

March 2021

Women's Health Strategy: Call for Evidence NSS response

1. About the National Secular Society

- 1.1. This submission is made by the National Secular Society (NSS). The NSS 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.
- 1.2. We campaign to protect patients from harm caused by the imposition of other people's religious values in healthcare. We advocate for a secular approach to current major health issues. We are opposed to religious influences in medicine where these adversely affect the manner in which medical practice is performed. We support patient autonomy and challenge pro-religious discrimination, particularly in those areas of medicine where reasonable personal choice is threatened.
- 1.3. Sadly, the subordinate role afforded to women in many organised religions has resulted in women being disproportionately affected by religious imposition in aspects of healthcare. 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 adversely affected women's health.
- 1.4. Our response has been prepared with input from our Secular Medical Forum.

2. Women and girls in religious communities

- 2.1. The Department of Health & Social Care has requested evidence on "*barriers under-represented groups of women face when accessing information or education*", in addition to "*evidence on barriers to accessing information faced by specific groups or communities.*"
- 2.2. Women in religious communities, particularly communities that are more conservative and insular, typically face greater barriers to information or education than the average woman in England. 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.
- 2.3. 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 healthcare and other issues 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 women's health in conservative religious communities may be incomplete or distorted.

- 2.4. An example of such communities that have recently gained more attention are Charedi (strictly Orthodox) Jewish communities. Charedi communities are extremely insular and conservative; in many cases, religious leaders restrict individuals' and families' access to sources of information including books, television and the internet.
- 2.5. Schools in Charedi communities also restrict their pupils' access to information, even if this is detrimental to the education of the children. A recent example is Beis Chinuch Lebonos Girls School, an Orthodox Jewish independent school in the London borough of Hackney. Its IT policy says children "may never hold any type of smartphone in their hands", may not have access to internet enabled devices at home and may never text. It also says parents must take precautions to ensure children cannot access Wi-Fi codes, must never share "clips, pictures etc that they have received on screen" with their children, and says children may only watch pre-approved DVDs. The NSS was informed by the Department for Education in 2019 that these restrictions the school places on families' behaviour are "a contractual issue and not one in which the department can intervene".¹
- 2.6. Similar restrictions have even been applied in faith schools in the state sector. Yesodey Hatorah Senior Girls School, a state-funded Orthodox Jewish school in north London, bans families from watching television and accessing the internet. The Office of the Schools Adjudicator (OSA) said in 2018 that such restrictions are permitted in law.²
- 2.7. In 2018 the OSA also approved admissions codes for two state-funded Orthodox Jewish schools that require that families to live Orthodox lives as defined by the *Shulchan Aruch* – a 16th century religious text. The restrictions they place on family life include gender-specific modesty codes and prohibitions on LGBT relationships, computers, televisions and phones.³
- 2.8. It should be noted that many of these schools' rules and teachings are based on sexist ideologies. In its 2021 ruling, the OSA did not object to the sexist 'modesty' standards imposed by Beis Yaakov Jewish High School, a state-funded all-girls faith school in Salford, which said mothers must completely cover their hair "at all times" and tights "should be worn at all times and it should be apparent that they are being worn".⁴
- 2.9. Orthodox Jewish schools may also teach very limited or distorted relationships and sex education (RSE), if it is taught at all; see *6. Relationships and sex education* for further details.
- 2.10. As a result of this censorship, combined with the enforcement of gender roles, girls in strictly Orthodox Jewish communities may grow up with less awareness of issues including domestic abuse, sexual abuse, forced marriage and sexual health. Some Jewish women may not be aware of the fundamentals of sexual intercourse and the importance of consent until they are already engaged to be married. Think tank Nahamu has identified this lack of awareness as a contributing factor to forced marriage in Jewish communities.⁵

2.11. NSS recommendations:

- The government should reach out directly to individual women in religious

¹ <https://www.secularism.org.uk/news/2019/08/jewish-school-may-severely-restrict-families-it-use-says-dfe>

² <https://www.secularism.org.uk/news/2018/08/jewish-school-may-place-requirements-on-families-adjudicator-rules>

³ <https://www.secularism.org.uk/news/2018/12/adjudicator-faith-schools-may-insist-families-are-strictly-religious>

⁴ <https://www.secularism.org.uk/opinion/2021/03/faith-based-school-admissions-pave-the-way-for-sexist-and-unreasonable-demands-its-time-to-end-them>

⁵ <http://nahamu.org/wp-content/uploads/2021/02/Position-Paper-on-FM-Nahamu-Feb-2021.pdf>

communities when exploring issues such as women's health. Community and religious leaders should not be accepted as speaking on their behalf.

- The Department for Education should not permit any school to compel pupils and their mothers to conform to sexist standards of dress and behaviour.

- The Department for Education should not permit schools to restrict pupils' access to information that is necessary for their education and preparation for life in 21st century UK, including preparation for adult relationships.

3. Violence against women and girls (VAWG) in religious communities

- 3.1. Women and girls in some religious communities, especially those with a patriarchal hierarchy, may be more vulnerable to violent abuse, which can have a severe impact on their physical and mental health.
- 3.2. Some violence against women and girls (VAWG) 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.
- 3.3. 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.⁶
- 3.4. Cases of abuse linked to faith or belief are rising in the UK.⁷ Although children of either sex may be affected, in some communities victims of 'witchcraft' accusations are usually female.⁸
- 3.5. Some registered charities promote religious ideas supporting or condoning VAWG. Ghamidi Centre of Islamic Communication, which was registered with the Charity Commission in 2020, had a lecture on its website entitled "The Right to Beat Wives". The lecture said it is acceptable for a husband to "punish" his wife if she challenges his authority, provided it does not "leave any sign of wound" on her.⁹
- 3.6. Some charities imply women cannot refuse sex. The homepage of registered charity IslamBradford included a link to a website called 'New Muslim Guide' which says a Muslim woman "must be attentive to her husband's sexual needs" and that a woman who rejects her husband's "legitimate sexual advances" is committing "a monstrous sin". The Preston Muslim Cultural Centre had a downloadable book on its website that said a wife "should hasten to respond to her husband's call if he wants her", meaning she must not refuse him sex.¹⁰

⁶ <https://www.met.police.uk/advice/advice-and-information/caa/child-abuse/faith-based-abuse/>

⁷ <https://www.theguardian.com/society/2019/nov/14/witchcraft-and-black-magic-contribute-to-increase-in-child-abuse>

⁸ <https://www.scientificamerican.com/article/witch-hunts-today-abuse-of-women-superstition-and-murder-collide-in-india/>

⁹ <https://www.secularism.org.uk/news/2021/01/new-islamic-charitys-website-says-same-sex-attraction-is-a-disease>

¹⁰ <https://www.secularism.org.uk/news/2019/04/nss-refers-islamic-charities-promoting-extremism-to-regulator>

- 3.7. Women in religious communities may find it more difficult to escape domestic violence and to seek external support, help and safety. Sharia councils, which arbitrate disputes in Islamic marriages, may play a role in enabling prolonged domestic abuse. Some women in Muslim communities have found sharia councils to be biased against women: they are usually all-male, may value a man's testimony more highly than a woman's, and may be biased towards their male partner. There have been some cases of sharia councils pressuring women to stay with an abusive partner.¹¹
- 3.8. 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 the Equality Act 2010. 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.

3.9. NSS recommendations:

- The Charity Commission should be given greater powers to intervene on charities promoting or condoning misogyny or VAWG, in addition to charities that run religious tribunals that discriminate against women. Charity guidelines must clarify that charities cannot promote misogynistic ideologies, as doing so goes against the public benefit requirement.

4. VAWG in religious communities: Female Genital Mutilation (FGM), hymen restoration and virginity testing

- 4.1. We welcome progress made in protecting girls from female genital mutilation (FGM), including the first successful prosecution of an FGM perpetrator in February 2019. However, the UK is still a long way from eliminating this form of child abuse.
- 4.2. Some religious organisations registered as charities in the UK may be promoting FGM as a religious requirement, or at least using religion to condone it. In 2019 the NSS referred the registered charity IslamBradford to the Charity Commission for linking to a website that said FGM "is neither a bad practice or harmful, if it is done within moderation".¹²
- 4.3. We have serious concerns regarding the prevalence of 'virginity repair' surgeries among some religious communities. 'Virginity repair' procedures are not classified in law as FGM, yet women may be similarly coerced into such surgeries. Women's rights campaigners have said clinics offering such procedures are profiting from women from Muslim communities who are afraid of what could happen to them if they are not "pure" for their wedding night.¹³ We therefore think strategies to end violence against women and girls and FGM should include consideration of 'virginity repair' surgeries.
- 4.4. Similarly, we are seriously concerned about 'virginity testing' procedures, which are unscientific, abusive and entrench judgemental and sexist ideas about female 'purity'. We therefore support the Virginity Testing (Prohibition) Bill.¹⁴
- 4.5. Finally, we are concerned that religious lobbyists are attempting to change laws around the world to permit comparatively 'minor' forms of FGM, such as nicking the clitoris with a

¹¹ https://www.mwnuk.co.uk/go_files/resources/MWNU%20Marriage_Divorce%20Report_WEB2.pdf

¹² <https://www.secularism.org.uk/news/2019/04/nss-refers-islamic-charities-promoting-extremism-to-regulator>

¹³ <https://www.bbc.co.uk/news/health-51189319>

¹⁴ <https://bills.parliament.uk/bills/2815>

needle or scissors.¹⁵ They argue that these forms of FGM are less invasive or harmful than male circumcision, which is not prohibited by any law.¹⁶

- 4.6. All forms of non-consensual, non-therapeutic genital cutting are painful, traumatic, humiliating and carry risk of serious complications. They also violate the fundamental human right to bodily autonomy. Extending FGM laws to male and intersex children would help safeguard against any attempts to create legal 'loopholes' for 'minor' forms of FGM.
- 4.7. Infant male circumcision can also create barriers for those who later identify as transgender women and seek gender affirmation surgery, because removing the foreskin results in loss of tissue that could be used in a vaginoplasty.¹⁷
- 4.8. **NSS recommendations:**
 - **Steps should be taken to ensure registered UK charities do not publish or signpost material that promotes or condones any form of FGM.**

 - **Strategies to end 'virginity repair' surgeries should be formulated alongside those for tackling FGM and other forms of VAWG.**

 - **'Virginity testing' procedures should be banned.**

 - **The law protecting girls and women from FGM should be strengthened by extending them to male and intersex children. This will prevent some forms of FGM becoming legal through gaps in the law.**

5. LGBT+ women and girls

- 5.1. The call for evidence has made specific reference to the experiences of LGBT+ women. Women in religious communities may find it more difficult to access information and services for both physical and mental health issues if they are LGBT+. 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 (see 3.3).
- 5.2. Extreme homophobic ideologies are frequently promoted by charities registered under the purpose of 'the advancement of religion'. This is despite the legal requirement for all charities to serve a public benefit.
- 5.3. In April 2019, the NSS referred a series of Christian and Islamic charities to the Charity Commission for signposting online content that called for or condoned the execution of gay people.¹⁸ But since then charities promoting homophobia continue to be registered with the Charity Commission, including one with lectures on its website saying homosexuality is "a disease" that "needs to be cured" which registered as recently as December 2020.¹⁹ Some registered charities even promote or support so-called 'conversion therapy', despite the harm this causes.²⁰

¹⁵ <https://www.secularism.org.uk/opinion/2018/09/genital-cutting-the-search-for-health-benefits-is-disingenuous-and-inconsistent>

¹⁶ <https://academic.oup.com/ojls/article-abstract/40/3/508/5862902?redirectedFrom=fulltext>

¹⁷ <https://www.kevinmd.com/blog/2020/12/why-male-circumcision-should-be-delayed.html>

¹⁸ <https://www.secularism.org.uk/opinion/2020/04/charity-and-homophobia-shouldnt-mix>

¹⁹ <https://www.secularism.org.uk/news/2021/01/new-islamic-charitys-website-says-same-sex-attraction-is-a-disease>

²⁰ [https://www.secularism.org.uk/uploads/nss-advancement-of-religion-charity-report-\(electronic\).pdf](https://www.secularism.org.uk/uploads/nss-advancement-of-religion-charity-report-(electronic).pdf)

- 5.4. People who are shamed or rejected for being LGBT+, or are forced into heterosexual norms of behaviour, may be at increased risk of mental health problems. LGBT school pupils of faith are somewhat more likely to have tried to take their own life than those who are not of faith (30% compared to 25%).²¹
- 5.5. LGBT+ people in religious communities are also more vulnerable to being targeted for '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.²²
- 5.6. The survey also found 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.
- 5.7. Many faith schools play a role in stigmatising LGBT+ people; see 6. *Relationships and sex education*.
- 5.8. NSS recommendations:**
- **The Charity Commission should be given greater powers to intervene on charities promoting homophobia. Charity guidelines must clarify that charities cannot promote ideologies that stigmatise LGBT+ people, as doing so goes against the public benefit requirement.**
 - **The government should work to end 'conversion therapy' by exploring both legislative and non-legislative options. This should include preventing registered charities from promoting, facilitating, condoning or carrying out 'conversion therapy'.**

6. Relationships and sex education

- 6.1. The Women's Health Strategy: Call for Evidence says: *"The recent introduction of compulsory relationships, sex and health education in schools is an important milestone in increasing knowledge of female health conditions. Pupils are now taught the facts about several areas of women's health, including menstruation, contraception, fertility, pregnancy and the menopause."*²³
- 6.2. While making relationships and sex education (RSE) in schools compulsory is a positive step, there are still significant issues that are likely to impact upon the health of girls.
- 6.3. Under Department for Education guidance, faith schools (schools with a religious character or ethos) can "teach in accordance with the tenets of their faith".²⁴
- 6.4. Our 2018 investigation *Unsafe Sex Education: The risk of letting religious schools teach within the tenets of their faith*, highlighted the consequences of this allowance for faith schools. It found that most state-funded secondary faith schools teach a distorted version

²¹ https://www.stonewall.org.uk/sites/default/files/the_school_report_2017.pdf

²² <https://www.surveymonkey.com/stories/SM-8PKJ3PM8/>

²³ <https://www.gov.uk/government/consultations/womens-health-strategy-call-for-evidence/womens-health-strategy-call-for-evidence>

²⁴ <https://questions-statements.parliament.uk/written-statements/detail/2017-03-01/HCWS509>

of RSE, with many schools (especially Catholic schools) teaching that sex outside of marriage, contraceptives, abortion, same-sex relationships and masturbation are morally wrong. Additionally, there is evidence some Islamic and Jewish faith schools teach taboos around menstruation and the use of tampons.²⁵

- 6.5. In March this year a Herefordshire Catholic school was widely criticised for using *A Fertile Heart* – a faith-based RSE education for Catholic schools "to ensure the quality of content and that the delivery is in line with Catholic teachings". It teaches that men are "created to initiate sexual relationships" while women are "receiver-responders". It also taught that same-sex relationships and contraception are wrong. *A Fertile Heart* is run in all 56 Catholic schools in the Archdiocese of Cardiff.²⁶
- 6.6. RSE lessons may also be censored in schools without a religious character. Government guidance states all schools are required to take "the religious background of all pupils into account" during RSE lessons,²⁷ creating an unreasonable expectation that faith-based opposition to teaching about healthy relationships may be accommodated.
- 6.7. There are already several recent examples of schools without a religious character being forced to censor teaching content at the demand of religious parents. Parkfield Primary School and Anderton Primary School in Birmingham are two high-profile cases in which the schools were forced to stop teaching positive messages about inclusivity following intense protests from religious lobbyists concerned that tolerance for same-sex relationships should not be a part of the inclusivity agenda.²⁸
- 6.8. Additionally, parents are still able to opt their children out of sex education classes. This, combined with the accommodations made for faith schools and schools with large numbers of children from faith communities, will leave behind children from conservative religious backgrounds. It is these children who most need impartial, appropriate education in this area – see 2. *Women and girls in religious communities* for more information.
- 6.9. Until all children, regardless of the religion or belief of their parents, are able to receive objective and well-rounded RSE lessons, we will continue to see children learn stigmatised religious ideas about bodily autonomy, contraception, abortion, menstruation and same-sex relationships. This in turn will hinder the sexual health of girls.
- 6.10. Finally, we are concerned that language in the government's 2020 guidance on the period product scheme for schools and colleges in England appears to suggest that parental religious objections may take precedence over learners' own preferences and needs in influencing the provision of particular period products. For example: "*Parents or carers may object to the use of some period products. You should consider the views of learners and parents or carers from all religious and cultural backgrounds when ordering products.*"²⁹
- 6.11. Such wording should be revised to ensure that girls' rights to bodily autonomy, including the right to choose period products that best suit their needs, are prioritised.

²⁵ <https://www.secularism.org.uk/uploads/unsafe-sex-report-april-2018.pdf>

²⁶ <https://www.bbc.co.uk/news/uk-england-hereford-worcester-56304961>

²⁷ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/908013/Relationships_Education_Relationships_and_Sex_Education_RSE_and_Health_Education.pdf

²⁸ <https://www.secularism.org.uk/sex-education/in-defence-of-equality-in-birmin.html>

²⁹ <https://www.gov.uk/government/publications/period-products-in-schools-and-colleges/period-product-scheme-for-schools-and-colleges-in-england>

6.12. NSS recommendations:

- All schools, including faith schools, should be required to teach age-appropriate, objective and factual information about RSE that is inclusive and does not stigmatise contraception, abortion, or relationships beyond heterosexual marriage. RSE should not be subject to censorship or distortion due to religious concerns. The parental right of withdrawal from RSE should be repealed, bringing RSE in line with the vast majority of other subjects.

- All schools, including faith schools, should ensure no girls face barriers in accessing their desired choice of period product and are not taught stigmatising ideas about menstruation.

7. Reproductive rights

- 7.1. We strongly support the right of women to have legal and safe abortions and access to emergency contraception.
- 7.2. We are aware that women are still facing barriers to accessing emergency contraception (a.k.a the 'morning after pill') due to pharmacists refusing to supply these products because of their religious beliefs.
- 7.3. In 2019, a woman pre-ordered and paid for emergency contraception online through the Lloyds Pharmacy website. After arriving at a branch in Brighton to collect the medication, the pharmacist told her the product was ready but that she would not dispense it for "personal reasons". Despite being assured online that she could collect from any outlet, she was told to either return the next day or go to the nearest open branch – 10 miles away in Newhaven.³⁰
- 7.4. In 2020, a woman was left "upset and humiliated" when the pharmacist at her local Lloyds Pharmacy branch in south London told her she was unable to distribute the contraception "for religious reasons". The woman said the pharmacist told her she could order the contraception online and have it delivered, but did not ask if it was urgent, or provide other options or advice.³¹
- 7.5. And in 2021, after the NSS highlighted the above incident on our website³², we were contacted by another woman who was refused emergency contraception by a pharmacist in Hove in 2017 "because of his faith". She was told to go to a different pharmacy. She raised the case with the General Pharmaceutical Council (GPhC) but they did not uphold her complaint because she was able to obtain the drug elsewhere.
- 7.6. Women's reproductive rights should not be subject to the personal beliefs of individual pharmacists. Refusing contraception creates a stigma and unnecessary stress for women who simply want to access medicine which they need, and may endanger their health.
- 7.7. GPhC guidance says pharmacy professionals who are unwilling to provide services should "take steps to make sure the person asking for care is at the centre of their decision-

³⁰ <https://www.theguardian.com/society/2019/jun/20/lloyds-pharmacy-apologises-to-woman-refused-emergency-contraception>

³¹ <https://www.theguardian.com/society/2020/oct/07/lloyds-pharmacy-apologises-again-for-emergency-contraception-refusal>

³² <https://www.secularism.org.uk/news/2020/11/ensure-women-can-access-emergency-contraception-pharmacy-told>

making, so they can access the service they need in a timely manner and without hindrance".³³

- 7.8. This guidance should not give pharmacists the right to send women to another pharmacy if they have objections to selling them a particular product. The burden of accommodating pharmacists' religious beliefs should not be placed on patients – it should be shouldered by the pharmacy. If pharmacists have objections to selling contraception, the pharmacy should ensure another pharmacist who can sell the product is available in store at all times.
- 7.9. We broadly support the British Pregnancy Advisory Service (BPAS) 'Charter for Choice'.³⁴ This includes decriminalising abortion and protecting abortion clinic access through 'buffer zones' for anti-abortion protests.
- 7.10. **NSS recommendations:**
 - **Guidelines for pharmacists should specify that it is not permitted to compel women to go to another pharmacy if a pharmacist objects to selling them particular medication, including emergency contraception. It should be responsibility of the pharmacy to ensure a person who can sell such medication is available in-store at all times.**
 - **Abortion should be decriminalised. Free access to abortion clinics without intimidation or harassment should be protected.**

³³ https://www.pharmacyregulation.org/sites/default/files/in_practice-_guidance_on_religion_personal_values_and_beliefs.pdf

³⁴ <http://charterforchoice.org/>