

CLAS CIRCULAR

2018/07 (15 March 2018)

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It would be very helpful if members could let us know of anything that appears to indicate developments of policy or practice on the part of Government or other matters of general concern that should be pursued.

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FAITH & SOCIETY

The *Integrated Communities Strategy Green Paper*

For information and possibly for action

The Government has published its promised [Integrated Communities Strategy Green Paper](#). The proposals are wide-ranging and subject to a consultation which closes on **5 June**.

Marriage law

A crucial element in the Green Paper – unsurprisingly – is the Government's attitude to *sharia* and unregistered Muslim weddings, but there is quite a lot that may have implications for members of CLAS. It points out that not all relationships and marriages are recognised in law and there is a need for greater awareness about their legal status. It reminds readers, for example, that despite persistent myths there is no such thing as a 'common law marriage' in England and Wales (nor, for that matter, in Scotland or Northern Ireland). Crucially:

“Other relationships, such as unregistered religious marriages, are also not recognised under marriage law in England and Wales, leaving individuals without full legal rights upon divorce should the marriage break down. This can particularly leave women vulnerable both to financial hardship upon divorce and to unfair treatment by some religious [*ie sharia*] councils.

As identified by the recently-published independent review into the application of *sharia* law in England and Wales, this can be a particular problem for Muslim women...”

The Green Paper says that the Government welcomes Professor Mona Siddiqui's independent review into the application of *sharia* law in England and Wales. While rejecting the review's proposal to create a state-facilitated or endorsed regulation scheme for *sharia* councils, it shares the review's concern about religious-only marriages that do not give any legal protection to the parties:

“The government is supportive in principle of the requirement that civil marriages are conducted before or at the same time as religious ceremonies. Therefore, *the government will explore the legal and practical challenges of limited reform relating to the law on marriage and religious weddings.*

Government will also support awareness campaigns in partnership with voluntary sector organisations ... to educate and inform couples and their children of the

consequences of not having a civilly-registered marriage. This will include the signposting of advice and information to address misconceptions. We will work with voluntary organisations on issues around first-cousin marriages.”

In short, **the Government will explore making a civil marriage ceremony a necessary prerequisite to a religious ceremony** (though not, presumably, in the case of a marriage solemnised in the Church of England or Church in Wales – though the document does not say that explicitly).

It is not clear what impact this might have on members of CLAS, though – as you know – there is special treatment for Quaker and Jewish weddings under the provisions of the Marriage Act 1949.

The Law Commission's [response](#) to the rejection of its proposal to consider afresh the law on the formation of marriage in England and Wales pointed out that “the pressure for change in relation to marriage law – or at least for a comprehensive review of the area – is unlikely to diminish”; and the inclusion of religious-only marriage ceremonies in the Green Paper would appear to support that view.

Education

The Green Paper notes that:

“In some areas, there is a relatively high degree of separation of pupils of different ethnicities across schools. As of January 2017, 60% of minority ethnic pupils were in schools where minority ethnic pupils are in the majority. This reduces opportunities for young people to form lasting relationships with those from other backgrounds and can restrict pupils’ outlook and education. *Out-of-school settings and home education, where it is not done well, can further reduce social mixing and risk exposing children to harmful views and practices*” [emphasis added].

Members will recollect that CLAS expressed serious reservations about the previous proposal to inspect education in out-of-school settings on the basis that – despite protestations to the contrary – it appeared that the proposed criteria might have caught such activities as intensive choir-practices and youth activities at weekends. Members may also recall that the new HMCI, Amanda Spielman, recently criticised the Churches’ response to that proposal.

The Government’s latest proposal is to

“consult on a voluntary code of practice, later this year, intended to set out clear standards for providers, explaining what they need to do in order to run a safe setting. This would cover their existing legal obligations, as well as covering issues such as: child welfare; health and safety; governance; suitability of staff; teaching; and financial management.

We will also work with local authorities to provide more guidance for parents to support them in making an informed choice when considering out-of-school education settings, and the steps they can take where they might have concerns, so that they can be confident that their child is in a safe learning environment ... The government will be publishing the outcome of its call for evidence on out-of-schools settings soon."

There appears to be no suggestion that the Government is reviving the previous proposal for inspections by HMI – but the policy will obviously need careful scrutiny as it evolves.

Supporting faith communities

The consultation document declares that:

"Faith communities make a valuable contribution to our society by creating strong social networks, supporting vulnerable people, undertaking charitable work, and providing education. However, it is important to recognise that the freedom to practise religion needs to be balanced against the rights and freedoms of others. Striking the right balance can be challenging, especially as social norms change."

The document goes on to state, however, that "The government's respect for faith communities will not prevent us vigorously promoting rights to equal treatment" and cites unequal treatment of women and girls as an example of inequality. The Government proposes:

- further measures to strengthen the governance of minority faith institutions (by which, I assume, they mean mosques);
- expanding the Strengthening Faith Institutions programme "to help a wider range of faith institutions to upskill their staff and strengthen their governance structures" (again, I don't suppose they mean the CBCEW or the Methodist Conference); and
- supporting training of faith leaders to support ministering in the British context.

On the last point, the Green Paper says that the Government wants places of worship

"to have well-qualified, informed and confident faith leaders, who are outward-looking, involve all parts of the community (especially women and young people), and are capable of resisting, and helping their congregations to resist, intolerant or extremist arguments. Our expectation is that faith institutions will themselves address this question, but we will look to help by ensuring that suitable training is available to religious ministers to ensure they understand the British legal system, including equalities and marriage legislation, British culture and our shared values."

I wonder whether this might give any leverage on support for ordination training. There is anecdotal evidence that the phasing out of Child Tax Credit in favour of Universal Credit is having an adverse impact on ordinands in full-time training who have children and who live in areas where Universal Credit is being rolled out. If the Government wants “well-qualified, informed and confident faith leaders...” then making it more difficult for them to be properly trained is a funny way of going about it.

Ministers of religion from non-EEA countries

The Government says that it welcomes non-EEA ministers of religion: however:

“under the current visa system some religious workers who come to the UK temporarily are able to perform roles, which include preaching and leading a congregation, without being required to speak English to an acceptable standard. In the case of religious workers, this could detract from their ability to interact with the community around them.”

The Government will therefore consider “whether we should redefine the conditions of the visa system for religious workers to ensure that those intending to serve as Ministers of Religion are required to prove their knowledge of English to an appropriate level”.

The only area that I can think of where this might be of concern to CLAS is in relation to the Orthodox Churches (on which I am totally inexpert). I should have thought that (eg) the principal qualification for a priest to minister to Ethiopian communities in the UK would be to speak Amharic and be able to celebrate the Liturgy in Ge'ez.

We have not raised visa requirements with the Government for some time, on the assumption that earlier problems had been resolved. However, **we are aware of recent difficulties in receiving clergy from developing countries and their families for ministerial service here and developments in this area will require careful scrutiny.**

The Government has said that it will “convene a working group to identify the barriers to *Dar ul Ulooms* (Islamic theological institutes) **and other religious seminaries** achieving higher education accreditation of the qualifications they offer”. **Is there anything in this for non-Islamic ministerial training?**

Integration areas

The Green Paper announces a new localised approach to integration which will be trialled initially in five areas: Blackburn with Darwen, Bradford, Peterborough, Walsall and Waltham Forest, selected because the chosen local authorities “have already demonstrated a keen grasp of the challenges they face and shown a desire to try new things and learn what works”.

The Government says that it will work with local authorities and a wide range of other partners (presumably including local faith-communities):

“to co-design local integration strategies to take tailored actions to address the challenges specific to their place. These strategies will build on existing good practice at local level, local knowledge and expertise, and the strength of community assets ... Learning from these areas about what works – and, just as importantly, what doesn't work – will be shared more widely”.

Conclusion

Obviously, CLAS will need to respond to the consultation. Equally obviously, the Government's underlying concern is immigrant communities – particularly from Pakistan and Bangladesh – in which large numbers of women and elderly people speak hardly any English and it is also worried about Islamic radicalisation. Much of the consultation document is couched in general terms because it would be in breach of the Equality Act 2010 were it not, but it is very easy to see where it is coming from.

Annex: Summary of questions for individuals and organisations

Building Integrated Communities

- We define integrated communities as communities where people - whatever their background - live, work, learn and socialise together, based on shared rights, responsibilities and opportunities. Do you agree with our definition?
- We believe that the varied nature and scale of integration challenges means that tailored local plans and interventions are needed to tackle the issues specific to particular places. Do you agree?
- Do you have any examples of successful approaches to encourage integration that you wish to highlight, particularly approaches which have been subject to evaluation?

Chapter 1: Strengthening Leadership

- The Green Paper proposes that we need to build the capacity of our leaders to promote and achieve integration outcomes. Do you agree?

Chapter 2: Supporting New Migrants and Resident Communities

- The Green Paper proposes measures to support recent migrants so that they have the information they need to integrate into society and understand British values and their rights and responsibilities. Do you agree with this approach?

- The Controlling Migration Fund was constructed to deal with the short-term migration pressures and associated costs that local authorities can encounter. Do you think it adequately achieves this objective?

Chapter 3: Education and Young People

- The Green Paper proposes measures to ensure that all children and young people are prepared for life in modern Britain and have the opportunity for meaningful social mixing with those from different backgrounds. Do you agree with this approach?
- The Green Paper sets out proposals to support parents with their choice of out-of-school education settings. Do you agree with this approach?

Chapter 4: Boosting English Language

- The Green Paper proposes a number of measures to improve the offer for people to learn English. Do you agree with this approach?
- Do you have any other suggestions on how we can improve the offer for people to learn English?

Chapter 5: Places and Community

- The Green Paper proposes measures to ensure that people, particularly those living in residentially segregated communities, have opportunities to come together with people from different backgrounds and play a part in civic life. Do you agree with this approach?

Chapter 6: Increasing Economic Opportunity

- The Green Paper proposes measures to provide tailored support to people, especially those who may not currently be active in the labour market, to build their confidence and skills to take up employment. Do you agree with this approach?

Chapter 7: Rights and Freedoms

- The Green Paper proposes measures to encourage integration and resist divisive views or actions. Do you agree with this approach?
- The Green Paper proposes measures to address practices which can impact on the rights of women. Do you agree with this approach?

Chapter 8: Measuring Success

- The Green Paper proposes core integration measures for national and local government to focus on. Do you agree these are the right measures?