

Tribunal dismisses homophobic Muslim teacher's discrimination claim

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An employment tribunal has dismissed a Muslim deputy head teacher's claim of religious discrimination, while claiming homophobic views he expressed had "nothing to do with" his religious beliefs.

In a [judgement](#) published last month the tribunal dismissed Razwan Faraz's claim of unfair dismissal against the Core Education Trust. The trust sacked him in 2015 on the grounds of gross misconduct after he shared homophobic messages on a large WhatsApp group which included people he did not know.

Faraz, who worked as the deputy head of Nansen Primary School in Birmingham, claimed the trust had directly discriminated against him on the grounds of his religion.

The school is part of the Park View Academy in Birmingham and was embroiled in the Trojan Horse scandal of 2014, where evidence emerged of a campaign to impose an Islamic ethos on secular schools in the city.

In one message Faraz shared a BBC article entitled 'Gay Pakistan; where sex is available and relationships are difficult'. Alongside the message he wrote that "the problem of homosexuality is rife in Pakistan", adding "sign of the end of times" and "may Allah further expose this and give us the strength to deal and eradicate it".

In another message he shared a *Guardian* article on the resources available to teachers on gay marriage. He wrote: "These animals are going out full force. As teachers we must be aware and counter their satanic ways of influencing young people."

When the messages were revealed the trust decided they had breached part two of the teachers' standards issued by the Department for Education. This includes the requirement for teachers, "within and outside school", to show "tolerance of and respect for the rights of others".

The panel decided the trust's reaction had been "within the range of reasonable responses".

Faraz told the panel that his views were the product of his socialisation into a conservative Islamic culture. But the panel said his remarks "were not an assertion of religious sentiments and had nothing to do with a profound religious or other belief in the moral equivalents of gay relationships". It said it was "satisfied that his dismissal for making homophobic comments had nothing to do with the expression of any religious belief".

"The comments did not portray a belief that homosexuality is not permissible in Islam. They portrayed offensive and insulting homophobia. The panel considered the comments to be offensive and homophobic rather than expressing a belief such as homosexuality not being permissible in Islam or a Christian expressing a view that gay marriage should not be allowed."

It added that Faraz had the unqualified right to hold a religious belief but "his right to manifest that belief is qualified".

The panel said Faraz had "no reasonable expectation that the postings were or would remain private". The WhatsApp group, which was entitled 'Park View Brotherhood' and consisted of male Muslim employees at Park View, contained 55 members.

The judgement said the panel found Faraz "evasive" and "reluctant to give a straight answer to a straightforward question". It added that this was consistent with his conduct in previous disciplinary and appeal hearings.

Faraz claimed there was a "conspiracy" in relation to his dismissal and the sacking of several other teachers from the same WhatsApp group. But the panel said he had made this claim "at a very late stage" and he had not made any reference to it in previous hearings.

Stephen Evans, the National Secular Society's chief executive, said the tribunal "appears to have reached the right decision" but questioned its "insistence" that the comments were not based on religion.

"A senior member of staff shared blatant homophobia on a forum which was effectively public. The tribunal is right to say the trust's action was within the range of reasonable responses.

"But it's unclear why Razwan Faraz's comments couldn't be offensive and homophobic while also being an expression of his religious beliefs. He said himself that they were based on his socialisation to a conservative Islamic culture.

"Even if the views he expressed were based on religious belief, it wouldn't change the way that he should be treated. The right to manifest religion is qualified, not a free pass."

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