

CF. Talo T Saggoy.

pl p.a.

N.L.U.

mb

PRIME MINISTER

EDUCATION BILL: COLLECTIVE WORSHIP

Brian Griffiths' minute below discloses some real problems looming for the Third Reading of the Education Reform Bill in the Lords.

I understand that, for both reasons of principle and the legislative timetable, Mr. Baker is strongly opposed to the proposal of Caroline Cox (which is supported by the Chief Rabbi, the Director of the Muslim Education Trust and Lord Elton) to legislate to permit different faiths to have separate acts of worship in schools.

Principle: Lady Cox's approach would give a statutory right for the Imams and clerics from other faiths to hold acts of worship in schools. In some schools, e.g. in Bradford, where Muslims are in the majority, the Christian act of worship could be relegated to a subordinate position. This would fly in the face of what Mr. Baker thought was the objective - exposing all children in a school to an act of collective worship which was "wholly or mainly of a broadly Christian character". There could also be severe practical problems in organising the collective acts of worship of three or four faiths in any school.

Legislative timetable: extended debate of this issue could jeopardise the Bill's timetable in Parliament and cause problems for the programme generally.

If you were disposed to support Lady Cox's approach, I believe that Mr. Baker would want to have an urgent word with you before the Bill's Third Reading on Thursday.

N.L.U.

N.L. WICKS

5 July 1988

EL3CWS

I am not

disposed to support Caroline

Cox. It is ~~just~~ lies in the face of what we have been doing. mb



House of Lords

5th July, 1988.

MEMORANDUM ON

RELIGIOUS WORSHIP IN THE EDUCATION REFORM BILL

The state of play after Report Stage

1) Religious Education

- The Bishop of London's amendments on Religious Education (R.E.) allow for teaching R.E. in a way which recognises that Christianity is the 'main' spiritual tradition of this country and allows for some teaching of other world religions. Although potentially open to abuse in the form of a relativistic multi-faith approach, the wording is as good as we are likely to get and we are accepting it.

2) Religious Worship

a) The Bishop's amendments, contrary to expectations, did not allow for the provision of alternative acts of worship for pupils of different faiths. The wording was such as to endorse a multi-faith worship which many Christians and representatives of the Jewish and Muslim faiths find totally unacceptable. (See enclosed letters from the Chief Rabbi and the Muslim Educational Trust.)

b) At a meeting of Peers with the Bishop last Wednesday, we thought we had agreed that the amendments for Third Reading would provide:-

- For separate acts of worship for pupils of a different faith if parents request this and if the numbers justify it.

- Such provision to be not mandatory but enabling.

- At a meeting with the Bishop yesterday, the new amendments were produced in draft form (copies enclosed). They neither make provision for separate acts of worship nor for parents to request these.

c) When requested to consider incorporating these provisions, which most present thought had been agreed, the Bishop and Colin Alves of the C of E Board of Education, said:

- that this was not part of the original agreed intentions.

- that the Government would not wish parents to be given this right of request in the Bill.

cont.....



House of Lords

.....

- that the Bishop could not support any such amendment as 'it had not been agreed' with his negotiators.

3) Course of action

Peers who do not wish to see a mandate for multi-faith acts of worship, and who want all faiths to have the right to hold their own acts of worship if desired and appropriate, are deeply worried.

We may have to table our own amendments at Third Reading on Thursday 7th July. We hope very much that the Government will not oppose them and that the Bishop may be encouraged to accept them.

Carole Co.

File under RE

8

Education Reform Bill

DRAFT AMENDMENTS
TO BE MOVED ON THIRD READING
BY THE BARONESS HOOPER

By A. L. Landon

5M parallel sections

Clause 6

Page [4], line [41], leave out subsection (3).

After clause 6

Insert the following new Clause—

“(1) Subject to the following provisions of this section, in the case of a county school the collective worship required in the school by section 6 of this Act shall be wholly or mainly of a broadly Christian character.

Special provisions as to collective worship in county schools.

(2) For the purposes of subsection (1) above, collective worship is of a broadly Christian character if it reflects the broad traditions of Christian belief without being distinctive of any particular Christian denomination.

(3) Every act of collective worship required by section 6 of this Act in the case of a county school need not comply with subsection (1) above provided that, taking ~~the school year~~ [any school term] as a whole, most such acts which take place in the school do comply with that subsection.

(4) Subject to subsections (1) and (3) above—

- (a) the extent to which (if at all) any acts of collective worship required by section 6 of this Act which do not comply with subsection (1) above take place in a county school;
- (b) the extent to which any act of collective worship in a county school which complies with subsection (1) above reflects the broad traditions of Christian belief; and
- (c) the ways in which those traditions are reflected in any such act of collective worship;

shall be such as may be appropriate having regard to any relevant considerations relating to the pupils concerned which fall to be taken into account in accordance with subsection (5) below.

The Head will make decision

(5) Those considerations are—

(a) any circumstances relating to the family backgrounds of the pupils concerned which are relevant for determining the character of the religious worship which is appropriate in their case; and ^{collective}

(b) their ages and aptitudes.

(6) Where under section (~~Exclusion by advisory councils of the requirement for Christian collective worship~~) of this Act a standing advisory council on religious education determine that it is not appropriate for subsection (1) above to apply in the case of any county school, or in the case of any class or description of pupils at such a school, then, so long as that determination has effect—

(a) that subsection shall not apply in relation to that school or (as the case may be) in relation to those pupils; and

(b) the collective worship required by section 6 of this Act in the case of that school or those pupils shall not be distinctive of any particular ~~Christian or other religious denomination.~~ ^{of a faith.}

*no be distinctive
of a faith
faith*

(7) References in this section to acts of collective worship in a county school include references to any such act which under section 6 of this Act takes place otherwise than on the school premises.”

Clause 10

[Page [7], line [34], leave out (“^{collective} religious worship in county schools and”).]

Page [7], line [37], at end insert (“; and

(b) to carry out the functions conferred by section (~~Exclusion by advisory councils of the requirement for Christian collective worship~~) of this Act on councils constituted under this section.”).

Page [7], line [38], leave out second (“section”) and insert (“sections (~~Exclusion by advisory councils of the requirement for Christian collective worship~~) and”).

Page [7], leave out lines [43 and 44].

After clause 10

Insert the following new Clause—

“(1) It shall be the duty of the council, on an application made by the head teacher of any county school after consultation with the governing body, to consider whether it is appropriate for the requirement for Christian collective worship to apply in the case of that school, or in the case of any class or description of pupils at that school.

Exclusion by advisory councils of the requirement for Christian collective worship.

References in this section to the requirement for Christian collective worship are references to the requirement imposed by section (~~Special provisions as to collective worship in county schools~~)

(1) of this Act.

(2) In determining whether it is appropriate for that requirement to apply in the case of any such school or in the case of any class or description of pupils at such a school, the council shall have regard to any circumstances relating to the family backgrounds of the pupils at the school or of the pupils of the particular class or description in question which are relevant for determining the character of the religious worship appropriate in their case. (1)

(3) The council shall give any head teacher who has made an application to them under this section written notification of their decision on the application.

(4) Where the council determine on any application under this section that it is not appropriate for the requirement for Christian collective worship to apply in the case of the school or any class or description of pupils at the school concerned, that determination shall take effect for the purposes of section (*Special provisions as to collective worship in county schools*) of this Act on such date as may be specified in the notification of their decision under subsection (3) above.

(5) Any determination of the council under this section by virtue of which the requirement for Christian collective worship does not for the time being apply in the case of any school or any class or description of pupils at any school shall be reviewed by the council—

(a) at any time on an application made by the head teacher of the school after consultation with the governing body; and

(b) in any event not later than the end of the period of five years beginning with the date on which the determination first took effect or (where it has since been reviewed under this subsection) with the effective date of the decision on the last such review.

(6) On any review under subsection (5)(b) above the council shall afford the head teacher [~~and the governing body~~] an opportunity of making representations with respect to the determination under review. *after consultation with the gov body*

(7) On any review under subsection (5) above the council may confirm (with or without variation) or revoke the determination under review (without prejudice, in a case where they revoke the determination, to any further determination under this section); and they shall give the head teacher of the school written notification of their decision specifying the effective date of that decision for the purposes of subsection (5)(b) above.

(8) Any determination of the council which is required to be reviewed under subsection (5)(b) above shall cease to have effect, if not confirmed on such a review, at the end of the period there mentioned.

(9) Any application made to the council under this section shall be made in such manner and form as the council may require. *but should include an indication of the nature of the alternative provision proposed*

Schedule 1

Page [213], line [12], leave out subsection (2) and insert—

("(2) No such syllabus shall provide for religious education to be given to pupils at such a school by means of any catechism or formulary which is distinctive of any particular religious denomination; but this provision is not to be taken as prohibiting provision in such a syllabus for the study of such catechisms or formularies.")

7 am
for 24

11/6/14
Subvise

Cr. 12. (b) - wa wa - congreational.

App. Rev. Creed = some formulary

(New Creed = distinctive)

Caroline. I think this is a poor summary. Please note
my offer at end of para 9. I have no time to take further action on
it today & Graham has therefore asked Blair to act
of Colin agrees. Please pass for this
if possible. R



S. vii. 88

Dear Graham

As you were absent from part of the discussion
of the Education Reform Bill last night it might be helpful
if I set out what I believe to be the position in respect of
the main issues.

The first point, on which all were agreed, was that
the apparent effect of the drafting of subsection 6(b) of the
proposed new clause after clause 6 was defective and probably
had an effect exactly contrary to that intended. The difficulty has
two elements - the ambiguity of the term 'denomination' when
used with 'religions' and the absence of any reference to the
single faith model intended as the norm. It was agreed that
the effect intended in the brief to the draft draughtsman
was that which would apparently be achieved by
deleting all after ("pupils") and inserting ("may be distinctive
of the Christian or any other religious faith but not of
any denomination of that faith").

I have to say that if this difficulty is not resolved
in this way we are right back where we started at 2nd
Reading with no prospect of avoiding a division after
animous debate.

The second point, on which all were agreed, was that

The rubric proposed for the proposed new clause after Clause 10 was unacceptably provocative and that a new form of words not referring to the 'exclusion of Christian worship' would be substituted on the marshalled list.

4. The remaining points are interconnected and it is not yet clear that there is agreement. They all have to do with the provisions for schools in which it may be appropriate to arrange collective worship distinctive of different faiths separately on the premises.

5. The starting point of the discussion was your indication that the phrase ("pupils of a particular class or description") was unsatisfactory because the word ("description") was too wide in its meaning. It had been supposed by some, perhaps most, of us that the intended meaning could be achieved by substituting the word ("faith"). This would have the effect of permitting provision of a separate act of worship distinctive of the faith of a number of pupils who did not fall coincidentally into a separate school class or group for those pupils.

6. After you had left it became clear that this was very far from your intention and that the purpose of the amendment would be to prevent such provision being made by the SACREs using the ^{new} Clause 10 method. This caused some dismay. We were a little reassured to be told that a similar arrangement could be made by simple agreement



but our reassurance was diminished when we were told that it was unnecessary to place this on the face of the Bill because there was no objection to it in law and that this might be undesirable. With some reluctance it was, and possibly some individual reservations, it was accepted that a strong assurance from you that such non-statutory arrangements were normal and to be encouraged and an endorsement of this from the Minister coupled with an undertaking that they would be treated as perfectly normal and acceptable by Government, would meet our concern.

7. This brought us to a specific point raised by the Chief Rabbi in his letter to you of 30th June (which I only saw at 11.30 pm yesterday). It is the proposal, put forward earlier by Alan Campbell of Alloway & Flora Saltoun, that the ~~the~~ availability of such an arrangement should be signposted in Clause 6 by adding at the end of subsection (2) the words ("or of different faiths"). While it could have been successfully argued, earlier, that these words were superfluous I see no way in which

they can be resisted now without destroying the credibility of the undertakings & statement I have just referred to.

8.

In further consideration of what will actually happen in mixed faith school it was pointed out (by Peter Thornycroft) that the SACRE review machinery proposed in new clause after cl. 10 could only be set in motion by a headmaster, who must first have consulted his Governors. It was felt that many Headmasters would go to some lengths not to get involved in such proceedings & would resist the wishes of parents for them. Peter suggested, with general support, that parents should have similar access to the SACRES. We understood that the objection to this was that it was not desirable to establish a statutory right to separate provision on the application of parents. The request, however, is not for a statutory right to provision but for a statutory right to apply for consideration of provision. We remain hopeful.

9.

I realise that the proposals in both the last paragraphs (7, and 8) involve changes that have



not been 'brokered' in your discussion and cannot, therefore, ~~be made~~ bear your name. If you are content with either - x both would do a good deal to ease the passage of those amendments - will you please alert the Department x the Draughtsman and I will be happy to ~~use~~ table x move them.

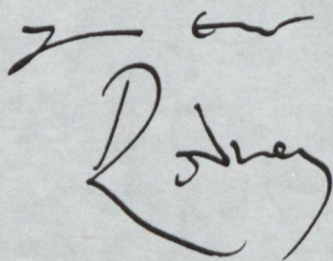
10. If the change we all want to class the new clause after clause 6 at subsection 6(c) which I have set out in paragraph 2 above is incorporated I will also be content, ~~as~~ glad, to put my name to your own amendments. I am sure you will understand that I could not do so if it is not.

11. In that connection I should add ~~that~~ that there remains very real concern that even with both elements of that amendment made, and the ~~is~~ expectation of single further acts of worship thus re-established, that because it is permissive [(b) the collective worship may be distinctive etc.] the door is wide open to "mish mash". I think we must accept your

authoritative view that there will be occasions when
multi-faith assemblies are the only alternative to
no worship, that they will be limited by SACRE,
- if they are guided by the churches - to the minimum
and that withdrawal from them will be possible. This
is a real compromise for many of us who do
not see how worship can exist if the object
of that worship is not known and that the
attempt to achieve it can damage the perceptions
of the children involved. I hope you will therefore
be as strong as you can in support of a
policy of making such occasions rare rather
than commonplace events.

Time is now so pressing that I am
copying this to Peter Thornycroft, Caroline
Cox, Gloria Hooper & Colin Alves in spite of
the fact that it was a closed meeting.

In great haste & with every good wish


Rodney