

**Challenging religious privilege  
and seeking the separation of church and state**  
**Petition Bulletin Number 3 : March 2014**

The petition, presented by Edinburgh parent Veronica Wikman to the City of Edinburgh Council on 7 February 2013 requested that the council conduct a ballot of electors in the city, as provided for by law<sup>1</sup>, on a proposition to end religious observance in ‘non-denominational’ city schools. The matter was considered again at the 4 March 2014 meeting of the Education, Children and Families Committee.

**THE CITY COUNCIL’S PIONEERING PETITIONING SYSTEM**

ESS has been impressed by the City Council’s new electronic petitioning system which enables citizens to raise issues of concern for the consideration of elected members. The City Council is clearly in the vanguard of involving citizens in city governance through such innovations.

Ms Wikman’s petition gained the support of 896 city electors. ESS has been a partner with Ms Wikman, who is a member of ESS, throughout the process and looks forward to a successful completion of the petition through to the conduct of a ballot of city electors.

**ESS PROPOSAL TO REDUCE REFERENDUM BALLOT COSTS**

Faced with an estimated ballot cost for a stand-alone referendum of £500,000 to £600,000 ESS proposed to the Education, Children’s and Families Committee on 4 March 2014 that these costs could be substantially reduced by holding the ballot in conjunction with the city council elections in May 2017.

The referendum ballot would be a separate issue from the election of councillors and political parties need not take a stance on the issue. Campaigning could be left to independent citizen groups. But conducting the referendum ballot at the same time as councillor elections would give the electorate an opportunity to agree or disagree with the proposition to end religious observance in city schools.

Holding a single issue referendum ballot would not present any great difficulty if conducted alongside separate elections for councillors. It is not uncommon, for example, in the USA for electors to be presented with referendum ballots alongside the elections for local, state and federal officials. The marginal costs for conducting a simple yes/no referendum ballot alongside the regular elections would be small.

This proposal would enable the City of Edinburgh Council to demonstrate that it is fully committed to giving citizens the fullest opportunity to be involved in the government of the city on an issue that is of concern to many of them as judged by the large number of citizens who have supported the petition and a counter-petition to retain the status quo.

## **CHANGES IN THE PRACTICE OF RELIGIOUS OBSERVANCE IN CITY 'NON-DENOMINATIONAL' CITY SCHOOLS SINCE THE PETITION HEARING IN JUNE 2013**

*ESS and the petitioner appreciate the considerable efforts that have been expended by departmental staff in following up issues raised during the petition hearings.*

The presentation of the petition has led to the City Council Education, Children and Families Department promoting some investigations and some changes to the way in which religious observance in city schools, which is required by law unless a citizens' ballot decides otherwise, is conducted.

In June 2013 the Department conducted a survey of head teachers in all primary and secondary schools. In October 2013 there was an audit of school websites to see if adequate information about religious observance was made available that way. Concerns were expressed by the Department about practices of religious observance in 6 schools and Department Quality Improvement Officers are now involved in producing 'more balanced programmes' of religious observance. There is to be an audit all external religious organisations accessing schools and a survey of the resources available for religious observance.

(Based on Committee papers item 7.1 4 March 2014)

### **WHY A REFERENDUM BALLOT IS NEEDED**

Continuities and changes in the practice of religious observance in city schools continue to raise many questions.

- Should the Scottish Government be issuing guidelines on religious observance in schools?
- Why is the local authority attempting to follow these guidelines? There is no legal requirement to do so.
- Most city schools are designated as 'non-denominational'. Why then is the Church of Scotland consulted so extensively over, and so involved in, religious observance in schools?
- Is the welfare and education of pupils excluded from religious observance being adequately supported
- Can inclusive religious observance be constructed for all in such a diverse society where large sectors of the population are now indifferent or hostile to religion?
- By what criteria do Quality Improvement Officers judge the adequacy of actual or planned contributions to religious observance in schools?
- What rules should govern which external religious organisations are allowed access to pupils in school hours and out of them?
- Should pupils or parents be required to give a public indication of their faith or belief in connection with the delivery of a public service?

These questions will not go away simply by changing practices of 'religious observance' in schools.

ESS also notes that in evidence to the Scottish Parliament's Public Petition's Committee the Scottish Council of Jewish Communities stated that the current

guidelines ‘were originally devised in 2004 to circumvent the need for new legislation and resultant democratic scrutiny by the Scottish Parliament’. It added that “many supposedly ‘non-denominational’ schools actually function as Protestant Christian schools and are not genuinely inclusive of all faiths and of those parents and children with no religion”. The Scottish Parent Teacher Council also advised the ending of religious observance in Scottish schools. It should also be noted that there is currently no agreement between the Church of Scotland and the Humanist Society Scotland that they will jointly propose legislation that changes the name of ‘religious observance’ to ‘Time for Reflection’ (<http://www.scottish.parliament.uk/GettingInvolved/Petitions/religiousobservance> Public Petitions Committee).

Changes in the practice of religious observance in City of Edinburgh schools will not obviate the need for a fundamental public debate about religious observance in the City’s non-denominational schools that could be structured around the referendum proposed by Ms Wikman, supported by the Edinburgh Secular Society and 896 electors.

## **THE CHURCH OF SCOTLAND’S CONFLICTING VIEWS ON LOCAL REFERENDA**

Rev Ewan Aitken of the Church of Scotland Church and Society Council has been a persistent opponent of the proposed referendum on religious observance in the city of Edinburgh.

Yet in observations to the Scottish Parliament’s Public Petitions Committee in relation to an ESS petition to remove nonelected religious nominees from Scottish local authority education committees the Church states approvingly from the McIntosh report on *Local Government and the Scottish Parliament*(1999) which recommends various measures including ‘local referendums’ ‘to give the electorate opportunities to participate in decision making’.  
[http://www.scottish.parliament.uk/S4\\_PublicPetitionsCommittee/General%20Documents/PE1498 F Church of Scotland 14.02.14.pdf](http://www.scottish.parliament.uk/S4_PublicPetitionsCommittee/General%20Documents/PE1498_F_Church_of_Scotland_14.02.14.pdf)

## **WHY COUNCILLORS SHOULD SUPPORT THE REFERENDUM**

A REFERENDUM ON A PROPOSITION TO DISCONTINUE RELIGIOUS OBSERVANCE IN CTY SCHOOLS IS AN APPROPRIATE WAY FOR CITIZENS OF EDINBURGH TO BE INVOLVED IN RESOLVING THE ISSUES IDENTIFIED IN THIS BULLETIN.

ESS INVITES COUNCILLORS TO SUPPORT THE WIKMAN PETITION AND THE PROPOSED BALLOT IN CONJUNCTION WITH THE CITY COUNCIL ELECTIONS OF MAY 2017

### Reference

<sup>1</sup> Petition presented to CEC 07 Feb 2013, and heard by the Petitions Committee 03Jun 2013:

**Remove religious observance from non-denominational schools**

In accordance with Section 8 of the Education (Scotland) Act of 1980, the City of Edinburgh Council is requested to organise a poll of electors in the city on a proposal to discontinue religious observance in non-denominational schools in the city.

