

Cyflwynwyd yr ymateb hwn i ymgynghoriad y [Pwyllgor Plant, Pobl Ifanc ac Addysg](#) ar [Flaenoriaethau'r Chweched Senedd](#)

This response was submitted to the [Children, Young People and Education Committee](#) consultation on [Sixth Senedd Priorities](#)

CYPE SP 58

Ymateb gan: Kathy Riddick, Dyneiddwyr Cymru

Response from: Kathy Riddick, Wales Humanists

Beth yn eich barn chi yw'r prif flaenoriaethau neu'r materion y dylai'r Pwyllgor eu hystyried yn ystod y Chweched Senedd? Os oes modd, nodwch eich barn o ran sut y gallai'r Pwyllgor fynd i'r afael â hyn.

What do you consider to be the main priorities or issues that the Committee should consider during the Sixth Senedd? Where possible, please set out your view about how the Committee could address them.

ABOUT WALES HUMANISTS

Wales Humanists is a part of Humanists UK. We want a tolerant world where rational thinking and kindness prevail. We work to support lasting change for a better society, championing ideas for the one life we have. Our work helps people be happier and more fulfilled, and by bringing non-religious people together we help them develop their own views and an understanding of the world around them. Founded in 1896, Humanists UK is trusted to promote humanism by over 85,000 members and supporters and over 100 members of the All Party Parliamentary Humanist Group. Through our ceremonies, pastoral support, education services, and campaigning work, we advance free thinking and freedom of choice so everyone can live in a fair and equal society.

We have a long history of work in education, children's rights, and equality, with expertise in the 'religion or belief' strand. We have been involved in policy development around the school and the curriculum for over 60 years. We also provide materials and advice to parents, governors, students, teachers and academics, for example through our Understanding Humanism website (<https://understandinghumanism.org.uk/>) and our school speakers programme. We have made detailed responses to all recent reviews of the school curriculum in Wales (and the rest of the UK), and submit memoranda of evidence to MPs, civil servants and parliamentary select committees on a range of education issues.



We are an active member of many organisations working in education in the UK, including the Religious Education Council for England and Wales (REC), of which we are a founding member, and our Wales Coordinator is a board member; the Welsh Association of Standing Advisory Councils on RE (WASACRE), of which our Wales Coordinator is an executive committee member; and, in England, the Sex Education Forum (which for many recent years our Education Campaigns Manager was on the steering group of), the PSHE Association, and the Children's Rights Alliance for England (CRAE). We have been on all Welsh and UK government steering groups that have reviewed RE in recent years.

Our primary interests in children's rights relate to issues surrounding education (in particular RE, PSE/RSE, citizenship, and science), collective worship/school assemblies, state-funded religious schools, and the removal of the defence of 'reasonable punishment' in cases of physical assault against children.

Thema 1: Addysg oedran ysgol | Theme 1: School-age education

Collective Worship

Despite the UN Committee on the Rights of the Child's recommendation that the requirement be repealed,¹ schools in Wales are still legally mandated to carry out a daily act of collective worship. For church schools this must be in line with the denomination of the school, but even in schools with no religious character, this must be 'wholly or mainly of a broadly Christian character'.²

That this requirement even applies to schools with no religious character undermines the new curriculum and will impair the implementation of Religion, Values, and Ethics (RVE), which is required to be objective, critical, and pluralistic.

Although schools can opt – through a process called 'determination' – to have worship that aligns with a faith other than Christianity, they are not permitted to opt out of delivering worship altogether. Parents have a legal right to withdraw their children from collective worship, and, since 2009, sixth-form pupils have been

¹ UN Convention on the Rights of the Child, Committee on the Rights of the Child, *Concluding observations on the fifth periodic report of the United Kingdom of Great Britain and Northern Ireland* (July 2016) <<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPRiCAqhKb7yhskHOj6VpDS%2F%2FJqg2Jxb9gncnUyUgbnuttBweOlyfyYPkBbwffitW2JurgBRuMMxZqnGgerUdpjxij3uZ0bjQBOLNTNvQ9fUIEOvA5LtW0GL>> [accessed 14 September 2021]. The Committee also pressed UK Governments on this issue in its recent List of Issues Prior to Reporting, which will inform its next set of Concluding Observations on the UK (see

UN Committee on the Rights of the Child, *List of issues prior to submission of the combined sixth and seventh reports of United Kingdom of Great Britain and Northern Ireland*, 9 February 2021, para. 17(a) <https://tbinterne.t.ohchr.org/Treaties/CRC/Shared%20Documents/GBR/CRC_C_GBR_QPR_6-7_44382_E.pdf> [accessed 14 September 2021].

² School Standards and Framework Act 1998, Schedule 20, Section 3(2) <<https://www.legislation.gov.uk/ukpga/1998/31/schedule/20>> [accessed 14 September 2021].



permitted to withdraw themselves from these sessions under the Education and Inspections Bill 2006. However, this ignores the fact that, under the UNCRC and the Human Rights Act, children who are not yet at sixth-form age still must be given a legal right to freedom of religion or belief that extends to being able to determine for themselves if they participate in worship. This issue is particularly pertinent for young people in the latter stages of secondary education who may even have reached the age of 16 but, because they have not yet begun sixth-form, may still not be able to opt-out of worship.

What's more, withdrawal can be a difficult process (not least because the law is often poorly understood by schools) and isolates children from their classmates. Children who have been removed from worship are rarely given a meaningful alternative of equal educational value during the time their peers are attending worship. Indeed, in 2019 two non-religious parents, Lee and Lizanne Harris (supported by Humanists UK), took a legal challenge against their children's school in England because it refused to provide just such an alternative.³ When the Trust that runs the school eventually backed down after the HARRISES won permission to have their case heard at the High Court, the school agreed to provide an inclusive alternative to the Harris children and any other withdrawn children whose parents wished them to receive it.

As the law is identical in England and Wales, this logically ought to mean that similar arrangements to that secured by the HARRISES are possible at other schools in both countries. However, most parents who would like to see a meaningful alternative to collective worship in their child's school won't be in a position to mount time-consuming legal proceedings. What's more, such action may risk alienating the family from the school. For this reason, this is clearly not the most desirable means by which to ensure that children get the kind of non-discriminatory provision to which they are entitled under Article 2 of the UNCRC. Instead, this aim would be far better met by a change to the law.

By not acting on this issue, Wales will continue to fail to meet its obligations on children's rights. This is clearly problematic as the Curriculum and Assessment (Wales) Act 2021 rightly places a duty on schools to 'promote knowledge and understanding of the UN Conventions on the rights of children and persons with disabilities.'⁴ No single religion should be given such privilege in schools without a religious character and assemblies should become inclusive of all religions and beliefs.

³ Humanists UK, 'School concedes in collective worship case – will provide alternative assemblies', 20 November 2019 <<https://humanism.org.uk/2019/11/20/school-concedes-in-collective-worship-legal-case-will-provide-alternative-assemblies/>> [accessed 14 September 2021].

⁴ Curriculum and Assessment (Wales) Act 2021 <https://www.legislation.gov.uk/asc/2021/4/enacted> [accessed 17 September 2021]



Schools without a religious character currently make up 86% of schools in Wales⁵. These serve a population whose parents, according to the latest British Social Attitudes Survey, are overwhelmingly non-Christian. 67% say they belong to no religion and 6% to non-Christian religions.⁶ Whilst RVE will be taught in a critical, objective, and pluralistic manner, there is no such requirement for collective worship, where prayer, hymns, and religious stories are regularly presented as fact. This can often be a child's first introduction to Christian beliefs and having them presented by figures of authority in an educational setting as true can give even more weight to the messages, making worship a forceful form of indoctrination.

Collective worship should be replaced with inclusive assemblies where all children can fully participate whilst having their freedom of religion or belief respected. These inclusive assemblies would still consider issues relating to religion and belief – such as religious stories, festivals and other cultural practices – but would not be permitted to include religious worship or seek to promote one religion. They would allow the school community to come together on a daily basis and provide time and space for reflection, but in a manner that is suitable for all rather than biased towards one religion. With this in mind, inclusive assemblies would also involve celebrations of achievement, exploration of moral and ethical issues, and a wide range of other topics of relevance and interest to pupils. These may include (but are not limited to) relationships, mental health, the environment, human rights and equality, citizenship, and so on.⁷

We note that a Private Members' Bill seeking to replace collective worship with inclusive assemblies following the model above in England is currently being considered in the House of Lords,⁸ with peers from across the political spectrum speaking in favour of the change.⁹ During the Bill's second reading, Labour's education spokesperson in the Lords, Lord Watson of Invergowrie, also called on the Government to run a public consultation on the issue.¹⁰ This is something which former Welsh Education Minister Kirsty Williams similarly told the Senedd's Petitions Committee would be necessary to amend the law, which she acknowledged raises human rights concerns. At the same meeting, Ms Williams said that if she were

⁵Pupil level schools census - Welsh Government reporting [Pupil Level Annual School Census \(PLASC\)](#) [accessed 17 September 2021]

⁶British Social Attitudes Survey 2019 edition [2019 Edition Editors:](#) [accessed 17 September 2021]

⁷ To support teachers in the delivery of such assemblies, Humanists UK recently launched a free resource called 'Assemblies for All' which features hundreds of interactive, meaningful assemblies made by education professionals from charities like Amnesty, Oxfam and Unicef, to organisations such as the UK Parliament and the BBC. <https://assembliesforall.org.uk/> [accessed 17 September 2021].

⁸ Education (Assemblies) Bill [HL] <<https://bills.parliament.uk/bills/2579>> [accessed 14 September 2021].

⁹ Humanists UK, 'Peers come out strongly in favour of Inclusive Assemblies Bill', 10 September 2021 <<https://humanists.uk/2021/09/10/peers-come-out-strongly-in-favour-of-inclusive-assemblies-bill/>> [accessed 14 September 2021].

¹⁰ Hansard HL Deb 10 September 2021, Vol 814, Col 1092 <[https://hansard.parliament.uk/lords/2021-09-10/debates/1F8305FD-63BA-4E38-99C4-774928DED5AA/Education\(Assemblies\)Bill\(HL\)](https://hansard.parliament.uk/lords/2021-09-10/debates/1F8305FD-63BA-4E38-99C4-774928DED5AA/Education(Assemblies)Bill(HL))> [accessed 14 September 2021].



‘starting from a blank sheet of paper’ she would be ‘unlikely to enshrine the law in the way it currently is.’

Replacing compulsory worship in schools without a religious character with inclusive assemblies in keeping with RVE provision is likely to be popular with parents. In a 2019 YouGov poll of British parents, religious worship was ranked last in a list of 13 possible activities that might take place in a school assembly, with 51% of parents saying it was not an appropriate activity (and just 29% saying it was appropriate). By contrast, 76% of parents thought the environment and nature should feature in assemblies, 74% thought they should deal with equality and non-discrimination, and 73% thought they should cover physical and mental health, and the celebration of achievements.¹¹ Although the poll did provide data specifically for the views of parents in Wales, there was a small sample and this showed the views of Welsh parents to be broadly in line with Britain as a whole. Worship was still ranked last out of all the activities listed.¹²

A further YouGov poll, conducted in August 2021, found that just 24% of British parents thought the collective worship requirement should be enforced, while 60% thought it should not be enforced.¹³ In Wales specifically, 65% of those surveyed thought the requirement should not be enforced. The poll also found that most parents weren’t aware of the law – 65% overall, and 56% in Wales. Setting aside the fact that the need to withdraw demonstrates a lack of inclusion in schools, if parents are not even aware that collective worship is happening, it is unlikely that they will be able to exercise their legal rights to withdraw or make an informed decision about whether they want to expose their children to the practice.

With all this in mind, we urge the Committee to take up the issue of collective worship and do all it can to urge Welsh Government to replace the outdated, unworkable law with a requirement for inclusive assemblies that fully support the rights of children and their families, and reflect the values and intentions that underpin the new curriculum.

Implementation of new RSE code and monitoring of appropriate teaching material

The new version of the RSE guidance and code are currently under consideration following a public consultation. We think the drafts are in need of some changes, but

¹¹ Humanists UK ‘Parents say religious worship is least appropriate activity for school assemblies, new poll reveals’, 9 August 2019 <<https://humanists.uk/2019/08/09/parents-say-religious-worship-is-least-appropriate-activity-for-school-assemblies-new-poll-reveals/>> [accessed 12 August 2021].

¹² The environment and nature was ranked first (77%), celebration of achievements second (76%) and physical and mental health third (75%).

¹³ Humanists UK, ‘Majority of parents think compulsory worship law should not be enforced, new poll reveals, as Lords propose reform, 10 September 2021 <<https://humanists.uk/2021/09/10/majority-of-parents-think-compulsory-school-worship-law-should-not-be-enforced-new-poll-reveals-as-lords-propose-reform/>> [accessed 14 September 2021].



will be a significant improvement on the guidance currently in use from 2010.¹⁴ However, in the absence of interim guidance (which was consulted on but seemingly scrapped in 2019¹⁵), the current guidance will remain in place for many years until as late as 2026. It makes no reference to LGBTQ+ people or relationships, nor does it mention the importance of consent. It is clearly untenable for pupils entering Year 8 in 2022 to go through the whole of secondary school without access to inclusive RSE, especially as (unlike some of the other areas of the new curriculum) this learning will have a direct impact on the lives of pupils while they are still at school. The recent peer on peer sexual abuse scandal uncovered by the survivor website Everyone's Invited starkly illustrates how important this aspect of education really is. On this basis, we believe the Committee must press the Welsh Government to bring forward the introduction of compulsory RSE so that no child in Wales leaves school without the information and skills they need to keep themselves and others healthy, happy, and safe.

A related issue that the Committee should consider is inappropriate RSE resources being used in some schools in Wales. One such resource, which we have brought to the attention of Welsh Government,¹⁶ is called *A Fertile Heart*. The resource was produced by a group of Catholic priests and, at least until recently, the Archdiocese of Cardiff directed its use in all of its schools. Amongst other things, the resource states that contraception is a 'moral danger', and that gay and lesbian people cannot marry and must entirely abstain from sex. The material argues that hormones are a biological reason that women 'find it more difficult to enter uncommitted sexual relationships' and 'are prone to suffer mentally and emotionally if sexual relationships fail.' It goes on to maintain that these supposedly biological arguments show that 'man has been created to be the initiator in sexual relationships and woman the receiver-responder'. Suggested activities during a related Year 11 lesson involve discussing whether contraception has made women 'more "available" and vulnerable to being used'. In a section on same-sex attraction, pupils watch a video in which same-sex marriage is likened to polygamy.

These resources are shown as in use at a number of Catholic schools in Wales. Whilst the new RSE code will require all schools, including those with a religious character,

¹⁴ Welsh Assembly Government Circular No: 019/2010, *Sex and Relationships Education in Schools*, September 2010 <<https://hwb.gov.wales/api/storage/fb82a7b3-c88a-4473-a0b2-80fb2395b872/sex-and-relationships-education-in-schools.pdf>> [accessed 14 September 2021].

¹⁵ ADD REFERENCE

¹⁶ Humanists UK, 'Exposed: Catholic school resources say "man was created to be the initiator in sexual relationships", women "receiver-responders"', 24 January 2021 <<https://humanism.org.uk/2021/01/24/exposed-catholic-school-resources-say-man-was-created-to-be-the-initiator-in-sexual-relationships-women-receiver-responders/>>



to follow the statutory guidance – which states that the subject must be taught in ‘a neutral, factual way’¹⁷ – that could still be five years away for some children.

We therefore ask that you support the call for the immediate ban of inappropriate resources, and call for the implementation of the new RSE code to be brought forward to September 2022 for all children in full-time education.

Summary

Main priorities during the Sixth Senedd (2021-2026) need to focus on children’s rights, complying with the UNCRC concluding recommendations and ensuring equality in all education settings. The law on collective worship must be a priority to protect against the current discrimination and provide inclusive assemblies which promote social, moral, spiritual and cultural wellbeing for all children. Bringing forward the implementation of RSE code must also be a priority to address the current lack of suitable guidance, as must the quality assurance of RSE teaching resources to protect against unsuitable resources already in use.

Thema 2: Addysg bellach ac addysg uwch | Theme 2: Further and higher education

Thema 3: Iechyd a lles, gan gynnwys gofal cymdeithasol (i’r graddau y maent yn ymwneud â phlant a phobl ifanc) | Theme 3: Health and well-being, including social care (as they relate to children and young people)

Thema 4: Plant a phobl Ifanc | Theme 4: Children and young people

¹⁷ Welsh Government, *Relationships and Sexuality Education (RSE) Statutory Guidance and Code*, 21 May 2021, p.8 <https://gov.wales/sites/default/files/consultations/2021-05/consultation-document-relationships-and-sexuality-education-guidance-and-code_0.pdf> [accessed 14 September 2021].



