://bit.ly/soty2013>

term scale, committed by clerics, to issue clear instructions to all relevant authorities to actively prosecute those cases and to engage in a dialogue with faith-based organizations religious institutions and their leaders, in order to enlist their active and open collaboration to prevent, investigate and prosecute cases. The State party should also draw the attention of law enforcement authorities to the sanctions that

may be imposed on them in case of inaction and/or corruption.

Reuters, the US and international press picked up the paragraphs, giving the NSS an honourable mention.

The submissions to the UN form part of the NSS's long term campaign to "encourage" the Church to comply with the obligations to which it committed itself when ratifying the Convention on the Rights of the Child.

Another positive move in this direction has been the Holy See submitting its obligatory quinquennial reports to the CRC – albeit thirteen years late – following the executive director (who takes the lead on work at the UN) raising the non-submission three times at plenary sessions of the UN Human Rights Council, under the auspices of the International Humanist and Ethical Union, to whom we extend our thanks.

Religious ceremonies breach Principles of Judicial Ethics, says NSS

Our Scotland representative Alistair McBay has written to the Scottish Government to draw its attention to a possible undermining of the impartiality, integrity and independence of the Scottish judiciary. The NSS complaint relates to two ceremonies held in cathedrals, the Red Mass (Catholic) and the 'Kirk of the Court' (Protestant) to mark the start of the legal year.



Alistair McBay

The NSS believes the ceremonies are a breach of the judicial Principles of Independence, Impartiality, Integrity, Equality and Propriety.

A further objection is the poor example set by these ceremonies being sectarian in nature.

Media successes for recently formed ESS

The recently formed Edinburgh Secular Society has enjoyed an excellent media platform, at the heart of which has been ESS and NSS member Veronica Wikman's petition to the City of Edinburgh Council to cease Religious



Veronica Wikman

Observance in schools in the city. Her petition has attracted more than 1,000 signatures.

ESS media spokesman Neil Barber has made television and radio appearances on this and other topics, while Veronica Wikman also won the NSS 'Secularist Thought for the Day' competition with an imaginative allegory on allotments and secularism.



Neil Barber

St Margaret's appeals Regulator's ruling

St Margaret's Children and Family Care Society, the Catholic adoption agency in Glasgow, was told by the charity Regulator to lift its ban on applications from gay couples or lose its charitable status, as reported in the previous *Bulletin*. The charity then asked the Regulator to review its decision, but the Regulator stood firm that the charity was breaching both charity and equality law, so the charity has now appealed to the Scottish Charities Appeal Panel.

The Regulator's investigation into the charity followed a complaint by the NSS. Numerous appeals by Catholic adoption agencies in England on similar grounds have all been rejected but most of the charities have decided to obey the law and continue their work. The relevant legislation applies equally to England (& Wales) and Scotland.

In its response to the review request, the Regulator reaffirmed its view that St Margaret's was breaching both charity and equality law. It dismissed St Margaret's

objection to the Regulator's ruling that it breached the charity's protection under the European Convention on Human Rights in regard to religion, because "the ECHR rights in regard to religion do not apply in the case of the charity".

Prompted by the disappointment Mike Russell MSP, Cabinet Secretary for Education and Lifelong Learning, had expressed publicly with the Regulator's initial decision, we sought a meeting with him. Keith Porteous Wood and Alistair McBay met him at the Scottish Parliament.

Mr Russell was adamant that he wished St Margaret's to comply with the law, but we were disappointed that he declined to agree that the law required the pool of adoptive parents not to be limited in the way St Margaret's was doing, or that same sex couples could make suitable adoptive parents, as we demonstrated that several major charities in the field had

advocated.

Minutes of a meeting available on the Scottish Government website reveal that Mr Russell's predecessor in the role, Fiona Hyslop, had held meetings with the Catholic Church at which she indicated that she was 'comfortable' with St Margaret's continuing to turn away gay couples by referring them to other agencies.

We are of course more than happy for St Margaret's to carry on its valuable work – provided it conforms to both charity and equality law just like the other Scottish Catholic adoption agency, St Andrews, – does, apparently without problems. Yet the Bishop of Motherwell, Joseph Devine, is on record as stating he would rather close St Margaret's than allow it to place children seeking adoption with gay couples. This appears to place adherence to dogma ahead of the children's best interests. We now await the Appeals Panel decision.

NSS objects to new workplace religious discrimination guidelines

In February, the Equality & Human Rights Commission published [new workplace guidelines](#) to reflect the outcome of the recent European Court cases relating to the four Christians who claimed they had been discriminated against at work. These were the cases in which the NSS intervened, as reported in the *Spring Bulletin*.

Regrettably, the EHRC went out of its way to include a ridiculously unlikely scenario to justify when it would be acceptable for a nurse to offer prayers to a patient.

The NSS wrote to EHRC Chair Baroness O'Neill to complain of a lack of even-handedness in drafting the guidance. Our objections were dismissed on the grounds that as the published guidelines contain two examples about praying, one of which results in an employee receiving a warning from their employer and one of which results in no sanction, they considered their approach to be 'balanced'. We will shortly be meeting the Commission's new Chair, Baroness Onora O'Neill of Bengarve, to discuss this, and other issues of concern.

Secular Medical Forum update

In April, the GMC updated its core guidance for doctors on 'Good Medical Practice' and 'Personal Beliefs and Medical Practice'. The Secular Medical Forum immediately [called on the GMC](#) to revise the guidance which grants doctors wholesale religious exemptions to the provision of standard medical care, leaving patients vulnerable to doctors' religious whims. The Secular Medical Forum is adamant that patients' best interests and reasonable treatment options must never be restricted because of conflict with the doctor's own personal beliefs, except where prescribed by law.

The Secular Medical Forum challenged [new GMC advice](#) that forced genital cutting might be considered a matter of parental choice rather than of child protection: doctors 'must' now consider parents' religious beliefs when faced with such a request. The Secular Medical Forum warns that this GMC advice undermines a broad coalition of senior European medical opinion that ritual circumcision 'constitutes a violation of the UN Convention on the Rights of the Child' and 'can have serious long-term consequences'.

The Secular Medical Forum supplied the expert witness in the High Court Assisted Dying case, now continued by Tony Nicklinson's widow, Jane, and also a tetraplegic man desperate to die. Tony Nicklinson starved himself and died in August after he was refused an assisted death.

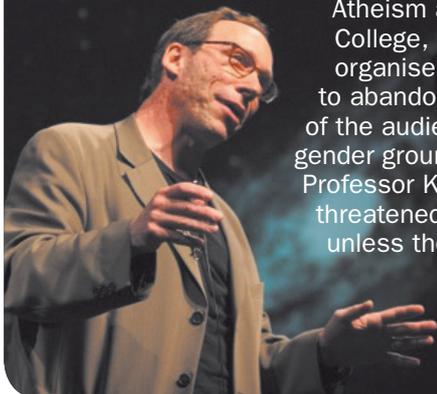
In February, Secular Medical Forum representatives including Secular Medical Forum chair, Dr Antony Lempert, participated in debates at both Oxford and London universities on Assisted Dying and ritual circumcision respectively.

NSS welcomes new honorary associates

Professor Lawrence Krauss

Professor Lawrence Krauss is one of the world's leading theoretical physicists and cosmologists, and one of the USA's most prominent and effective opponents of creationism and "intelligent design". He is a Professor of physics, director of Arizona State University's Origins Project and has been honoured by America's major physics societies. In March,

Professor Krauss spoke at an event on Islam and Atheism at University College, London. The organisers were forced to abandon segregation of the audience on gender grounds, because Professor Krauss threatened to walk out unless they did so.



Gita Sahgal

Gita Sahgal is a human rights activist specialising in women's rights, a writer, film maker and co-editor of the book, *Refusing Holy Orders: Women and Fundamentalism in Britain*. She is a founder of Women Against Fundamentalism, Awaaz: South Asia Watch, and the

Centre for Secular Space – a group which opposes fundamentalism, seeks to amplify secular voices and promote universality in human rights. Ms Sahgal was formerly Head of the Gender Unit at Amnesty International and for many years served on the board of Southall Black Sisters – a past winner of the Secularist of the Year award.



We need your support!

Our efforts to challenge religious privilege are becoming increasingly costly. As our ambitions grow, we have added campaigners in England and Scotland, as well as strengthening administrative staff to increase our output. As always, to achieve our mutual aims, we count entirely on your support and receive no benefit from public funds or charity relief (we are not deemed eligible). Our funding comes entirely from our membership and individual supporters, so please consider making a donation today.

Membership fees alone do not cover our costs. Your additional donations and legacies allow us to take on legal cases, such as our upcoming challenge to discriminatory parking policies in Woking. We hope that these challenges will help us progress towards

the creation of a secular society where religion is not privileged and all are equal.

Donations can be made via the **Donate** button on our homepage, by sending a cheque to NSS, 25 Red Lion Square, London, WC1R 4RL. Receiving regular payments by standing order help us to increase our commitments with confidence.

If you would like to start a standing order or increasing the amount of your existing standing order, please contact the office for a form (enquiries@secularism.org.uk or 020 7404 3126).

We also encourage members to remember the society in their wills to help the fight to continue. If you would like advice on including the NSS in your will, please contact us for information.

NSS makes history for the future

The British Library has included the NSS website as part of its 'Curators' 100' – a list of websites that curators judge will be essential reading for future generations researching our life and times in 2013.

The 'Curators' 100' has been created to mark the passing of the new regulations that will allow the British Library, the National Library of Scotland, the National Library of Wales, Bodleian Libraries, Cambridge University Library and Trinity College Dublin to archive the entire UK web.

Meanwhile, in a collaboration between Bishopsgate Institute

(a social history library in central London) and Conway Hall (a kindred organisation), the '[Alternatives to Religion](#)' project will catalogue the archives of the National Secular Society, along with those of the BHA and Conway Hall Ethical Society (formerly South Place Ethical Society).

The project will make previously-closed archives available for the first time and has been made possible by a £41,250 grant awarded by the National Archive Cataloguing Grants Programme administered by The National Archives. Visit the [Alternatives to Religion](#) website for more details.

Thanks

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Welcome to our new staff

We're pleased to welcome two new members of staff to our campaign team.

Elizabeth O'Casey, who served as a vice president for two years and as a member of Council from 2007 to 2013, has now joined the NSS campaigning staff as our policy and research officer.

Kelly Haddow joins us from a communications and marketing

background in the third sector, and will drive forward our website, social media and campaign

communications.

NSS campaigns manager Stephen Evans commented: "We've secured some great new talent in Elizabeth and Kelly and their appointment will significantly enhance our ability to campaign on the issues that matter most to our members."



Elizabeth O'Casey



Kelly Haddow