

Ep 36: Faith-shaped holes in the Equality Act

<https://www.secularism.org.uk/podcast/2020/10/ep36>

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[Emma Park] This month marks the 10th anniversary of the coming into force of the Equality Act 2010,

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speaking to Baroness Lynne Featherstone, a Liberal

Democrat peer, champion of equality legislation

0:00:10.937,0:00:16.482

a landmark piece of legislation that dramatically reformed and improved the laws on equality in the UK.

0:00:42.640,0:00:47.415

and former minister with responsibility for equality in the coalition government.

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Last month, to mark this anniversary, the National Secular Society released a report

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Lynne will be discussing her experiences of getting the

Equality Bill through Parliament, the opposition

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that examined the exemptions which religious organizations have succeeded in carving out of

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she encountered from religious groups, and the

ongoing problems today caused by religious

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the Equality Act for themselves. It also looked at the negative consequences of these exemptions

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exemptions to the Act. I will then be joined by Megan Manson to give the NSS's perspective.

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in the areas of employment, education and caste discrimination. In this podcast i will be

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Lynne Featherstone, you were an MP during

the passage of the Equality Act 2010

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0:01:12.640,0:01:19.280

and, as a Home Office Minister and as
Undersecretary for Equalities under Theresa
May

It brought together 35 acts, 52 statutory
instruments,

13 codes of practice, 16 EU directives,

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0:01:19.280,0:01:24.160

when she was Minister for Equalities, you
helped to

and they weren't working. So it was

a landmark piece of legislation, that brought

take the enabling legislation through
Parliament .

0:02:07.760,0:02:14.720

it together, and it pinpointed things.

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Did the Equality Act feel like a landmark at the
time?

If you look at something like equal pay,

[Lynne Featherstone] Yes it did. I suppose it
was the bringing

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we clearly hadn't got equal pay then, we still
don't have equal pay now, but it attempted to
bring

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together of 40 years of equality legislation
that

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together those things and to enhance
equality.

was confusing everybody and not working
that well.

It wasn't just the bringing together of all this

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I thought it was a huge step forward.
Obviously it happened under the Labour

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disparate legislation. There are so many
examples,

but I think one of its landmark qualities

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government, before we became the coalition,
and I

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was the public sector equality duty and the
creation of protected characteristics.

led for the Liberal Democrats during its
passage

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Those protected characteristics were age, disability,

gender reassignment. I had many, many arguments in

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committee about the word 'reassignment' because I

felt it meant you had to have an operation before

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someone recognized that you needed a different

sort of protection for gender identity.

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It also included marriage and civil partnership, pregnancy and maternity, race, religion or belief,

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sex and sexual orientation. I suppose, even way back then, I didn't really feel that

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religion and belief should be a protected characteristic,

but that's a whole other argument.

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So it was landmark, and

it was the culmination of all the years

0:03:29.120,0:03:37.600

of fighting and trying to bring some sense of ending discrimination, in all its forms, whatever

0:03:37.600,0:03:42.240

the characteristics you had.

[EP] The list of protected characteristics,

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it was a product of the committee then?

[LF] No, no. The list of protected characteristics was part of the

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legislation brought forward by the then Labour

government. I remember at the time, speaking

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in the Second Reading debate, when I left the Lib

Dems, I think it was 2009, that religion and belief

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should not actually be a protective characteristic,

because it would lead to the entrenchment of discrimination.

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[EP] When you were in government in the coalition, and working with Theresa May,

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were you on the same side about most of the equalities issues then?

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[LF] On and off. Yes, I would say that Theresa May was

basically determined to enact the bill. One of the

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biggest differentials we had was actually not on religion and belief, it was on pay audits ,

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on women's pay, but time moves on in politics and your positions change, and

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you don't always get what you want.

[EP] Let's talk a bit more about religion and belief.

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Now when you and others were bringing the new bill before

parliament, who were the people who wanted religion

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and belief A) to be a protected characteristic and then B) later to have special exemptions

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in relation to religious organizations?

[LF] Well, basically, the organized great religions of the

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world, but in particular the Church of England and the the Catholic religion. They were very

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fierce about - well also Muslims and Orthodox Jews - but they wanted exemptions

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so that they could continue to discriminate, in terms of who they employed, for example.

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They felt that the new act reduced their ability to discriminate, and when I

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say discriminate that would be something like if

a Catholic school wanted to employ a caretaker,

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they would like it to be a Catholic caretaker, whereas obviously in the

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provision of goods and services, as was included in the act,

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actually there was nothing about caretaking that you needed to be a Catholic.

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Obviously it was understood that if you were going to be a priest you needed to be a Catholic

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if you were proselytizing, but if there was a job, say a youth worker, or as I say a caretaker, then they didn't need [to be].

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However, that was a very, very fierce fight, and they won.

[EP] How come they won?

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[LF] Just because an exemption was there that

allowed them to say, for example, with a

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youth worker, that a youth worker was teaching and

therefore it was proselytizing, and therefore they

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should be able to discriminate and only have a Catholic youth worker working with Catholic youth.

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[EP] Outside education, what were the other major

exemptions that the major religions

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obtained to the Equality Act?

[LF] Schools were exempted. Religious schools could be

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set up without breaching the Act. Funnily enough,

what the National Secular Society is putting

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forward, quite rightly in my view, is to change that law so that state-funded religious schools,

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including the Church of England, will no longer be able to promote the interests of their

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religious body above the education and welfare

of their pupils. There were two

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schedules in the Equality Act which were there to

stop any conflict with earlier laws that impose

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basically Christian worship in all state schools, including non-religious ones. And again I agree

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with the National Secular Society in removing the imposition of collective worship in schools.

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I remember, for example, that at my primary school

there were seven Jewish children who had to sit

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in the library during prayers in the morning, and

it made them different. In fact i was one of them

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and it's probably why, at the age of seven, I told

my parents I wasn't going to be Jewish anymore,

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because i felt so alienated and different

and i think that's what collective worship does.

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Other parts of the Act made exceptions to allow the existence of religious schools.

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And lastly, on education, there are two schedules

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that allow schools to discriminate on religious grounds for entry into that school.

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I can't remember which were added and which

were carried forward, but either way the Act

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needs changing so that you should

not be able to discriminate

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0:08:28.080,0:08:33.760

on religious grounds for entry into that school,
and although there's been lots of
accommodations

excuse for anything, as it is with the Equality
Act.

People seem to think it's to be used officially,

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where you're allowed x percentage here and
x percentage there, the practice is harmful.

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for people to take people to tribunals
endlessly on tiny points, and not realizing

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[EP] Do you think that the public are generally
aware

of the importance of the Equality Act, and
what it

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that it's actually holding people's rights to
live their lives freely. I mean, of course it

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can and can't do?

[LF] Well, I'm certain they're not aware of the
detail of the Act

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gets abused on both sides, but I think the
public

don't have a real concept of what this
protection

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I mean, it's a very long and a very complicated
act, but I think,

just as with the Human Rights laws, people
seem to think,

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has done. The other side of legislation is that
it advances equality in this Act, by the

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because of the way of its discourse in the
public

space has become about human rights as sort
of an

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message it sends out, that equality is
something

that gives you rights, that you cannot
discriminate,

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and so on and so forth, and how that
becomes part

of our nation, seeps into it. But it's not often

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propagated by some of our media.

[EP] Do you think the media at fault for misrepresenting the Equality Act?

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[LF] Well, I can't point to specific details, but yes, I think the media are often at fault

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in using as a highlight, something that is the truth, but misusing it, as if everything depends

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in that specific way. But it was an incredibly important piece of legislation

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to stop the sort of thing that I grew up with when I first went

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to work, and was sacked from my first job for not sleeping with one of the directors.

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[EP] Do you think the existence of the Me Too movement in recent years does that suggest

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that the Equality Act didn't go far enough in protecting women

against sexual harassment in the workplace?

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[LF] Yes, and I think that's very classic, in as much as legislation gives you the laws to

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protect you, but getting to the point of court, and getting it to be taken seriously is a whole

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other thing where society has to shift. But you do

see societal shift when laws are made, eventually.

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If you think about the drink driving laws, everyone used to drink and drive when I was

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at college, not me, obviously. But eventually society saw, because the law was there, that it was

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terrible, people were being irresponsible and killing other people, same with wearing a seat belt.

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That was resented. Same with the laws around
LGB issues, but gradually, once the law was in place

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society shifted. And occasionally it's the other way around, because I was the

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architect and originator of the same-sex marriage law, which encountered a lot of religious

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resistance, the same as the Equality Act. In that case the people were ahead of the politicians, but

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because in a way the religious fraternity is so strong in our country, it took a long time for it to get into law.

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But now it is the law, no one blinks an eyelid. [EP] That's a very interesting point

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you make about religious resistance also to the Same Sex Marriage Bill. How do the major religions

0:12:12.080,0:12:17.760

influence legislation in Parliament? [LF] Well the key points of influence in Parliament

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are the fact that the Queen is Head of the Church of England, and the

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religions have always had a very powerful voice in Parliament, through the parties, but also

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bishops sit in the House of Lords, as of by right, but their organizations are profoundly respected

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and rightly so, when they have, in my view, an undue influence, and have had for many years.

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[EP] Would you say that they're equally influential on all MPs in all parties? Would you

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say some parties are more liable to be influenced by religious figures than others?

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[LF] Of course the Conservative party has always

had a very, very close relationship with the Church

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of England, in particular. I think everyone listens

with respect to the religious argument, but someone

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like myself believes that religions deserve freedom, respect, freedom to practice, but there

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are so many parts of the religious doctrine that

cross with secular life or with non-discrimination,

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whether it's around homosexuality or educating children or those sorts of things.

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[EP] Is it also the case that it's one thing to allow people to express their religious belief and

0:13:38.560,0:13:43.360

another thing to say that their religious beliefs should be allowed to influence what other people

0:13:43.360,0:13:50.160

who don't share them can do?

[LF] Yes, of course. I'm a 'live and let live' liberal

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and I really don't see that you should seek to influence beyond your religion and I have never

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understood - there were just huge issues around schools, I think it was

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in Birmingham was the most recent example, when

sex and relationship lessons were to be taught, and

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there was a huge outcry - but I've never understood

why parents cannot say to their children,

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if their religion believes that homosexuality, for

example, is a sin because that's one that keeps

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coming up and up over the over the years,
why a

religious family would not say to their child

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we believe this is a sin,
other people think other things,

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and we must respect everybody and have
faith in
their own religious tenets to be strong enough

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to guide their children the way they hope they
will be guided. But it shouldn't be something

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that stops people from knowing. Religion isn't
about stopping people knowing about things.

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But they are strong, strong fighters, and as I
say, during the same-sex marriage[Bill],
passage of

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that, the great religions of the world fought
tooth and nail for it not to happen.

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They believed would undermine marriage.
Of course it does no such thing.

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It shows how valuable marriage is for
everybody.

[EP] One particular issue that's continued
since

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2010 was caste discrimination. Now the
Equality

Act introduced the power for a minister to say
that

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caste should be included on the list of
protected characteristics
and thereby outlaw caste discrimination.

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Now the present government have committed
to

actually removing this protection from the
Act.

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What's your view about caste discrimination?

[LF] Caste was a huge issue

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during the passage of the Equality Bill and I
was

lobbied intensely from both sides of the issue.

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But to me the caste system is discrimination, that is its fundamental character.

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Of course, like all the religions that have come to the United Kingdom, because we are

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still a tolerant and free country, imported with different waves of immigration, has been

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the caste system. It came with it. I was a minister in the Department for International

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Development for two years and I saw caste and its practice, and the horror of the status of

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lower castes, despised and mistreated. And it is intensely still felt. I remember the arguments

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about how we, I, was interfering in a system that had been there, and it worked very well,

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and it meant that the order of things, but it is totally against equality. It is fundamentally

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against equality, and it is, and should be, a crime to discriminate on the grounds of caste.

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[EP] Now the NSS has recently released a report, just

in September 2020, about how religious privilege

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in many different ways continues to undermine equality law, even today.

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The name of that report is "Faith-shaped holes:

How religious privilege is undermining equality law"

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You, Lynne, wrote the forward to this report. What were your reasons for doing so?

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[LF] Well, firstly they invited me to do so, but it is a passion that I have as a liberal.

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I believe "live and let live" should be the basis on which we conduct ourselves in this world.

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I also feel that many of the problems of the world stem

from religion. Growing up, I understood

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it was a force that was supposedly about love and forgiveness and charity and kindness.

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And then when I grew up, I found it was also the

basis of war, deprivation, unfairness and guilt.

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So it seems to me that when it comes to issues

such as abortion, alcohol, homosexuality, employment,

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sex education, the great organized religions of our

world want to have the benefit of our phenomenal

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equality laws so long as they don't have to comply with anything they don't subscribe to.

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[EP] So they want to have have their cake and eat it.

[LF] They definitely do want to have their cake and eat it.

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And, as I said during the passage of the Same-sex Marriage Bill, I was often the target

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of death threats and disparaging attacks from the

religious orders. And my response to those who so

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violently attacked me and the legislation, and

who were often the heads of the great organized

0:18:40.160,0:18:47.112

religions of our world, was to use the words advised to me

by Stonewall, which were "My very strong advice

0:18:47.112,0:18:52.815

to those who do not agree with same-sex marriage,

is not to marry someone of the same sex."

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[EP] Yeah, that sounds like a good response.

[LF] And I would say the same in terms of the issues raised

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in the National Secular Society report:

"Don't hide your children from knowledge.

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You tell them. You're their parents, and if they agree with you, they'll follow you."

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In this country, where we live and hope to live in harmony with each other, whatever our

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belief system, whatever our particular protected

characteristics, and some of us have lots of them,

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everyone is equal and should be treated equally in all sorts of ways. A key principle of

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secularism, in particular, is that any form of unfair religious privilege should not

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undermine the rights and freedoms of others.

So this is always a question about balancing

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everyone's right to freedom of religion and belief

against the possibility that some people may

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exploit their position to unfairly affect others.

Now, as far as the NSS report is concerned, the

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three main ways which it identifies there's still a problem with the current equality legislation

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are in terms of caste based discrimination, which

we've talked about, education, which you mentioned

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briefly - faith schools, and also employment.

For you, what are still the biggest issues

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in these areas which need further reform?

[LF] I do think that some of the exemptions that were in

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the Equality Act need reform, because the religions,

I fear, are misusing them to only employ people

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of that particular faith within their circle.

So that is one thing that needs reforming.

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Another is I really don't think that

collective worship should be something in schools.

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I just don't think so. I think it is

better for schools to have a morning assembly

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talking about life in general, or the news, or

what's going on in school. I don't think it

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should be any form of religious worship, because

as I described from my own experience as a child,

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you don't want to alienate any group, to feel one

group is the main group or the more important group,

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or that your group doesn't matter. You're foisted off

to the library while others have assembly.

0:21:13.856,0:21:18.741

So I think it's very important to remove collective worship from schools.

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[EP] Would this be an argument for getting rid of faith based

state schools all together?

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[LF] This goes beyond what the National Secular Society are suggesting,

or indeed what the Liberal Democrats, of which

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I am a member, have as policy. But on a personal

capacity, I would love that schools

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are about education, and home is about religion and faith.

I don't think schools are the appropriate place for it.

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But that's not where this report
is going at this point. It's trying to remove

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some of the very overt examples of where
the exemptions to the Equality Act have
enabled

0:21:58.880,0:22:07.263
religious exceptionalism. But my view is that
anything that is state-funded should not really
include

0:22:07.263,0:22:17.200
religion of any sort. It should certainly teach
all religions
in religious education class.

0:22:17.200,0:22:27.280
If you look at what separateness does: it
creates
alienation and mistrust or superiority. As I
said,

0:22:27.280,0:22:32.240
I worked in Africa for nearly two years when I
was in Dfid Minister
[Department for International Development.]
and I did spend part of

0:22:32.240,0:22:38.560
every week, mostly, in Africa. And what I
learned
there, what I saw there, that any difference

0:22:39.120,0:22:46.640

state sponsored, either through power or
status
or whatever, caused dispute and unhappiness.

0:22:46.640,0:22:52.560
Whether it was tribal, religious, ethnicity,
it didn't matter what the difference was,

0:22:52.560,0:22:59.840
the minute you entrench it in some form
of privilege or state sanctions,

0:22:59.840,0:23:07.840
it causes wars, jealousy, one-upmanship.
It just is not harmonious.

0:23:08.560,0:23:14.560
It's not that long ago since
the troubles in Northern Ireland finally came

0:23:14.560,0:23:21.040
to a blessed, excuse the expression, stop.
[EP] So the whole point of the Equality Act, as
far as you're

0:23:21.040,0:23:29.360
concerned, is just to give the best chance for
people
of every single belief or no belief to flourish

0:23:29.360,0:23:35.414

and to work together.

[LF] I do believe that is it. I also think it is to stop the harms

0:23:35.414,0:23:45.000

that are so in our base human nature, that actually make us

discriminate. And it's to help us stop being discriminatory,

0:23:45.000,0:23:49.029

because it is now against the law.

[EP] As you say, we can

0:23:49.029,0:23:54.880

see in many different societies throughout history,

if the laws encourage a certain form of behavior

0:23:54.880,0:24:00.400

then society goes in that direction. So if they encourage a more discriminatory form of behavior

0:24:00.400,0:24:06.736

then people will perhaps feel like it's more normal.

Whereas if they encourage a greater tolerance

0:24:06.736,0:24:13.869

then it may help push society in a more tolerant direction.

[LF] We live in hope that that is what happens,

0:24:13.869,0:24:17.039

because you can see what happens

when it goes the wrong way.

0:24:17.039,0:24:24.720

So I think it is very important. I think the Equality

Act reminds us of our humanity towards each other.

0:24:24.720,0:24:32.080

[EP] Finally, Lynne, what are the immediate practical

steps you think that need to be taken to get rid of

0:24:32.080,0:24:39.200

inequalities that we've been discussing?

[LD] We need some new laws that will, at this stage, in

0:24:39.200,0:24:47.200

terms of what the National Secular Society is wanting, will deliver, legislatively,

0:24:47.200,0:24:54.480

the changes that remove the exemptions that enable the entrenchment of religious privilege.

0:24:54.480,0:25:05.253

[EP] Lynne Featherstone, thank you very much.

0:25:05.440,0:25:10.560

I'm joined now by Megan Manson from the National

Secular Society. She's going to give a comment

0:25:10.560,0:25:14.320

on my interview with Baroness Lynne Featherstone, in particular to talk about

0:25:14.320,0:25:22.000

what the NSS's position is on unfair religious exceptionalism and the current state of equality law

0:25:22.000,0:25:28.560

and what needs to change. Megan, to start with,

talking about the NSS report, which just recently

0:25:28.560,0:25:34.720

came out about the issue of religious exceptions

and equality law, could you just clarify what are

0:25:34.720,0:25:41.313

the main things that the report said about what

needs to change in the current state of the law

0:25:41.313,0:25:47.485

[Megan Manson] For this report, what we wanted to do

was to explore where these, as we call them,

0:25:47.485,0:25:55.600

faith-shaped holes are in the Equality Act 2010.

Religion or belief is a protected characteristic,

0:25:55.600,0:26:02.640

and so, in theory, everyone should be protected by that, because belief does include

0:26:02.640,0:26:08.880

quite specifically non-religious belief.

We basically did a deep dive into

0:26:08.880,0:26:13.200

the Equality Act and looked for where there are religious exceptions. There are lots

0:26:13.200,0:26:19.920

of exemptions in the Equality Act.

Some are justified, but many others are not.

0:26:19.920,0:26:25.680

What we wanted to do was look for those religious

exemptions that were potentially causing problems.

0:26:25.680,0:26:32.560

We found three areas where it seems most egregious, which were

0:26:32.560,0:26:39.840

in education, regarding caste-based discrimination, and discrimination employment. What we did was

0:26:39.840,0:26:45.920

we actually looked and found the specific part of the law that does this. I think that this is

0:26:45.920,0:26:51.520

the first report of its kind to really do that, to really look at the mechanisms behind what caused

0:26:51.520,0:26:57.360

these exemptions, and with regard to education there were multiple exemptions. So, as we've heard from

0:26:57.360,0:27:03.440

Lynne Featherstone, collective worship and discrimination in school admissions is all enabled by

0:27:03.440,0:27:09.120

exemptions in the Equality Act. These exemptions

enable faith schools to deliver an exclusive

0:27:09.120,0:27:14.400

faith-based curriculum, they allow them to discriminate against staff in employment,

0:27:14.400,0:27:21.440

and they even allow local authorities to apply discriminatory criteria in their policies

0:27:21.440,0:27:27.760

for all school transport. So basically a local authority can provide free transport to somebody

0:27:27.760,0:27:34.080

who is attending a faith school. And then for caste.

Caste doesn't have a particular characteristic,

0:27:34.080,0:27:39.200

although many were arguing during the formation

of the Equality Act that it should. There isn't a

0:27:39.200,0:27:45.200

un-commenced duty within the Equality Act to make caste an explicit aspect of race

0:27:45.200,0:27:51.040

discrimination as soon as practical. However, more recently the government sort of decided

0:27:51.040,0:27:56.929

it wasn't going to do that, and the Parliamentary Under Secretary for the Minister of Equalities, Kemi Badenoch,

0:27:56.929,0:28:01.360

has confirmed that basically they want to take caste out completely. So essentially there is

0:28:01.360,0:28:06.160

nothing there protecting people vulnerable to this particular form of discrimination

0:28:06.160,0:28:10.240

[EP] So in terms of employment, which is, of course, another issue which was also raised by

0:28:10.240,0:28:14.320

Lynne Featherstone, do you have anything to add in terms of what the NSS discovered about

0:28:15.120,0:28:20.960

how religious exemptions affect employment?

[MM] With employment you have what's called 'Genuine

0:28:20.960,0:28:28.240

Occupational Requirements' that do you allow you

to essentially discriminate according to

0:28:28.240,0:28:33.500

particular characteristics if you need to.

There's lots of times where you might need to do this.

0:28:33.500,0:28:38.320

With religion or belief discrimination there are some legitimate times. For example,

0:28:38.320,0:28:44.160

i think it's utterly reasonable to specify that if you want to be a vicar that you have to

0:28:44.160,0:28:49.200

be a Christian, if you want to be a pastor you have to be a Christian. But, looking at the official

0:28:49.200,0:28:54.960

exploratory notes, it looks like these Genuine Occupational Requirement exemptions are only

0:28:54.960,0:29:01.120

meant to cover a very narrow range of employment

when it comes to religion. But we think that it's

0:29:01.120,0:29:07.600

being applied a lot more broadly than that, and it's

been misused, and being used by religious employers

0:29:07.600,0:29:14.017

essentially to only have a workforce of one religion

when there's really no justification for it.

0:29:14.017,0:29:17.826

[EP] And that seems like quite an abuse of the system then, potentially.

0:29:17.826,0:29:22.800

[MM] Yes, I think so. We really want to see that looked into,

0:29:22.800,0:29:29.720

to basically clarify when can you do this.

Because, I think, at the moment it's being overused.

0:29:29.720,0:29:35.280

[EP] In terms of religious exceptionalism and unfair privilege which is still in equality

0:29:35.280,0:29:41.440

law or inherently in the system at the moment, do

you have any particular concrete examples of how

0:29:41.440,0:29:46.639

this affects people?

[MM] One of the things we wanted to demonstrate in our report

0:29:46.639,0:29:52.515

is that this isn't just theoretical, this is real.

That's why we included quite a few case studies

0:29:52.515,0:29:58.640

throughout the report. In the education section

we have some testimonials from parents

0:29:58.640,0:30:03.600

and pupils, and some teachers and governors as

well who've experienced this. Naturally, we found

0:30:03.600,0:30:09.440

that people who are non-religious tend to bear

the brunt of these problems, and very often it's

0:30:09.440,0:30:14.880

people who are already marginalized and who are especially affected by religious discrimination.

0:30:14.880,0:30:21.360

So for example single mums, because they can't attend church services every week in order to ensure

0:30:21.360,0:30:29.040

that their child gets to go to the local school, those who are on lower wages, and LGBT people as well.

0:30:29.040,0:30:36.013

So it's people who are already marginalised. In terms of the Equality Act,

0:30:36.013,0:30:41.186

it's not really doing its job for you. [EP] It's failing to protect the people who want to be protected.

0:30:41.186,0:30:46.000

[MM] Exactly. We found this all out from signatures from our

0:30:46.000,0:30:52.000

online petitions. We didn't actually look specifically for this report. It's people

0:30:52.000,0:30:56.160

who've been coming to us, and telling us these stories, and signing these petitions, for a long

0:30:56.160,0:31:00.400

time. All we needed to do was look through those. We could find plenty of testimonials from

0:31:00.400,0:31:05.440

people. For example pupils being punished for not participating in collective worship,

0:31:05.440,0:31:09.440

parents who find that they can't enter their local school because they don't go

0:31:09.440,0:31:14.880

to church, lots and lots of studies like that. There was one particular case

0:31:14.880,0:31:20.240

study that we put in that is particularly chilling, because it involved a school that

0:31:20.240,0:31:25.360

isn't a faith school, and that's Burford Primary School, which is a community school, so it

0:31:25.360,0:31:31.280

doesn't have a designated religious character.

We heard from two parents who had enrolled

0:31:31.280,0:31:35.600

their children at that school because it was community-based, because it didn't have a religious

0:31:35.600,0:31:41.600

character. They wanted that. Then the school joined a Church of England academy trust,

0:31:41.600,0:31:46.800

and things started to change. The parents heard that their children were attending assemblies

0:31:46.800,0:31:53.040

held by the Church, the children were encouraged to pray, Christianity was positioned as the truth,

0:31:53.040,0:32:00.880

and children acted about bible stories. The parents decided to raise this with the school,

0:32:00.880,0:32:05.200

and the school said they were acting within the law, it says right here we could

0:32:05.200,0:32:10.800

have collective worship, and

in a way the school's right .

0:32:10.800,0:32:17.200

You don't necessarily have to be a faith school in order to religiously discriminate against children.

0:32:17.200,0:32:22.800

[EP] Lynne Featherstone was talking about her experience of the extent to which the Church of England,

0:32:22.800,0:32:29.440

and the Catholic church in particular, influenced legislation through Parliament. In your view

0:32:29.440,0:32:35.440

why is religious influence in general, particularly Christianity but also other religions, still

0:32:35.440,0:32:40.560

so entrenched in British society in the 21st century, even though about half of the

0:32:40.560,0:32:46.250

population is probably non-religious?

[MM] Lots of it comes from being a historic privilege.

0:32:46.250,0:32:52.423

The Church of England is the established church,
and the Catholic church as well has had a very influential

0:32:52.423,0:32:59.108

presence in the UK for a long time.

Because of the wealth and the power and the status that they've built up,

0:32:59.108,0:33:04.480

they have this legacy which makes them a very powerful lobbying force.

0:33:04.480,0:33:08.640

We did see when we were researching for this report, we found that lots of religious groups

0:33:08.640,0:33:14.400

were involved and consulted during the process,
so it really showed the extent to which they

0:33:14.400,0:33:21.040

were the reason why these exemptions exist.
So essentially, I think what we're seeing here was

0:33:21.040,0:33:26.080

institutions that are already privileged, trying to maintain the status quo and

0:33:26.080,0:33:31.680

trying to keep that privilege.

[EP] Did you get a sense of the extent to which other religions that are

0:33:31.680,0:33:37.680

represented in Britain, such as Islam and Judaism

also are enabled, partly through the influence of

0:33:37.680,0:33:44.960

the C of E, to maintain their own privileges?

[MM] I think that the Church of England, because it

0:33:44.960,0:33:52.000

is the established church, is sort of able to hold the door open for other groups.

0:33:52.000,0:33:57.200

If you just gave privilege to the Church of England,
other religious groups will say well, hang

0:33:57.200,0:34:01.680

on, what about us? Surely if you're giving it to one religion, you should be giving it to us too.

0:34:01.680,0:34:07.200

Politically often it's easier to do this. It's much easier to just say 'yes' to these groups,

0:34:07.200,0:34:11.840

rather than tackle the harder problem, which is saying well, actually, these religious groups

0:34:11.840,0:34:18.560

shouldn't have the privilege in the first place.

They've got an advantage,

0:34:18.560,0:34:23.920

They've got privilege that the non-religious don't have.

[EP] Is there anyone to represent the

0:34:23.920,0:34:28.720

non-religious in the way that religious organizations have represented the religious?

0:34:28.720,0:34:33.680

[MM] The things with the non-religious is they are,

sort of by definition, they kind of have their own

0:34:33.680,0:34:39.120

identity. They don't necessarily form groups.

Obviously there are groups like Humanists UK.

0:34:39.120,0:34:45.000

But I'd say the vast majority of non-religious people don't actively identify as humanists.

0:34:45.000,0:34:49.637

A lot of non-religious people are just religiously indifferent.

They're not necessarily atheist.

0:34:49.637,0:34:53.601

It's just religion isn't really part of their thoughts.

It's not part of their life.

0:34:53.601,0:34:57.840

They don't really feel a need to be in a particular group, which of course has the

0:34:57.840,0:35:03.920

disadvantage that it is much harder to lobby in the same way that religious groups can.

0:35:03.920,0:35:09.440

The National Secular Society does try to elevate

the voice of those people. Essentially we're

0:35:09.440,0:35:17.520

about achieving equality for all.

[EP] Looking at the issues which the NSS report has highlighted

0:35:17.520,0:35:23.760

about the continuing existence of unfair religious

privilege supported by equality legislation,

0:35:23.760,0:35:29.700

what are the next steps?

What does the NSS want to happen next?

0:35:29.700,0:35:37.360

[MM] We'd like to draw the attention of ministers and parliamentarians to this report, and

0:35:37.360,0:35:43.440

to see these recommendations seriously considered and enacted. We really want to see the

0:35:43.440,0:35:50.800

religious exemptions for education repealed, and the laws that they are based

0:35:50.800,0:35:55.360

around repealed as well, so repealing of the law requiring collective worship. We want to see

0:35:55.360,0:36:01.520

caste included as its own protected characteristic, so not as an aspect of race, because we think

0:36:01.520,0:36:07.040

that caste is something quite separate to race. We want that to be its own protected characteristic.

0:36:07.040,0:36:11.520

We want to see the exemptions that allow discrimination if there's Genuine Occupational

0:36:11.520,0:36:18.080

Requirement revisited, and see some scrutiny on the organizations that are applying them, to make

0:36:18.080,0:36:23.280

sure that they're doing it in a fair way.

[EP] What can members do if they want to support the NSS?

0:36:23.280,0:36:29.840

[MM] We really do encourage all our supporters to

read the report and alert their MP to it.

0:36:29.840,0:36:34.720

You can do that really easily from our website. There's a function that you can use

0:36:34.720,0:36:40.640

to send a pre-written editable letter to your MP.

And also, please do come to us and let us know your

0:36:40.640,0:36:44.880

experiences. If you've read the report and think

'oh yes i've experienced that as well' please

0:36:44.880,0:36:51.040

do tell us. It's really helpful to know what people's experiences are, and it can help to

0:36:51.040,0:36:55.718

make things fairer further down the line.

[EP] Megan Manson, thank you very much.

0:36:55.718,0:37:01.780

[MM] Thank you.

0:37:02.720,0:37:07.200

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0:37:11.760,0:37:16.240

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