

Have your say on our work: consultation on our draft strategic plan

Introduction

We would like to hear your views about how we should tackle important equality and human rights issues.

We have outlined some aims in our [strategic plan](#) (what we will work on from 2019 to 2022). Your views on how we prioritise and tackle these aims are very important to us.

Your input will help us shape our work.

Policymakers, business leaders, third sector organisations, and groups and individuals interested in our work in England, Scotland and Wales are welcome to participate in the survey.

The survey closes on Monday 7 January 2019 at 23:59.

How we handle your information

This survey will remain anonymous unless you choose to leave your contact details at the end of the survey (optional).

SmartSurvey privacy information

The SmartSurvey website may collect personal data. Please refer to [SmartSurvey's privacy policy](#) for more information.

About you

1. Please tick the statement(s) that best describe(s) you.

- I am an individual
- I am a parliamentarian
- I am an employer
- I am a civil servant
- I am from the voluntary sector
- I am from a public body
- I am from an inspectorate
- Other (please specify)

The National Secular Society (NSS) is a campaigning organisation that works for the separation of religion and state, and for equal respect for everyone's human rights so that no one is either advantaged or disadvantaged on account of their beliefs. We regard secularism as an essential feature of a fair and open society.

We campaign for the law and the administration of justice to be based on equality, respect for human rights, and on objective evidence. We seek to ensure that human rights do not lose out to religious demands, and challenge unjustified exemptions to equality law for religious groups.

2. Which of these nine groups protected under the Equality Act (known as protected characteristics) are most important to you? Tick all that apply.

For example, you may work in one of these areas, or relate personally to issues affecting certain protected characteristics.

A key priority for us in all our work is to ensure that manifestations of belief do not impinge on the rights and freedoms of others. We seek to ensure that the right of individuals to freedom of religion is always balanced by the right to be free from religion.

All of the nine protected groups may potentially find their rights and freedoms under threat due to religious concerns. But we find that the protected characteristics that are most commonly impinged by manifestations of belief are:

- Age (particularly in relation to the rights of the child)
- Gender reassignment
- Marriage and civil partnership

- [Pregnancy and maternity](#)
- [Religion or belief](#)
- [Sex](#)
- [Sexual orientation](#)

[Race and disability](#) may occasionally be of concern too.

[We were disappointed by the government's announcement in July that caste-based discrimination would not be explicitly recognised in the Equality Act. We will continue to campaign for caste-based discrimination to be explicitly recognised in legislation, to ensure that no-one from any community faces barriers to equality of opportunity.](#)

3. If you work in any of the following sectors please tick all that apply.

[Our campaigning work regularly covers the following areas:](#)

- [Education](#)
- [Health](#)
- [Justice and personal security \(e.g. hate crime, homicides, sexual violence, domestic abuse, conditions of detention, access to justice\)](#)
- [Political and civic participation, access to services, privacy and surveillance, or social and community cohesion](#)
- [Work and employment](#)

[Living standards](#) may arise infrequently.

4. Please state where you are based, where your organisation operates, where you are a service user or where you represent service users.

Tick all countries that apply.

- [England](#)
- [Scotland](#)
- [Wales](#)

[All apply.](#)

Our proposed activities

5. Have you read our [draft strategic plan](#)? (You can still give your views and complete this consultation if you have not read it)

- Yes

Help us prioritise our work

6. We have set out three main goals in our [draft strategic plan](#).

Under each goal there are two or more Priority Aims.

Please rank the Priority Aims from most important to least important, with 1 being the most important and 9 being the least important (write/type a number next to each statement).

1. making sure prejudice is more understood and good relations are promoted, particularly through the education system

This is a primary concern of the NSS, and schools should be central to this aim. A state education system in which schools are organised around religious identities, and are permitted to inculcate children into a particular religion, impedes efforts to cultivate an understanding of prejudice and promoting good relations. It also represents a clear threat to children's autonomy and religious freedom. We would like to see the Commission advocate a child-centred, inclusive and secular education system, based upon principles of equality and fairness.

UK society is becoming less religious, and more religiously-diverse. Despite this, a third of all state-funded schools are faith schools. We believe the expansion of faith schools is the wrong response to Britain's growing religious diversity. Schools provide a golden opportunity to bring pupils and parents from different faith backgrounds together. An education system that tackles division and promotes inclusivity and equality is a priority for us and we believe it should be for the Commission, too.

While state support for faith based schooling is often justified in terms of parental choice, the effect of faith schools on restricting such choice is often overlooked. The presence of faith schools restricts choice for families who do

not want a faith-based education for their child and, in some areas, creates a lack of reasonably accessible secular schools. We would like to see the Commission work towards a situation whereby all state funded schools offer all pupils equality of access and esteem.

Religiously selective schools foster segregation and division in communities. Exemptions from the Equality Act that allow faith schools to prioritise children according to their parents' religious observance should be removed.

Additionally, many teachers can find themselves blocked from positions in faith schools because they are non-believers or of the 'wrong' faith. The degree of discrimination legally permitted on the grounds of religion and belief against teachers is clearly unreasonable and unacceptable. We would like to see employment in faith schools subject to the Equality Act. Schools should only be able to apply a religious selection criteria where they can demonstrate a genuine occupational requirement

Finally, many faith schools teach distorted relationships and sex education (RSE) that promotes prejudiced views on the protected characteristics of marriage/civil partnership, pregnancy/maternity, sex, sexual orientation and religion or belief. We have found examples of state-funded faith schools teaching within RSE that the only valid marriages are Christian marriages between a man and a woman where conception is possible; that abortion is wrong; various taboos regarding menstruation; that medical contraception is wrong; and that same-sex relationships are wrong. This is because faith schools are currently permitted to teach "within the tenets of their faith", even if those tenets promote ideas contrary to equality duties.

2. helping people get justice when they are wronged and get fair trial in the criminal justice system

We are keen to ensure that women from minority religious communities have full access to the protection of UK law. We are particularly concerned that many women from Muslim communities are subject to discriminatory 'rulings' by sharia councils, unaware that these councils have no legal authority.

Women who are recent migrants to the UK, who may have little or no English language ability or knowledge of UK law, are especially vulnerable.

Action is needed to ensure all women in the UK are fully aware of their legal rights and that no one is coerced into accepting the rulings of a 'sharia court'.

We are also concerned that women from orthodox Jewish communities face similar issues in *beth din* religious councils. In particular, we want to ensure that no women from these communities find themselves trapped in 'marital captivity', which can result from the unequal treatment of men and women in the Jewish divorce system. Jewish marriages have a unique status in England and Wales, because the Divorce (Religious Marriages) Act of 2002 means a civil judge can withhold legal divorce from a Jewish couple until a religious divorce (*get*) has been carried out.

Additionally, we have identified that LGBT+ members of some religious communities may find it harder to secure justice than other LGBT+ people. One example is a transgender father from the Charedi Jewish community, whose application for direct contact with her children was denied by the Family Court of Manchester in 2017. The father is now living as a woman and has left the community. The judgement forbids any contact with her children except four letters a year. The judge said that he was "driven to this conclusion" because he thought it was probable that "these children and their mother would be rejected by their community if the children were to have face to face contact with their father." This distressing case offers a poignant example of how collusion with a religious community that embraces discrimination and coercion undermines the fundamental rights of children and minority groups.

3. making sure public bodies that tackle violence against women and girls comply with equality and human rights requirements.

Women and girls in particularly insular, fundamentalist religious communities can be targets of specific kinds of violence, including 'honour-based' violence, forced marriage, and female genital mutilation (FGM). The vulnerability resulting from their isolation and strict codes of behaviour can be exacerbated by an unwillingness of authorities to intervene, out of fear of being branded 'intolerant' or 'bigoted' for raising these issues when they arise in minority religious groups.

It is essential that authorities with the responsibility of protecting women and girls from violence are empowered to act and assist victims no matter what community they belong to.

We welcome the protection already afforded to female infants from genital cutting (FGM), although we acknowledge that more must be done to tackle this issue – despite widespread reports of victims of FGM in the UK, there have been no successful prosecutions for this crime.

Furthermore, we consider it imperative, and the natural next step, that that same protection be extended to all children of whatever gender. No child should be subject to non-consensual, non-therapeutic body modification. For this reason, we oppose all forms of ritual genital cutting of children.

We recognise that children born within specific religious and cultural communities are vulnerable to genital cutting. We further recognise the difficulties inherent in addressing the subject of ritual circumcision. However, the Equality Act 2010 makes clear that to subject a person to less favourable treatment, on account of age, race, sex or religion/philosophy, than the treatment would be given to others is unlawful. There is a significant tension between imposing a procedure upon the healthy boys of certain ethnic communities, which would not be tolerated if imposed on children of other ethnicities, or indeed girls or older children/adults who are able to give consent.

Circumcision surgery carries with it inherent surgical and psychological risks of harm for the patient. The International Convention on the Rights of the Child has always been clear (Article 24(5)) that all children are to be protected from traditional practices harmful to health.

4. making sure people in Britain have equal access to the labour market and are treated fairly at work

We are concerned that discrimination is still a barrier to employment. Some religious organisations appear to be misinterpreting the exemptions to equality law for “genuine occupational requirements” regarding religion or belief. We have found evidence that some religious organisations are only accepting job applications from those who share the faith of the organisation for any position, even if there is no justifiable occupational requirement for the post holder to be of a specific religion or belief.

Additionally, LGBT+ people may face discrimination in employment connected with religion. An example is Jeremy Pemberton, a gay clergyman who was offered the position of chaplaincy and bereavement manager for Sherwood Forest Hospital NHS Foundation Trust in 2014. However, he was blocked from taking the job due to his same-sex marriage status by the Acting Bishop for Southwell and Nottingham.

5. making sure particularly disadvantaged groups can access essential public services

Recent years have seen a drive to contract out the provision of public services. This, perhaps encouraged by the greater freedoms allowed by the Localism Act 2011, has resulted in many more religious organisations seeking to become service providers of publicly-funded services.

Many faith-based groups have carried out social service provision without proselytising, discriminating or imposing values but we have two main concerns about religious groups taking over public service provision: proselytising and discrimination. LGBT+ people and religious minorities are some of the groups who may potentially encounter discrimination where public services are outsourced to religious groups.

Issues of proselytising and discrimination can be prevented with appropriate boundaries put in place and an end to the assumption that faith groups are particularly well-placed ability to deliver services. We should also acknowledge where a religious group running a service could put off service users.

6. making sure new technologies and digital services promote equality and human rights

Our vision for a secular democracy is underpinned by the right to free speech. Without this, democracy cannot exist. That is why the NSS has long been an advocate for freedom of speech, which includes the freedom to criticise or mock religion.

Challenging hate speech is important to protect us all, but one of the main concerns we have is that criticism or mockery of religion is sometimes conflated with hate speech, leading to 'backdoor blasphemy laws'. The problem apparent in digital services such as social media, where those who

post material that may 'offend' religious groups find themselves censored or even banned. This silences dissenters and fuels fundamentalists who demand blasphemy laws to protect their religious sensibilities and prevent their doctrines and actions from being criticised.

We are also concerned that UK authorities are taking an increasingly censorious approach to policing content posted on the internet. This has a chilling effect on free speech online.

In order to promote equality and human rights, people must be free to share their opinions through digital services without fear of punishment by the state. This includes those who wish to criticise or mock religion.

7. improving public transport and the built environment so that disabled and older people can take part in things more easily

We would like the Commission to include children and young people in this Priority Aim. We seek equitable school transport policies, free from religious privilege, fair to all families and fair to taxpayers. However, religious discrimination and privilege are widespread in school transport provision.

Statutory school transport arrangements give preferential treatment to those attending the nearest school preferred on the grounds of religion and belief. By law, local education authorities must provide free transport to a child's nearest school if that school is beyond a walking distance of two or three miles depending on the age of the child. Local authorities provide free transport to pupils from low-income families attending faith schools up to 15 miles from their home; meanwhile, those with no religious preference are given free transport only up to 8 miles.

In addition, many councils also provide school transport on a discretionary basis to children attending schools on the grounds of religion and belief. This almost exclusively applies to children attending faith schools. Pupils can even miss out on subsidised transport to a particular faith school if they do not come from the same religious background as the faith of the school.

8. improving rules relating to detention and conditions in institutions

This area is currently less relevant to our sphere of work.

9. making sure the social security system is fair and works without discrimination
This area is currently less relevant to our sphere of work.

Please tell us why you answered this way (optional):

Please see the above comments under each Priority Aim.

7. Are there any issues we should work on that are not included? Please tell us what they are and why we should work on them (optional).

A particular priority for us is to see a greater focus being given on recognising the rights of the child. Too often, the religious preferences of parents are given greater priority over the rights and freedoms of their children. A shift in attitudes is needed to give the basic rights of children greater attention.

Religious encroachment also affects the rights of children educated in non-religious schools, in addition to faith schools (see our response to q.6). Laws imposing daily acts of collective worship in all UK state schools amount to compelled worship. The right of withdrawal does not adequately protect children's rights in this area, because children cannot withdraw themselves from acts of worship (only parents may withdraw them), and because withdrawing from acts of worship can lead to social isolation or poorer relations with school management. Legislation requiring schools to hold acts of worship, and the equality exemption that facilitates this, must therefore be abolished.

Requiring/allowing schools to teach Religious Education and Relationships and Sex Education "in accordance with the tenets of their faith" and offering a parental opt-out, also undermines young people's rights.

Reforming religious education and placing a greater emphasis on objective religious literacy, citizenship and shared values will also provide opportunities to ensure schools are places where good relations can be promoted.

On a separate issue, we have recently launched a new campaign to reform marriage laws for greater equality, after our research found that the vast majority of recognised marriage venues are religious, and that same-sex couples may only marry in a very small percentage of marriage venues. We want to ensure there are no barriers for any couple to access the civil institution of marriage.

8. Which type of activities would help us to achieve each of our Priority Aims? Please tick all activities you feel would be useful to achieve the Priority Aims.

Priority Aim: helping people get justice when they are wronged and get fair trial in the criminal justice system

- finding out more about the causes of the problem
- influencing changes to the law or public policy
- influencing organisations that set standards (such as regulators, inspectorates, or ombudsman)
- helping decision-makers such as employers or public bodies to improve their practice
- challenging decision-makers (such as employers or public bodies) when they break the law
- helping individuals get justice (for example, people who have experienced discrimination)

[Please see our response to this Priority Aim in q.6.](#)

Priority Aim: making sure prejudice is more understood and good relations are promoted, particularly through the education system

- finding out more about the causes of the problem
- influencing changes to the law or public policy
- influencing organisations that set standards (such as regulators, inspectorates, or ombudsman)
- helping decision-makers such as employers or public bodies to improve their practice
- challenging decision-makers (such as employers or public bodies) when they break the law
- helping individuals get justice (for example, people who have experienced discrimination)

[Please see our response to this Priority Aim in q.6.](#)

Priority Aim: making sure new technologies and digital services promote equality and human rights

- finding out more about the causes of the problem
- influencing changes to the law or public policy

- influencing organisations that set standards (such as regulators, inspectorates, or ombudsman)
- helping decision-makers such as employers or public bodies to improve their practice
- challenging decision-makers (such as employers or public bodies) when they break the law
- helping individuals get justice (for example, people who have experienced discrimination)

[Please see our response to this Priority Aim in q.6.](#)

Priority Aim: improving public transport and the built environment so that disabled and older people can take part in things more easily

- finding out more about the causes of the problem
- influencing changes to the law or public policy
- influencing organisations that set standards (such as regulators, inspectorates, or ombudsman)
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- challenging decision-makers (such as employers or public bodies) when they break the law
- helping individuals get justice (for example, people who have experienced discrimination)

[Please see our response to this Priority Aim in q.6.](#)

Priority Aim: making sure particularly disadvantaged groups can access essential public services

- finding out more about the causes of the problem
- influencing changes to the law or public policy
- influencing organisations that set standards (such as regulators, inspectorates, or ombudsman)
- helping decision-makers such as employers or public bodies to improve their practice
- challenging decision-makers (such as employers or public bodies) when they break the law
- helping individuals get justice (for example, people who have experienced discrimination)

[Please see our response to this Priority Aim in q.6.](#)

Priority Aim: making sure people in Britain have equal access to the labour market and are treated fairly at work

- finding out more about the causes of the problem
- influencing changes to the law or public policy
- influencing organisations that set standards (such as regulators, inspectorates, or ombudsman)
- helping decision-makers such as employers or public bodies to improve their practice
- challenging decision-makers (such as employers or public bodies) when they break the law
- helping individuals get justice (for example, people who have experienced discrimination)

[Please see our response to this Priority Aim in q.6.](#)

Priority Aim: making sure the social security system is fair and works without discrimination

- finding out more about the causes of the problem
- influencing changes to the law or public policy
- influencing organisations that set standards (such as regulators, inspectorates, or ombudsman)
- helping decision-makers such as employers or public bodies to improve their practice
- challenging decision-makers (such as employers or public bodies) when they break the law
- helping individuals get justice (for example, people who have experienced discrimination)

[Please see our response to this Priority Aim in q.6.](#)

Priority aim: improving rules relating to detention and conditions in institutions

- finding out more about the causes of the problem
- influencing changes to the law or public policy
- influencing organisations that set standards (such as regulators, inspectorates, or ombudsman)

- helping decision-makers such as employers or public bodies to improve their practice
- challenging decision-makers (such as employers or public bodies) when they break the law
- helping individuals get justice (for example, people who have experienced discrimination)

[Please see our response to this Priority Aim in q.6.](#)

Priority aim: making sure public bodies that tackle violence against women and girls comply with equality and human rights requirements

- finding out more about the causes of the problem
- influencing changes to the law or public policy
- influencing organisations that set standards (such as regulators, inspectorates, or ombudsman)
- helping decision-makers such as employers or public bodies to improve their practice
- challenging decision-makers (such as employers or public bodies) when they break the law
- helping individuals get justice (for example, people who have experienced discrimination)

[Please see our response to this Priority Aim in q.6.](#)

11. Do you have any ideas for specific activities we could do that would help us to achieve any of the Priority Aims listed above (optional)?

[We have listed these in our response to each Priority Aim in q.6.](#)

12. We propose to improve access to services for particularly disadvantaged groups.

Which of the following areas is most important to you? Please tick all that apply.

- access to education for Gypsies, Roma and Travellers
- access to health services for Gypsies, Roma and Travellers
- access to appropriate housing for Gypsies, Roma and Travellers
- access to appropriate education for disabled people
- access to appropriate housing for disabled people

- access to appropriate health services for asylum seekers and people who have migrated to Britain
- access to appropriate housing for asylum seekers and people who have migrated to Britain
- access to appropriate health services for transgender people
- understanding and addressing the reasons why a disproportionate number of ethnic minorities are detained in the mental health system in England and Wales

Our main concern is that all people, regardless of their race, sex, sexual orientation, gender reassignment, religion/belief or any other protected characteristic, are equally able to access secular medical care that is not impeded by religious doctrines. We advocate for equal access to healthcare and associated NHS services for all patients and NHS staff irrespective of their religion or belief.

Any other feedback and contacting you

13. Do you have any other comments on our draft plan (optional)?

14. Thank you for taking the time to fill out our survey.

Would you like us to contact you (optional)? If so, please tick one or more of the statements below.

Any information you choose to give will be recorded and stored in line with our [privacy policy](#) (opens in new window). You can withdraw your consent to be contacted at any time by emailing yourviews@equalityhumanrights.com. Please note that leaving your contact details means your survey is no longer anonymous.

We will only be contacting selected participants until 5 March 2019.

- Yes, you can contact me about my responses (your details will only be used for the purposes of this consultation)
 - Yes, give me more info about your consultation (your details will only be used for the purposes of this consultation)
 - Yes, sign me up to your e-newsletter
- [All of the above](#)

Please provide your preferred contact information if you wish to be contacted.

Name: [Megan Manson](#)

Email address: megan.manson@secularism.org.uk

Contact phone number: [020 7404 3126](#)

Thankyou

You have completed this survey!

Thank you for taking the time to answer this survey.