

PE1487/K

Catherine Brown Letter of 10 October 2013

**To the Public Petitions Committee, Scottish Parliament
FAO: The Convener, MSP David Stewart
Response to Petition PE1487**

Dear Sirs,

I am writing in response to Petition PE1487 by Mark Gordon and the Scottish Secular Society. I note that the petitioner Mark Gordon holds a position of leadership within the Scottish Secular Society as a Regional Ambassador for the area of Greenock, (inc Port Glasgow, Inverclyde and Ayr).

The petitioners state "*the Law is no longer in accordance with the demographic of Scotland.*" **The Census Results of 26.9.13 record over half (54%) of Scotland's population stated their religion as Christian. These up-to-date statistics clearly show that Scotland is still a majority Christian country.** The petitioners' claim is statistically inaccurate and, in fact, the reverse would be true.

POINT 1: PARENTS' RIGHTS TO BE INFORMED OF "OPT OUT"

The petitioners presented statistical evidence from schools to support their view that not every handbook in Scottish schools contains the relevant "opt out" religious observance information (Ref: Appendix 3 of PE1487). The data was gathered from 113 schools over 3 separate education authority regions – Aberdeen City Council, Angus Council and Inverclyde Council. These show figures for Aberdeen city council as low as 27.27% but conversely, Angus Council has a **93.44%** average and **importantly the overall implementation of opt out" statement information for religious observance in school hand books averaged from the three sample education authorities is 79.65%.**

On the face of it, it would seem that the reforms of 2012 are in the process of being implemented although they have not yet been fully integrated into every school handbook. **It is important to note that only 3 education authority regions out of a possible 32 in Scotland were considered in the data submission and the national picture is therefore unknown at present.**

POINT 2: STIGMATISATION

The petitioner shared with the Petitions Committee that on one occasion his daughter was taken to a church service despite him writing a letter to the school requesting that she be opted out of Religious Observance. Whilst I acknowledge it is regrettable that Mr Gordon's wishes were not adhered to on this occasion, it would appear to be a one-off situation. Mr Gordon is quoted as saying to the Petitions Committee, "*my daughter is well treated and in my opinion it is a good school.*" I would remind the Committee that the Petitioner makes this comment in respect of a school that is presently in an "opt out" system concerning Religious Observance.

On the issue of “opting out” I would like to share from our own family experience, albeit from a faith perspective. My husband and I have raised our four children in the Christian faith. When our children were younger we did not wish them to take part in Halloween activities and each year we made the decision for them to “opt out” of some school activities at that time. We were treated with respect and dignity by the Head Teacher and our individual children’s school teachers. My husband and I took the responsibility and initiative for “opting out” and made appointments with the school to convey our wishes concerning our children. We are thankful that the school ensured that our children were well cared for. I do not recall that there were any special activities provided other than the children were in a protected and safe school environment and that they either read books or worked on a project in school. The school was a small rural school that had limited people resources nonetheless they did an outstanding job of meeting our family needs.

I don’t think there is a “one size fits all” answer to “opt out” arrangements. Our children were able to sit in alternative class rooms to avoid the Halloween activities. When Halloween parties were on during school time either I or my husband took our children home. We took responsibility for provision of meaningful alternative activities. I am not minimising the need for consideration of what is a meaningful activity for a child whose parent choose to “opt out” but I do think it takes common sense, sensitivity to available resource and consideration of available man power along with on-going communication between parents and their child’s school to reach a workable solution.

POINT 3: RELIGIOUS OBSERVATION CAN INCLUDE ALL FAITHS AND NONE IS INCORRECT

I quote from the Secular Society web site: *“The Scottish Secular Society is a campaign group fighting for equality of belief and non-belief in Scotland.”* Given that the Scottish Secular Society *apparently* supports the notion of all faiths and no faiths in their ethos I find Point 3 to be an incongruous remark.

With respect, I remind the Committee of the conclusion reached by the previous PPC from 20 March 2007 report, which considered petition PE993: *“Religious observance is important in young and old alike. I am not concerned that taxpayers’ money is being used to promote Christian values; in fact, I am glad about that, because they are vital at this time.”* John Scott

POINT 4: LACK OF EXPERTISE

The present “opt out” system gives freedom of choice for those parents who wish to remove their children from Religious Observance and/or Religious Moral Education. As I have previously stated I believe that there is not a “one size” fits all response to “opt out” from Religious Observance, it is something that individual parents and schools can and do endeavour to work out for the best outcome of the children involved. Scotland is a diverse nation and I believe we can celebrate diversity in unity. It is my personal experience and present understanding that all schools are engaging in Religious Observance that reflects the multicultural diversity of a 21st Century Scotland.

POINT 5: HUMAN RIGHTS LEGISLATION

Contrary to a misrepresentative statement in Point 5, the current “opt out” system is in line with Human Rights legislation as it takes account of, and makes provision for, every person to have the right to religious or belief freedom.

The International Covenant of Civil and Political Rights: Article 18.1 states:

Article 18. 1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.

3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.

Article 18.4 makes provision for parents to opt out: “The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.”

Article 19.1 states: Everyone shall have the right to hold opinions without interference.

2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

I ask the Public Petitions Committee to consider whether the petitioners are potentially in contravention of Article 19.2 since they are requesting a change in Scottish legislation that could lead to a removal of the right to freedom of expression to seek, receive and impart information of all kinds, which would, one assumes, include spiritual matters. I remind the Committee of point (f) of the Scottish Secular Society charter for which it campaigns, that: “(f) **Religion plays no role in state-funded education, whether through religious affiliation, organised worship, religious instruction, pupil selection** or employment discrimination.”

Article 20 states: 1. Any propaganda for war shall be prohibited by law. 2. Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.

I would bring to the attention of the Petitions Committee an alarming quotation from the Petitioners’ Secular Society Scotland web site, Founder and Secretary, Gary Otton, “*Oh, yes. We were an angry bunch. **Personally, as a secularist, I hate***”

religion and feel I have every right to, despite attempts by the Scottish government to sneak a blasphemy law round the back door by making it an offence this year to hate religion.” Gary Otton, Founder and Secretary of Secular Society Scotland, January 2013.

I question the integrity and validity of Petition PE1487 on the premise that it has been submitted by petitioners who in my view express religious hatred in their public web site. I take note that the Scottish Secular Society is required to work within the confines of Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 making ‘religious hate’ an offence with penalties of up to five years imprisonment.

POINT 6: CHANGING TO “OPT IN” WOULD BE A GOOD COMPROMISE

I believe that a change from “opt out” to “opt in” would ostracise faith communities throughout the country – not only Christians but other faith communities to. A change to “opt in” could cause a greater separation between faith and non-faith communities with possible increase in sectarianism and victimisation of all faith communities and rather than promoting unity and diversity as the present system of Religious Observance and Religious Moral Education encourages, a change to “opt in” could compound religious and ethnic tensions in Scotland and raise them to an unprecedented level. Potentially, a change to “opt in” could cause contravention of the UN Human Rights charter Articles 19.1 and 19.2. To change from “opt out” to “opt in” would be expensive and would stretch school resources to the maximum. I am of the opinion that a “one size” fits all pragmatic response is unrealistic but do believe that workable solutions between parents and schools can be reached for those who presently choose to “opt out” from Religious Observance.

POINT 7: THE PRIMARY RESPONSIBILITY FOR CHILDREN’S RELIGIOUS CHOICES LIES WITH THE PARENTS AND, ONCE THEY REACH THE AGE OF DISCRETION, THE CHILDREN.

On this point I concur.

Reference had been made to the results of a YouGov survey of 1000 parents of school age children (March 2012) stating that only 4% said that schools should maintain the confessional approach and only 20% had been informed by the school of their right to withdraw survey in 2012. I would draw the Petitions Committee’s attention to the fact that this survey was only presented to 1,000 parents and in 2012 there were **671,218** pupils in publicly funded schools. **The survey results therefore cannot be quoted as representative of views across the nation when 670,218 pupils and their parents were not included in the survey.** I believe that the majority of parents would be happy with the present “opt out” provision.

POSITIVE REASONS TO KEEP “OPT OUT” RATHER THAN CHANGE TO “OPT IN”

- *Realistically*, it is a minority of people that are seeking a change in legislation and I propose to the Committee that the majority of parents are happy with the present “opt out” system. Whilst I acknowledge it is appropriate for any

inconsistencies in the present system to be addressed fairly, it does not necessitate a change in the law.

- *Historically*, Scotland has an almost 2,000 year history of Christian religious heritage, which is an important part of our national identity. This is something to be shared and celebrated with the children of today and future generations. This Christian worldview has positively contributed to Scotland's patriotism, social justice systems and personal freedoms.
- *Statistically*, the demographic of Scotland is still predominantly a Christian nation with 54% of the population stating their religion is Christian. Therefore, the Education (Scotland) 1980 Act is not in contradiction to the national demographic.
- *Educationally*, the Education (Scotland) 1980 makes provision for "opt out" for all families of religious or non-religious beliefs concerning their children.
- Religious Observance plays a key and valued role in assisting pupils of all ages to attain the four capacities, central to the Curriculum for Excellence learning outcomes, which are: 1. Successful learners 2. Confident individuals 3. Responsible citizens and 4. Effective contributors
- *Holistically*, we might consider some of the positive benefits of Religious Observance and Religious Moral Education in schools that people from all faith and non-faith groups could potentially agree upon: Citizenship and sense of belonging; Morality, ethics and personal responsibility; Tolerance; Awareness of other culture and religions; Humility; Respect for own and others opinions, beliefs and choices; Integrity; Unity in diversity, appreciation of other cultures, language and ethnicity; Appreciation of community; Self-awareness; Learning listening skills; Improving communication skills; Cultivating patience; Celebration of individuality; Opportunity to be personally inspired; Development of identity; Exploration of faith possibilities.; Dignity and worth of each individual; Developing caring and compassionate attitudes through helping others; Appreciation of life, culture and family; Developing reflective and contemplative skills in spiritual matters; Exploring creation and creator concepts; Exploring spiritual mystery and miracles; Opportunity to consider Bible world view and other world views; Breaking down religious bias leading to a reduction in religious victimisation/hatred; Exploring equality and justice issues; Learning about Scotland's rich Christian spiritual heritage of almost 2000 years; Opportunities to explore reflectively; Spiritual exploration and development on a personal; Societal impact of philanthropy on a societal level.

I greatly appreciate the opportunity to submit my objection of, and response to Petition PE1487 to the Public Petitions Committee. I would be happy to come before the Petition Committee in person to share further if required.

Yours sincerely,

Mrs Catherine M Brown

<http://www.scotlandscensus.gov.uk/documents/censusresults/release2a/StatsBulletin2A.pdf>

<http://scottishsecularsociety.com/?s=Regional+Ambassadors&submit=Search>

<http://scottishsecularsociety.com/about-the-scottish-secular-society/constitution/>

<http://scottishsecularsociety.com/about-the-scottish-secular-society/a-history-of-secular-scotland/>

<http://www.scotland.gov.uk/Topics/Statistics/Browse/School-Education/TrendPupilNumbers>

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