

Laws requiring exclusively Christian RE to face court challenge in NI

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The High Court in Northern Ireland has granted permission for a legal challenge against laws requiring confessional RE focused on Christianity and collective worship in all schools.

A father has brought the case against his daughter's primary school and the Department of Education, and will argue that the laws are discriminatory and violate the Human Rights Act.

Religious education in schools is [controlled by the four major churches](#) in NI. The syllabus for the subject says pupils should "develop an awareness, knowledge, understanding and appreciation of the key Christian teachings" and "develop an ability to interpret and relate the Bible to life".

RE is not inspected by the Department of Education and is often delivered partly by external evangelical organisations.

The law also requires that pupils in NI's schools take part in a daily act of collective worship.

Parents have the legal right to withdraw children from worship and RE, but stigmatisation, resistance from schools and a lack of a [meaningful alternative](#) mean this is not an option for many pupils.

Comments

Darragh Mackin of Phoenix Law, who is representing the claimants, said: "Uniquely in this jurisdiction, religion, and specifically the Christian faith, and education are intertwined as a matter of law.

"It is our case that the state is not entitled to promote or privilege the Christian faith in this way. To do so only seeks to indoctrinate, and entrenches segregation."

National Secular Society head of education Alastair Lichten said: "A subject focused on narrow faith formation, and that excludes critical or different perspectives, should be regarded as inconsistent with Northern Ireland's human rights obligations.

"This case should spur the Department of Education to reform the subject so that all pupils have access to critical and pluralistic education about religions and beliefs.

"If schools are to raise the potential of pupils from all backgrounds, then all aspects of the school day need to be inclusive and suitable for everyone. Mandated worship and church-controlled curricula must go."

Criticism of relevant policies

The UN's children's rights committee has previously criticised Northern Ireland for its collective worship policy and religious segregation in schools, after the NSS submitted evidence on the subject.

And in 2019 the [European Court of Human Rights ruled](#) that states must ensure RE curricula are "conveyed in an objective, critical and pluralistic manner".

The court also ruled that states are "forbidden" from attempting to indoctrinate children in a way "that might be considered as not respecting parents' religious and philosophical convictions".

This came as the court found that Greece had breached the European Convention on Human Rights when it required parents to submit a declaration form to opt children out of RE.

Further notes

- The NSS recently received assurances from NI's education minister Peter Weir that concerns over confessional religious education and compulsory worship will fit within the scope of a [major independent review of education](#).
- The case will proceed to a full hearing in November 2021.

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