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Call for views: New Strategies - Domestic and Sexual Abuse Strategy and Violence Against Women and Girls Strategy - **NSS response**

Submitted online: <https://consultations.nidirect.gov.uk/doj/call-for-views-dsa-strategy-vawg-strategy-response/>

SECTION 1: About You

This response is made on behalf of the National Secular Society.

The National Secular Society is a not-for-profit, non-governmental organisation founded in 1866, funded by its members and by donations. We advocate for separation of religion and state and promote secularism as the best means of creating a society in which people of all religions and none can live together fairly and cohesively. We seek a diverse society where all are free to practise their faith, change it, or to have no faith at all. We uphold the universality of individual human rights, which should never be overridden on the grounds of religion, tradition or culture.

The NSS was founded over 150 years ago, and it campaigns on issues throughout the United Kingdom and occasionally abroad.

We are a democratic and independent non-profit organisation which receives no funding from government or other public bodies. Our campaigning is funded wholly by our members and supporters, and is guided by our Secular Charter.

More information about our organisation can be found here:

<https://www.secularism.org.uk/about.html>

We strongly support women's rights and sexual equality. Sadly, the subordinate role afforded to women in many organised religions has contributed to abuse and violence against women and girls. Furthermore, some religious practices and beliefs may directly or indirectly harm women in particular. In our response, we have outlined the specific issues where religious imposition has played a role in abuse and violence against women and girls.

We have omitted those questions that are beyond our remit.

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SECTION 2: Response to questions on a Domestic and Sexual Abuse Strategy

Question 3: What activity should be undertaken to aid prevention, and provide for early intervention, in order to help reduce the number of people that become victims in the first place? Linked to prevention, and equally important in preventing crimes, is any evidence that can be provided on abusers, particularly repeat offenders, so that we can gather as much evidence as possible on both who commits these crimes and what works to help them stop.

It is vital that female and male school pupils learn how to keep themselves safe from abuse and domestic violence as part of Relationships and Sex Education (RSE). Unfortunately, religious interference in RSE is a barrier to this.

Schools are required to develop an RSE curriculum based on their religious ethos. This may include teaching stigmatising ideas about contraception, gender roles and same-sex relationships. Provision is extremely unequal and often organised to promote religious interests and views, rather than provide a comprehensive, rights-based education for pupils.

In 2019, research by the Belfast Youth Forum found that only 66% of respondents said they had actually received RSE in school, and 60% of young people felt the information they received was either 'not very useful' or 'not useful at all'.

The Department for Communities' expert panel on gender equality described RSE in schools as "inconsistent and insufficient". The Department's expert panel on sexual orientation also advised that RSE should not be "dependent on school ethos". The children's commissioner Koulla Yiasouma has warned of a "systemic failure" to address RSE and called for a compulsory RSE curriculum similar to other school subjects.

The failure of RSE provision to keep children safe was recently highlighted in a Stormont debate in which Rachel Woods MLA said the education system was "failing to tackle harmful beliefs and behaviours." She said that while violence against women and girls was "prolific" there was "a lack of knowledge of what a healthy relationship looks like". She said the executive was "absolutely complicit in perpetuating an education system that is failing to tackle harmful beliefs and behaviours" without legislating for "mandatory, standardised and comprehensive RSE".

We therefore recommend age-appropriate and objective RSE which teaches vital information such as consent is made mandatory in all schools, regardless of religious ethos.

Question 4: How best can we take account of the needs of specific groups of victims, including, for example: women; men; LGBTQIA+ individuals; minority ethnic communities; children and young people; older people; and those with a disability? This should include consideration of how the experience of these groups of victims could be improved, including how to overcome any barriers to accessing services and reaching support.

Religious communities

Individuals raised in particularly insular religious communities, especially women, may be particularly vulnerable to domestic and sexual abuse. As Northern Ireland becomes increasingly religiously diverse, it may see an increase in these issues.

Women in such communities typically face greater barriers to information or education. Such communities are usually governed by strict gender roles that often place women in a subordinate position to men, and expect women to conform to stereotypes regarding 'modesty', sexuality, public behaviour and their duties to their family and society.

Conservative religious communities are typically patriarchal; women are less likely to hold leadership roles within the community. As a result of their subordination, women in such communities are rarely heard on issues such as abuse because male community leaders and religious leaders who claim to represent them may have less sympathy for issues of concern to women – or they may ignore these issues entirely. As a result, data on domestic and sexual abuse in conservative religious communities may be incomplete or distorted.

Such religious communities may also refuse to teach children accurate information about sex and relationships. As a result of this censorship, combined with the enforcement of gender roles, children in insular religious communities may grow up with less awareness of issues including domestic abuse, sexual abuse, forced marriage and sexual health.

Some violence against women and girls is directly linked to religion. Forced marriage and so-called 'honour crimes' are usually rooted in upholding religious teachings and norms, especially those that subordinate the views of women. Victims of these crimes are frequently, but not exclusively, female.

Another growing form of violence in religious communities is 'abuse linked to faith or belief', sometimes known as 'witchcraft abuse'. Abuse linked to faith or belief is defined by the Metropolitan Police as: "...where concerns for a child's welfare have been identified, and could be caused by, a belief in witchcraft, spirit or demonic possession, ritual or satanic abuse features; or when practices linked to faith or belief are harmful to a child." This can encompass physical, emotional and sexual abuse, in addition to neglect.

Although children of either sex may be affected, in some communities victims of 'witchcraft' accusations are usually female.

As the atrocious case of Victoria Climbié in the late 90s demonstrated, children who are not within the school system and not registered with local authorities are more vulnerable to abuse, including 'witchcraft abuse'. This is one reason why we support a compulsory register for all children who are educated at home.

We welcome progress made in protecting girls from female genital mutilation (FGM), which despite frequent claims to the contrary is in part motivated by religious and cultural beliefs. However, the UK is still a long way from eliminating this form of child abuse, and Northern Ireland may see increased cases. Worryingly, we have found examples of some UK charities signposting material that condones FGM.

We welcome plans for Northern Ireland to follow the rest of the UK in banning 'virginity testing' and 'virginity repair' (hymenoplasty). These abusive and coercive practices too are usually connected to religious ideas about sex and marriage.

LGBT+ individuals

LGBT+ people in religious communities are at heightened risk of abuse.

In many strict religious traditions, any sexual orientation or gender identity that deviates from the heterosexual 'norm' may be regarded as morally wrong, shameful, a mental illness or even evidence of demonic possession. LGBT+ young people in these communities may be shunned by their families and forced to leave the family home, which increases their vulnerability to abuse and exploitation. Alternatively, they may be coerced into a heterosexual relationship or marriage in order to 'correct' their sexuality. Such marriages should be regarded as forced marriage.

LGBT+ people in religious communities are also more vulnerable to being targeted for abusive 'conversion therapy'. According to the Ozanne Foundation's National Faith & Sexuality Survey, the person most likely sought for advice by respondents with experience of attempting to change their sexual orientation was a religious leader (46.9%), while nearly one in five (19.6%) approached a "faith healer or specialised religious ministry" for advice.

The survey also found that of those respondents with experience of attempting to change their sexual orientation, well over half had suffered from mental health issues as a result, nearly a third said they had sought counselling to help them recover from it, and nearly a third of those who suffered mental health issues had attempted suicide.

Conversion therapy is in part enabled by Northern Ireland's charity system. Organisations that conduct or promote conversion therapy can use the recognised charitable purpose of 'the advancement of religion' to register as charities.

One example is Core Issues Trust, a charity registered with the Charity Commission for Northern Ireland advocating what it calls "change orientated therapies" for people "who want to move away from homosexual feelings, behaviours and attractions". Core Issues Trust says the therapies it promotes "support client goals to prioritise conservative religious values over their same-sex attractions in identity development". Under its objects of association, it encourages "lifestyle choices consistent with Christian living" and upholds the view that sexual relationships outside heterosexual marriage are "inconsistent" with the Bible.

In 2020 the NSS wrote to the Charity Commission for Northern Ireland to urge it to review Core Issues Trust's status as a registered charity. The commission's reply said it is "not the role of the commission to adopt a position on the charity's conduct in this matter". It noted that Core Issues Trust presents its therapy as "beneficial" and "contests the view that this practice is inherently harmful". It said that the charity's trustees have "demonstrated a regard for" guidance on providing a public benefit, and that charitable purposes must be "beneficial, not harmful". But it added: "We note that the practice of conversion therapy / change orientated therapy is not among the purposes of the charity."

The commission's response appeared to suggest it was not the commission's role to take a position on such therapy while it is legal. We think neither conversion therapy nor the promotion of homophobic ideology can ever serve a public benefit. On the contrary, both are harmful to individuals and society.

For this reason, strategies to tackle conversion therapy must include ensuring organisations that promote conversion therapy, or the homophobic ideology that fuels the demand for conversion therapy, cannot register as charities and gain all the tax benefits and public trust this status entails.

This may include a review of the charitable purpose of ‘the advancement of religion’, to what extent this purpose contributes to homophobic abuse, and whether it is appropriate to retain on the list of charitable purposes in the 21st century.

Finally, Northern Ireland’s RSE provision may play a role in stigmatising LGBT+ people; see Q3.

Question 5: How best can protection and justice be secured, in responding to domestic and sexual abuse, so that we protect those that are affected by abuse, address abusive behaviour to reduce numbers of victims and effectively hold offenders to account for their behaviour?

We have specific concerns about unregistered religion-only ‘marriages’, as they leave women and children particularly vulnerable to abuse without adequate recourse for justice.

This is of particular concern in Muslim communities. Rates of religious ‘marriages’ (*nikah*) that are not recognised in UK law are especially high in these communities, and a significant proportion of those in such marriages may be unaware they lack the full legal rights and protections of legally recognised civil marriage. If a woman is 'divorced' suddenly, or against her wishes, she can be left homeless and without any money or assets, because the ‘marriage’ has no legal force, giving her no rights or legal protections.

Islamic marriages are administered by sharia councils. These are not courts of law but there are concerns that Muslim women, especially those not born in the UK and/or unable to speak English, perceive them as having real legal authority.

Sharia is a system which leaves children vulnerable and discriminates openly against women, undermining their legal and political equality. Sharia councils have been shown to have acted in ways contrary to the law and leaving women vulnerable to domestic abuse. To seek a religious ‘divorce’ a woman must gain permission from these almost entirely male councils, and there are reports of women being denied this request even in cases where she had faced abuse.

Some sharia councils operate as part of a registered charity. This is concerning, as charities must demonstrate a public benefit, must not cause harm, and must operate according to equality law. A charity operating a sharia council that treats women less favourably than men or compels women to stay in abusive relationships is failing all three of these tests.

Although less widespread, similar concerns have been expressed regarding Jewish religion-only unregistered marriages, which in some cases can leave women trapped in abusive relationships if the husband refuses a ‘divorce’.

Greater civic education for all communities on their rights as NI citizens can help to ensure women are not reliant on sharia councils to assist with relationship issues and are aware of the legal protections offered by civil marriage.

SECTION 3: Response to questions on Equally Safe – A Strategy to Tackle Violence Against Women and Girls

Question 6: We want to understand the root causes of violence against women and girls, and would especially welcome learning on intersectional approaches and on what works in promoting behavioural and attitudinal change.

Misogynistic and sexist attitudes are fundamental components of violence against women and girls. From our long experience of holding religious organisations to account, we know that some of these attitudes come from religious teachings. It is essential that these attitudes are challenged by individuals and organisations both inside and outside religious communities.

It is concerning that many religious organisations promoting misogyny, and occasionally violence against women and girls, are registered charities. We have collected case studies of religious charities saying that women must avoid leaving their house, must follow modesty standards not applied to men, must submit to the will of their fathers and husbands, and must not be allowed to read anything outside of religious texts. One Christian charity that opposes women wearing trousers has blamed rape on how women dress. And several Islamic charities have stated that it is permissible for husbands to ‘lightly’ beat their wives if they are continuously defiant, implied that women cannot refuse sex, and signposted content condoning ‘mild’ forms of FGM. More details about these examples can be found here: <https://www.secularism.org.uk/opinion/2021/06/charity-law-shouldnt-enable-misogyny>

Charities are entitled to tax breaks because they are meant to provide a public benefit. Organisations promoting violence against women, and the misogyny that fuels such violence, are clearly not providing a public benefit. Steps must be taken to ensure no organisation that promotes violence against women or girls or other forms of misogyny can become a registered charity – regardless of any religious ethos.

Part of the solution must also be to ensure relationships and sex education (RSE) in schools is not influenced by religious teachings that promote outdated gender roles and sexism – for example, teaching that women must be ‘submissive’, ‘pure’, or adhere to higher standards of modesty than men. Please see Section 1 Q3 for more information about why RSE needs reform to ensure this.

Question 7: We want to understand whether there are particular groups of women and girls, including those with specific vulnerabilities, who are more at risk of particular offences or ‘unwanted’ behaviour or actions.

Women and girls in some religious communities, especially those with a patriarchal hierarchy, may be more vulnerable to violent abuse and unwanted behaviour. Please see our answer to Section 1 Q4 for further details. LGBT+ women in these communities are especially vulnerable.

Question 8: We want to understand whether there are any aspects of the experience of women and girls who are victims of crime (apart from that addressed by the Domestic and Sexual Abuse Strategy) in the criminal justice system that you would like to draw to our attention.

Many women's rights activists, particularly those operating within religious communities, have been accused of 'anti-religious bigotry', 'Islamophobia' or other forms of intolerance for criticising religiously-sanctioned forms of sexism and misogyny. This has a severe chilling effect on women's ability to speak out about their experiences honestly and openly. Authorities must protect the right to free speech of those who challenge any practice or ideology, religious or not, that harms women and girls or undermines their equality and human rights.