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# RELIGION IN NORTHERN IRELAND SCHOOLS

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A guide for parents and young people



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## ABOUT NORTHERN IRELAND HUMANISTS

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Northern Ireland Humanists is part of Humanists UK, working with the Humanist Association of Ireland. Humanists UK is the national charity working on behalf of non-religious people. Powered by 100,000 members and supporters, we advance free thinking and promote humanism to create a tolerant society where rational thinking and kindness prevail. We provide ceremonies, pastoral care, education, and support services benefitting over a million people every year and our campaigns advance humanist thinking on ethical issues, human rights, and equal treatment for all.

Humanists UK has 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 and our school speakers programme. We have made detailed responses to all recent reviews of the school curriculum in England, Wales, and Northern Ireland, and regularly brief MPs, MLAs, civil servants, and parliamentary select committees on a range of education issues.

Humanists UK is an active member of many organisations working in education in the UK, including the Religious Education Council for England and Wales, of which we are a founding member. In Northern Ireland, we work with groups such as the Council for Racial Equality, Belfast Islamic Centre, the Northern Ireland Council for Integrated Education, and the Inter Faith Forum. In 2022 we together formed the [Coalition for Inclusive Education](#).

# FOREWORD

This guide is intended to help parents and young people to understand the Northern Ireland school system, their rights, and the law as it relates to religion and belief in schools.

The place of religion and belief in the education system is incredibly complex, and largely dates to a time when our society was much less diverse, and much less non-religious, than it is now. According to the 2021 Census, one in six people are non-religious, which represents an 80 per cent increase compared with 2011. The Life and Times Survey shows that nearly one third of the population describe themselves as non-religious. This figure rises to 40 per cent for 16-year-olds.

However, the system has always consisted of Christian ethos schools and a curriculum wholly weighted towards Christianity. Indeed, along with compulsory worship, this curriculum has recently been found to breach human rights law.

It has therefore never been more important for both non-Christians and people who, regardless of their beliefs, support an inclusive education system, to understand fully their rights as parents and pupils. It is our hope that this guide will help you to do that and will enable you to be confident in challenging unlawful or discriminatory practices.



For our part, we will continue to challenge the legal framework that permits schools to segregate children on the basis of religion, and we'll go on setting out a vision of an education system that is fair, inclusive, and open to all, irrespective of religion or belief.

If ever you experience problems related to religion and belief at your school, or have any questions about our campaigns or the content of this guide, please don't hesitate to get in touch.

**Boyd Sleator**  
Northern Ireland Humanists



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# 1. TYPES OF SCHOOL

GRANT AIDED (STATE-FUNDED)			
Type of school	Controlled	Maintained	Integrated
<b>Ethos</b>	Non-denominational Christian but, because they tend to serve the Protestant community and have governors from the Protestant churches, often operate as de facto Protestant schools.	Primarily Catholic. Although there are a handful of maintained Irish-medium schools, and Irish-medium units that sit within other schools.	Non-denominational Christian.
<b>Governance</b>	Managed and funded by the Education Authority (EA) through Boards of Governors (BoGs). These are made up of transferor representatives – i.e. those from the Protestant churches – as well as parent, teacher, and EA representatives.	Largely Catholic schools, funded by the EA for running costs. Their capital funding comes directly from the Department of Education (DE). They are managed by BoGs made up of representatives nominated by trustees (namely, Catholic representatives) as well as parent, teacher, and EA representatives.	May be either controlled schools that have gained integrated status, or grant-maintained. Grant-maintained integrated schools are funded directly by the Department whereas controlled integrated schools are managed and funded by the EA. However, practically speaking, both types of school are run via BoGs.
<b>Admissions</b>	Open to children from all backgrounds. However, pupils from Protestant families generally take up the majority of places.	Catholic maintained schools don't generally make reference to religion in their admissions, but some use criteria that act as a proxy for religion (like favouring pupils whose parents or other family members have attended the school in the past). Pupils from Catholic families generally take up the majority of places. There is no explicit legal prohibition on faith-based admissions criteria.	Open to children from all backgrounds. Generally try to balance the proportion of children from each community, aiming at 40% Catholic, 40% Protestant, 20% Other. To assist schools in striking this balance, parents are asked to provide their religion or belief as part of the application process.
<b>Religious Education</b>	Must be non-denominational but 'based upon the [Christian] Holy Scriptures'. Must also be taught in accordance with the core syllabus produced by the four main Christian churches, which has one Key Stage 3 module on 'world religions' and nothing on humanism. Only inspected at the request of the BoG. Parents may withdraw their children.	Must be taught in accordance with the core syllabus produced by the four main Christian churches. However, Catholic schools use their own faith-based programmes arguing that this complies with the syllabus. Only inspected at the request of the BoG. Parents may withdraw their children.	Must be taught in accordance with the core syllabus produced by the four main Christian churches, which has one Key Stage 3 module on 'world religions' and nothing on humanism. Only inspected at the request of the BoG. Parents may withdraw their children.



GRANT AIDED (STATE-FUNDED)			
Type of school	Controlled	Maintained	Integrated
<b>Collective Worship</b>	Every school day must include collective worship. This will invariably be Christian but should be 'undenominational' in nature. Parents may withdraw their children.	Every school day must include collective worship. In Catholic schools, this will be conducted in line with the Catholic faith. In other schools it will invariably be Christian but should be 'undenominational' in nature. Parents may withdraw their children.	Every school day must include collective worship. This worship is under the control of the BoG. It will invariably be Christian but should be 'undenominational' in nature. Parents may withdraw their children.
<b>Relationships and Sexuality Education</b>	RSE is a compulsory element of the curriculum. However, guidance from the Council for the Curriculum, Examinations and Assessment (CCEA) states it must be taught 'in harmony with the ethos of the school and reflect the moral and religious principles held by parents and school management authorities.' Parents may withdraw their children.		
<b>Teacher employment</b>	Teachers are officially employed by the EA. However, appointments are made via a Membership and Teaching Appointments Committee, which will usually follow the recommendations of the BoG. Currently, there is an exemption to equality law allowing teachers to be employed, paid, and promoted on religious grounds. However, from 2024 this will be abolished. Schools will nevertheless be able to employ teachers on grounds of religion or belief if there is a genuine occupational requirement (GOR) to do so.	The employing authority is the Council for Catholic Maintained Schools (CCMS). Currently, there is an exemption to equality law allowing teachers to be employed, paid, and promoted on religious grounds. However, from 2024 this will be abolished. Schools will nevertheless be able to employ teachers on grounds of religion or belief if there is a genuine occupational requirement (GOR) to do so. Furthermore, all those teaching RE (including all primary teachers) are still required to have the Catholic Certificate in Religious Education.	In controlled integrated schools, the EA employs teaching staff. In grant-maintained integrated schools, the BoG is the employing authority. Integrated schools strive to employ teachers from a diverse range of backgrounds that roughly tracks the composition of pupils in the school (see above). Appointments are made via a Membership and Teaching Appointments Committee, which will usually follow the recommendations of the BoG. Currently, there is an exemption to equality law allowing teachers to be employed, paid, and promoted on religious grounds. However, from 2024 this will be abolished. Schools will nevertheless be able to employ teachers on grounds of religion or belief if there is a genuine occupational requirement (GOR) to do so.
<b>Creationism and evolution</b>	There is no education legislation preventing the teaching of creationism as fact. Evolution is not explicitly included in the statutory curriculum content for science.		



	GRANT AIDED (STATE FUNDED)	NON-GRANT AIDED (PRIVATELY FUNDED)
Type of school	Grammar	Private (independent)
<b>Ethos</b>	Christian (either Catholic or non-denominational depending on management type).	Mostly Christian. Only a handful of private schools have a non-Christian ethos, including Steiner schools.
<b>Governance</b>	Many grammars are 'voluntary' schools, self-governing schools which were originally set up to provide academic education for free (the voluntary sector also includes some Irish-medium schools). All these schools are managed by BoGs. At post-primary level around half of grammar schools are Catholic.  In addition, there are a number of controlled grammar schools, as well as grammar school preparatory ('prep') departments.	Provide full-time education for children aged 4-16 but do not receive state funding (is not grant aided).  Must be registered with the Department of Education.
<b>Admissions</b>	Generally use academic ability tests to rank applicants. There is no explicit legal prohibition on faith-based admissions criteria.	Set their own admissions policies. There is no explicit legal prohibition on faith-based admissions criteria.
<b>Religious Education</b>	Under the control of the BoG. Must be taught in accordance with the core syllabus produced by the four main Christian churches. In controlled grammars, RE must be non-denominational but based upon the [Christian] Holy Scriptures'. Catholic schools use their own faith-based programmes arguing that this complies with the syllabus. Only inspected at the request of the BoG. Parents may withdraw their children.	Not obliged to follow the NI curriculum and may teach any form of RE they like, but in practice typically faith-based Christian. If RE is taught, there is no parental right to withdraw.
<b>Collective Worship</b>	Every school day must include collective worship. In Catholic schools, this will be conducted in line with the Catholic faith. Parents may withdraw their children.	No requirement to conduct worship, but most schools will do so and this will be Christian. No legal right to withdraw.
<b>Relationships and Sexuality Education</b>	RSE is a compulsory element of the curriculum. However, guidance from the CCEA states it must be taught 'in harmony with the ethos of the school and reflect the moral and religious principles held by parents and school management authorities.' Parents may withdraw their children.	No requirement to teach RSE. If RSE is taught, there is no parental right to withdraw.
<b>Teacher employment</b>	Depends on school management type. In controlled grammars, teachers are employed by the EA (in consultation with the BoG). In voluntary grammars, directly by the BoG.  Currently, there is an exemption to equality law allowing teachers to be employed, paid, and promoted on religious grounds. However, from 2024 this will be abolished. Schools will nevertheless be able to employ teachers on grounds of religion or belief if there is a genuine occupational requirement (GOR) to do so.	The school (usually represented by a board of trustees or management committee) is responsible for employing its own staff. There is no legal requirement for staff to have teaching qualifications.  Currently, there is an exemption to equality law allowing teachers to be employed, paid, and promoted on religious grounds. However, from 2024 this will be abolished. Schools will nevertheless be able to employ teachers on grounds of religion or belief if there is a genuine occupational requirement (GOR) to do so.
<b>Creationism and evolution</b>	There is no education legislation preventing the teaching of creationism as fact. Evolution is not explicitly included in the statutory curriculum content for science.	



## 2. ETHOS

With the exception of a very small number of private schools, at present, effectively all schools in Northern Ireland have a Christian ethos.

In controlled schools, this is made explicit through legislation requiring daily collective worship and a Religious Education (RE) curriculum 'based upon the Holy Scriptures' (although, as discussed further in later chapters, a recent High Court judgment found this to be unlawful). In maintained schools, which are generally Catholic, the specific character of worship and RE is under the control of the Board of Governors which is primarily made up of Church representatives.

The integrated sector is designed to bring students from different backgrounds together and, as with Catholic maintained schools, the character of collective worship and RE in integrated schools is under the control of the Board of Governors. However, the exclusively Christian nature of the core RE syllabus with which all schools must comply (see below), means that integrated schools have a non-denominational Christian ethos. Indeed, the Council for Integrated Education (NICIE) statement of principles makes it clear that 'the integrated school provides a Christian based rather than a secular approach.'





## 3. ADMISSIONS

Northern Ireland schools do not usually have religiously selective admissions policies – at least officially. Integrated schools are the one exception to this. While they only account for approximately seven per cent of all schools, such schools are required to educate together in ‘**reasonable numbers**’ pupils from Protestant, Catholic, and ‘other’ religion or belief (including non-religious) backgrounds.

To date, this has been interpreted to mean an approximate ratio of 40:40:20 respectively. But, with the non-religious now making up at least 28 per cent of the population of adults, and 40 per cent of the population of 16-year-olds, children from such backgrounds are clearly poorly catered for. This said, by bringing communities together, integrated schools do represent a significant step forward in an historically polarised system.

In the 93 per cent of other schools, the fact that children from different communities attend separate schools in Northern Ireland is often the result of self-selection: generations of people from the same community backgrounds will attend the same schools because such schools have an ethos that aligns with their own faith background. However, some Catholic schools do give preference to pupils for

whom the school is the nearest Catholic school. Other schools have policies that favour pupils whose family members have previously attended. This can act as a proxy for religious selection because it makes sure that members of the groups who traditionally attended a school in the past are prioritised over those without such a history (i.e. newcomer pupils or those from other backgrounds).







## 4. RELIGIOUS EDUCATION

All state-funded schools in Northern Ireland are required to provide Religious Education (RE) to their pupils right the way through school. Parents have the option to withdraw their children from RE if they wish. More on this can be found in Chapter 7.

RE is required to be taught according to the Northern Ireland core syllabus, which was set by the four main Christian Churches in Northern Ireland: the Catholic, Presbyterian, Anglican (Church of Ireland), and Methodist Churches. The syllabus is almost entirely based on Christian scripture and is taught from a Christian rather than an objective perspective. It was last updated in 2007. Other than Christianity, there is only a requirement at Key Stage 3 for pupils to study two world religions. There is no reference at all to humanism or non-religious worldviews. At Key Stage 4 pupils must study the Christian church from both a Protestant and Catholic perspective. The core syllabus is required to be taught in all school sectors, including integrated schools. In practice however, teachers in the integrated sector tend to take a much more open and inclusive approach in relation to encouraging understanding between different religious and belief groups.

Teachers from Catholic backgrounds tend to teach at Catholic schools, and teachers from Protestant backgrounds tend to teach at controlled schools. For this reason, teachers of RE are very likely to share the faith of the school. Indeed, in Catholic schools, all those who teach RE

(including all primary and nursery teachers in maintained schools) must have the Certificate in Religious Education. This is approved by the Catholic bishops and the Council for Catholic Maintained Schools (CCMS). Although you do not have to be Catholic to earn the Certificate, non-Catholic teachers are less likely to complete it (in part, because they typically train in non-Catholic institutions that are less likely to offer it), making it more difficult for them to get jobs in Catholic schools.

In 2022, a non-religious father and daughter challenged the content of the core RE syllabus in the High Court, in a case known as JR87. They argued that the exclusively Christian nature of RE and collective worship breached their freedom of religion or belief under human rights law. The court ruled in their favour. The Department of Education is currently appealing the decision but, if they lose, they must then take steps to remedy the situation. Because states are able to provide RE in a wide range of ways, the court did not stipulate precisely how the subject should be brought into line with the law. However, the judgment makes plain that the way RE is currently taught is not sufficiently 'objective, critical, and pluralistic'.





If the appeal fails then, at the very least, the amended curriculum will need to be fully inclusive of humanism, and the world religions other than Christianity currently represented in Northern Ireland, to guarantee all children are treated equally regardless of background.

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## RELIGIOUS EDUCATION IN PRIVATE SCHOOLS

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In private schools, none of the requirements imposed on state-funded schools applies. Such schools may teach whatever form of RE they like (or teach none at all). However, as the vast majority of private schools are religious, in practice, it is likely that almost all teach faith-based RE.





## 5. RESOURCES FOR INCLUDING HUMANISM IN RE

Although the existing core syllabus doesn't include humanism, schools can include it if they wish. In fact, the judgment in the 2022 High Court case (JR87, see Chapter 4) means (barring success of the Government's appeal) that this is necessary if schools are to make their curriculum 'objective, critical, and pluralistic' in a way that satisfies the requirements of human rights law.

With this in mind, Humanists UK provides a range of free education resources designed to support learning about humanism. It also offers visits from humanist school speakers to provide opportunities for young people to ask their questions about the humanist approach to life.

Our **Understanding Humanism** website provides teachers with comprehensive, flexible, and free resources to enable them to teach accurate, high-quality lessons about humanism as part of an inclusive education about religion and worldviews. Our resources and school speakers receive consistently positive feedback from schools.

The humanist approach to life is broken up into several core features to support learning about how humanists tackle life's big questions on how we can understand the world, how we should live, and how we can best live together.

Teachers are able to access information sheets, presentations, classroom activities, videos, and assessment ideas, through the

site, as well as book local humanist school speakers to visit their school. Parents can also access these resources should they wish to allow their children the opportunity to learn more about humanist perspectives at home.

If your school does not currently include teaching about humanism in RE, please do encourage them to, and point them in the direction of [understandinghumanism.org.uk](https://www.understandinghumanism.org.uk). We'd particularly recommend encouraging schools to invite a visit from a humanist school speaker.






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## 6. COLLECTIVE WORSHIP

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The law requires all state-funded schools to hold daily acts of ‘collective worship’. There is no explicit legal requirement that this worship has a distinctly Christian character but, owing to the ‘faith-informed’ nature of the school system, including the content of the RE curriculum and the faith-based composition of Boards of Governors, this is invariably how the law is understood.

As with RE, parents have a legal right to withdraw their children from collective worship (more on this can be found in Chapter 7) However, this ignores the fact that, under both the Human Rights Act 1998 and Article 14 of the United Nations Convention on the Rights of the Child, children and young people also have the right to freedom of religion or belief; a right that is not respected when religious worship is imposed upon them. Indeed, in 2022 the United Nations Committee on the Rights of the Child pressed governments across the UK to ‘describe the measures taken to repeal legal provisions for compulsory attendance at collective worship in publicly funded schools and ensure that children can independently exercise the right to withdraw from religious observance at school.’

Furthermore, by treating Christian worship as the default, the current system illegitimately favours one faith perspective over other religious and non-religious beliefs, and presupposes that children will participate in religious activities unless their parents opt them out. This not only risks the freedom of conscience of pupils and families who are not aware of the right to

withdraw, but indirectly requires those who do exercise this option to reveal information about what they believe in a way that could risk the right to privacy outlined in Article 16 of the UNCRC and Article 8 of the European Convention on Human Rights. Indeed, in the 2022 High Court case, JR87 (see Chapter 4), the current law was deemed unlawful for just this reason – although this is subject to appeal.

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### COLLECTIVE WORSHIP IN PRIVATE SCHOOLS

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Private schools are allowed to do what they like with regard to worship: they can choose to have it, or not, and if they do have it they do not have to provide a right of withdrawal for parents or pupils (on the basis that the parent can withdraw their child from the school entirely – even though this leaves the pupil with no apparent equivalent rights to those they would enjoy in the state sector). In practice we believe that all private schools probably have daily collective worship.





## 7. WITHDRAWING FROM RE OR COLLECTIVE WORSHIP

**Current legislation** gives parents the right to withdraw their children either wholly or partly from Religious Education and collective worship. Meanwhile, **regulations** state that schools must also publicise how parents can exercise this right.

It is important to recognise that withdrawing your child from either RE or collective worship is by no means an ideal solution to faith-based teaching and evangelising. It can lead to your child feeling singled out or being victimised by their peers, and some schools have been known (quite inappropriately) to frown upon parents wishing to withdraw their children. Indeed this potential for stigmatisation was noted in the aforementioned High Court judgment of 2022, wherein a non-religious father and his daughter succeeded in arguing that RE and collective worship laws breached their freedom of religion or belief. The **judgment** noted [para 122]:

*'There is a danger that parents will be deterred from seeking exclusion for a child. Importantly, it also runs the risk of stigmatisation of their children.'*

Ultimately, the court found that, even when it is paired with a right to withdraw, exclusively Christian worship violates human rights law. On this basis, and assuming its appeal is unsuccessful, the Department of Education will need to review (and, in our view, repeal) domestic law on this matter.

Nevertheless, pending a more permanent solution, in many cases withdrawing may still be necessary.

The various considerations in exercising your right of withdrawal from RE or collective worship are set out below.

### WITHDRAWING FROM RELIGIOUS EDUCATION

For all state schools the law states that if the parent of a pupil 'requests that the pupil should be wholly or partly excused from attendance at religious education or collective worship or from both, then, until the request is withdrawn, the pupil shall be excused from such attendance in accordance with the request.' This applies to all types of state school.

Note that you can 'partly' withdraw children from RE, so if there is a particular aspect that you are uncomfortable with, but the rest of the teaching is fine, you should be able to withdraw your child only from that one part.

## WITHDRAWING FROM COLLECTIVE WORSHIP

As is the case for RE, the law states that if the parent of a pupil 'requests that the pupil should be wholly or partly excused from attendance at religious education or collective worship or from both, then, until the request is withdrawn, the pupil shall be excused from such attendance in accordance with the request.'

Crucially, when withdrawing a child from collective worship it is important to remember that it is only the worship they are being withdrawn from, not anything else. If the worship is taking place during an assembly, for instance, a pupil should be withdrawn only from the worship element of the assembly, and then reintroduced for the remainder of the time. This will avoid situations in which children withdrawn from worship end up missing out on other parts of an assembly, such as school notices or awards.

Unfortunately, in Northern Ireland, unlike in England and Wales, there is no specific legal provision allowing older pupils to withdraw themselves from collective worship. However, if a young person is sufficiently mature enough to make their own informed decision on the question at hand, then we think human rights-based case law known as 'Gillick competence' suggests that that young person should, in fact, have the right to opt themselves out of collective worship.

By failing to give even those aged over 16 the option to opt out of collective worship, the law in Northern Ireland therefore entirely fails to enable children and young people to exercise their 'Gillick competence' rights in a 'manner that is consistent with' their 'evolving capacities', as established

in European case law and reflected in Articles 12 and 14 of the UN Convention on the Rights of the Child (UNCRC). This view has been repeatedly endorsed by the UK Parliament's Joint Committee on Human Rights (JCHR), for example in reports in 2006, 2008, and 2010.

What's more, although we think there is a strong argument to suggest human rights law requires it, schools are not currently obliged to provide a meaningful alternative to collective worship. As a result, children can end up being sent to an empty classroom or told to sit outside in the corridor. Sometimes, children are expected to remain physically present during worship, without taking part, but for many parents this arrangement will be just as unacceptable. It is therefore important to try and secure the cooperation of the school if possible, as arranging a suitable alternative to worship will depend on their willingness to provide it.





## 8. A MEANINGFUL ALTERNATIVE TO COLLECTIVE WORSHIP: ASSEMBLIES FOR ALL

The **Assemblies for All** ([assembliesforall.org.uk](http://assembliesforall.org.uk)) online resource is run by Humanists UK, and provides access to high quality, inclusive assemblies for schools across the UK so that every student can experience assemblies which are educational, enjoyable, and appropriate for young people from all backgrounds.

Assemblies for All prioritises assemblies that are not acts of collective worship and which do not seek to promote one particular religion or belief. The assemblies are inclusive and accessible for all schools, teachers, and pupils, regardless of their religion or belief background.

The website 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. Every assembly is organised by theme, key stage, organisation, and, for many of them, by a corresponding event in the calendar. The calendar contains notable dates across the year so that assemblies can be held to mark important events such as International Women's Day, World Environment Day, and Martin Luther King Jr Day.

Therefore if you are engaging with your child's school about the content of assemblies, with a view to making them more inclusive, it may be useful to point them in the direction of this resource.







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## 9. RELATIONSHIPS AND SEXUALITY EDUCATION

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Relationships and sexuality education (RSE) has been compulsory in state schools in Northern Ireland since 2007. In primary schools, this teaching is part of the personal development and mutual understanding area of the curriculum, and in post-primaries, it is part of the learning for life and work area.

The Council for the Curriculum, Examinations, and Assessment (CCEA) has produced some fairly comprehensive [guidance on teaching RSE for schools](#). This includes content on consent, contraception, healthy relationships, internet safety, LGBT matters, and social media and self-esteem. However, the guidance is not compulsory and states RSE must be taught 'in harmony with the ethos of the school and reflect the moral and religious principles held by parents and school management authorities.' On this basis, 'sensitive issues' such as abortion and LGBT rights may be taught from a religious perspective rather than a fact-based one.

Parents do not have an explicit legal right to withdraw their children from RSE. However, the CCEA guidance states that schools may grant such requests 'on an individual basis'. This right should therefore apply in instances where RSE is taught from a religious perspective.

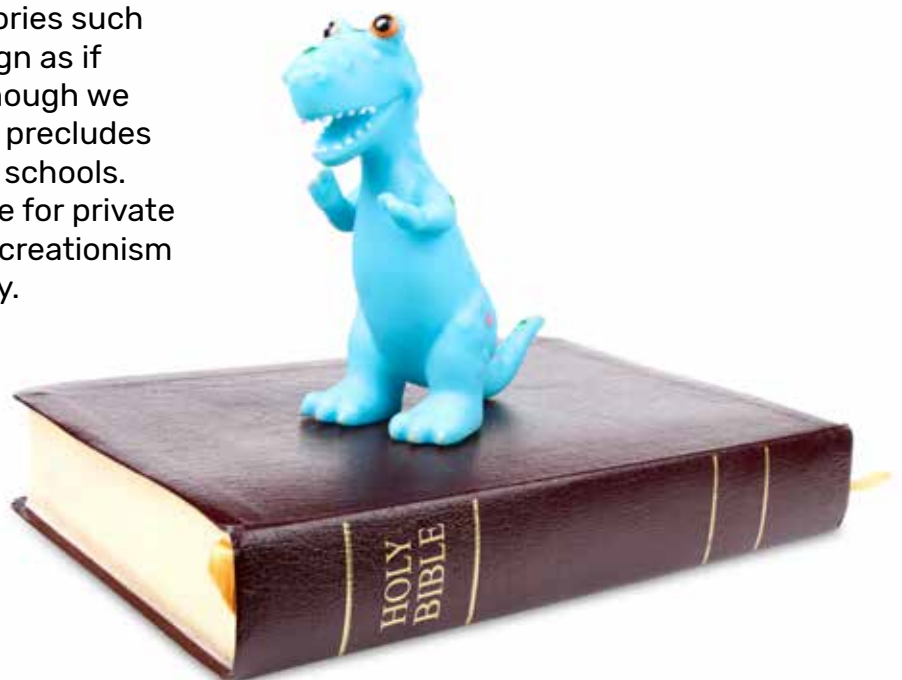
Nevertheless, since the High Court ruling mentioned in Chapter 4 (albeit currently subject to appeal by the Government) makes it clear that withdrawal is an insufficient response to a biased curriculum, we believe that faith-based RSE is potentially unlawful in the same way as exclusively Christian RE. We would therefore urge parents who are worried about religious influence in RSE lessons to contact us for further advice and support: [info@nihumanists.org](mailto:info@nihumanists.org).

# 10. CREATIONISM AND EVOLUTION

Science is a core component of the curriculum. However, it is not compulsory at Key Stage 4 (although schools must offer access to at least one course that leads to a qualification in this area). There is no requirement to teach evolution. Indeed, the terms 'evolution' and 'natural selection' are entirely absent from the statutory curriculum guidance, meaning it would be possible for schools to leave them out of the curriculum altogether if they wished.

Unlike in England – where state-funded schools are precluded from teaching 'any view or theory... as evidence-based if it is contrary to established scientific or historical evidence and explanations' – there is no explicit prohibition on the teaching of pseudoscientific theories such as creationism or intelligent design as if they were scientifically valid. Although we do believe that human rights law precludes such teaching in publicly funded schools. Unfortunately, this is not the case for private schools which may legally teach creationism and pseudoscience with impunity.

Nevertheless, if you believe your child is being taught creationism in science lessons in either sector we would like to hear from you: [info@nihumanists.org](mailto:info@nihumanists.org).





# 11. FREQUENTLY ASKED QUESTIONS

## MY SCHOOL'S RE IS UNBALANCED, BIASED OR 'CONFESSIONAL' - IS THIS LEGAL?

Although the precise nature of RE will depend on the type of school your child attends, **legislation** states that the subject must be taught in accordance with the core national syllabus. The current syllabus was written by the four main Christian churches and is almost exclusively Christian in nature, save for one module on World Religions at Key Stage 3. Catholic schools will teach their own 'catechetical' (faith-based) version of the subject (which they argue aligns with the national syllabus) and controlled schools must legally offer RE 'based upon the Holy Scriptures'. Even integrated schools are required to use the syllabus. For this reason, for the time being, all the RE provision in Northern Ireland is unbalanced.

This is not legal. On the face of it, domestic education law not only entitles, but requires, schools to provide almost exclusively Christian RE. However, under **human rights law**, the state 'must take care that information or knowledge included in the curriculum is conveyed in an objective, critical and pluralistic manner' and is 'forbidden to pursue an aim of indoctrination that might be considered as not respecting

parents' religious and philosophical convictions'. Since the Northern Ireland Department of Education does not offer any meaningful alternative to Christian RE, it is currently in breach of this requirement. Indeed, this is what **the High Court found** in the 2022 case (JR87, see Chapter 4) where a non-religious father and his daughter argued that RE and collective worship laws breached their freedom of religion or belief.

As a result of this case, and assuming its appeal fails, the Department of Education should be taking steps to amend the core curriculum to remove any religious evangelising and make it fully inclusive of non-religious perspectives like humanism, as well as minority faiths. In practice, this may take some time so, although the court stated that the Department should provide schools with interim guidance on the matter, it may be necessary to find more localised (school-level) or short-term solutions. These could include providing the school with additional resources (e.g. from our Understanding Humanism site) or withdrawing your child.

If you are concerned about the biased nature of the curriculum on offer at your child's school, we would be keen to support you to challenge this. Please get in touch by emailing [info@nihumanists.org](mailto:info@nihumanists.org).



## CAN I OPT MY CHILD/MYSELF OUT OF ATTENDING RE?

Parents can opt their children out of RE in all state-funded schools in Northern Ireland. They may also arrange for their child to receive alternative RE, either on the school premises or elsewhere.

The law specifies that if a parent requests that their child be 'wholly or partly excused' from RE provision then, regardless of the nature of that provision, the school must allow it. However, this is in no way an ideal situation as it can lead to children feeling excluded, or being singled out and

victimised by their peers. Any decision to opt a child out of RE must therefore be considered carefully, especially if you are considering this option because you would prefer your child learnt about different religions and humanism in an objective way. The JR87 case (see Chapter 4) found that under the Human Rights Act, withdrawal is not a sufficient response to the problem of religiously partisan RE. Instead, the aim should be to bring the subject into line with human rights law by making it 'objective, critical, and pluralistic'. In practice, this means teaching about a range of religious and non-religious perspectives including humanism in a non-partisan way, rather than trying to co-opt them into Christianity.

As a result of the JR87 case, and assuming it does not succeed in its appeal, the Department of Education will need to amend the core curriculum for the subject, but until that happens, it may still be necessary to exercise your parental right to withdraw.

Pupils are unable to opt themselves out of RE. However, if a young person in either a state or private school is sufficiently mature enough to make their own informed decision on the question at hand, then human rights-based case law known as '**Gillick competence**' suggests that that young person should in fact have the right to opt themselves out of RE. The fact that this right is not recognised in UK law has not been challenged before and is something we would be very keen to take on, as we think we could force a change in the law – if you are a young person in such a circumstance, please get in touch with us.





## ASSEMBLIES AT MY CHILD'S SCHOOL ARE BEING USED FOR EVANGELISING AND RELIGIOUS WORSHIP - IS THIS LEGAL?

Currently, all state-funded schools must provide for a daily act of collective worship. There is no legal requirement that school worship has a Christian character, but owing to the exclusively Christian nature of RE, this is invariably how the law is understood. Although controlled schools are required to carry out 'undenominational' worship, there is no official guidance on how worship should be conducted, so schools are largely free to interpret the requirement as they see fit. They may also grant 'ministers of religion and other suitable persons... to whom the parents do not object' access to the school for the purpose of giving religious education, which can be through that offered in RE, or can be in addition to it. This often means visiting clergy attending assemblies.

The ruling in the JR87 case demonstrates that domestic law on collective worship breaches human rights law. This is subject to appeal. But as a result, we believe that pupils are legally entitled to a meaningful alternative to such provision, ideally in the form of inclusive assemblies that are suitable for all regardless of background or belief. Nevertheless, the High Court did not stipulate how the Department should amend the existing law or policy in order to comply with human rights provisions, so it may be necessary to negotiate school-level solutions (e.g. by encouraging the use of our inclusive resource hub Assemblies for All, see Chapter 8) or withdrawing your child for a short time.

If you are experiencing difficulties with collective worship in your child's school, please get in touch with us for further advice or support: [info@nihumanists.org](mailto:info@nihumanists.org).

## CAN I OPT MY CHILD/MYSELF OUT OF COLLECTIVE WORSHIP?

In state schools, as with RE, parents have an unqualified right to opt their children out of collective worship. Note that pupils can also be partly opted out, so it should in theory be possible to remove a pupil from worship, while ensuring they do not miss any assemblies that are conducted in an inclusive way, or indeed the parts of an assembly that are not spent worshipping.

But this is not an ideal solution as it could lead to a pupil feeling excluded or being singled out and victimised by their peers. Further, without some cooperation from the school itself, it could lead them to miss out on important parts of the day, such as school notices, that also take place during assemblies. In addition, the school does not have to arrange an alternative activity – many children end up being sent to the library, and some have to sit outside the assembly in the corridor. You can ask for something more appropriate, however.

Unfortunately, unlike in England and Wales, older pupils (those attending sixth form) are unable to withdraw themselves from collective worship. This is an issue that has been raised by the UN Committee on the Rights of the Child, which called for a change to the law in 2016 and are likely to do so when they produce their next report on Great Britain and Northern Ireland in 2023. The fact that this right is not recognised in UK law has not been challenged before and is something we would be very keen to take on, as we think we could force a change in the law – if you are a young person/ the parent of a young person in such a circumstances, please get in touch with us about this.

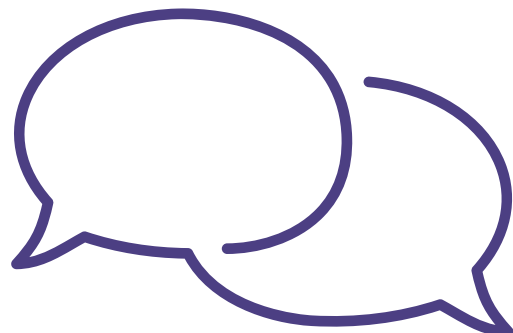
## WHAT IF THE SCHOOL DOESN'T LET ME OPT MY CHILD/MYSELF OUT OF RE OR COLLECTIVE WORSHIP?

If the school is a state school, this is unlawful. **Article 21 (5) of the Education and Libraries (Northern Ireland) Order 1986** plainly states:

*If the parent of any pupil requests that the pupil should be wholly or partly excused from attendance at religious education or collective worship or from both, then, until the request is withdrawn, the pupil shall be excused from such attendance in accordance with the request.*

In terms of how to get the school to face up to its legal obligations, first of all you should pursue its internal complaints procedure. Beyond that, the next step is to complain to either the Education Authority (in the case of controlled schools) or the Department of Education.

If the school is a private school, then Northern Ireland law does not require opt-outs to be offered. This is justified on the basis that the parent can choose to send their child to a state school, where opt-outs are provided. But pupils do not have this option and so it may mean that their human right to freedom of religion or belief is infringed.





## MY CHILD'S SCHOOL TEACHES THE CREATION STORY – IS THIS LEGAL?

There is no education legislation preventing schools in Northern Ireland from teaching the creation story or intelligent design as true. In fact, at Key Stage 2, the core syllabus for religious education requires that teachers 'explore the wonder and variety of creation' and 'hear, discuss and reflect upon the biblical account of creation and fall.' At Key Stage 3, pupils are also expected to examine 'the concept of creation in the image of God'.

It would obviously be possible for schools to deliver this content in an objective way – by getting children to think critically about creation myths, their possible meanings, and how different religious traditions have understood them over time – but many do not. What's more, the teaching of evolution is not legally required in science, so it is possible for schools to omit it from the curriculum.

Despite the lack of education legislation preventing the teaching of creationism or pseudoscience as fact, we are of the view that, in the context of grant aided (state) schools, such teaching breaches human rights law because it fails to be 'objective, critical, and pluralistic.' Unfortunately, this is not the case for private schools, where the curriculum is subject to far less oversight on the basis that parents could select an alternative school (e.g. within the state system).

If your child's school is teaching evolution or intelligent design as fact or well-evidenced theory, please contact us for further advice and support: [info@nihumanists.org](mailto:info@nihumanists.org).



## MY CHILD'S SCHOOL TEACHES RSE FROM A RELIGIOUS PERSPECTIVE – IS THIS LEGAL?

All schools in Northern Ireland have a Christian ethos and, at present, RSE must be taught 'in harmony with the ethos of the school'. In practice, this means that the subject is often taught from a religious perspective and 'sensitive issues' like abortion or same-sex relationships are either taught in a biased way or left out of the curriculum altogether.

If you are concerned about the content of faith-based RSE, you may withdraw your child from the subject. But this is obviously not ideal given the importance of learning about sex and relationships for children and young people to grow up healthy, happy, and above all, safe. What's more, in light of the 2022 High Court judgment in JR87 (see Chapters 4 and 9), we think there is a good reason to regard biased RSE provision as unlawful, regardless of whether it is accompanied by a right to withdraw or not.

## I'M NON-RELIGIOUS BUT I AM UNABLE TO CHOOSE A SCHOOL WITHOUT A RELIGIOUS ETHOS FOR MY CHILD. WHAT SHOULD I DO?

This is a real and growing issue for non-religious families in Northern Ireland. More than a quarter of adults in Northern Ireland now identify as non-religious, making them the second largest belief group after Catholics. Furthermore, the Young Life and Times survey in 2021 found that 40 per cent of 16-year-olds had no religion. However, all the schools in Northern Ireland have a Christian ethos, provide a daily act of collective (and exclusively Christian) worship, and Christian religious education taught according to a core syllabus prepared by the four main Christian churches. Perhaps surprisingly, this is not just the case for Catholic or controlled schools, but also for integrated schools which are otherwise more inclusive in their approach. It means that it is impossible for non-religious parents to send their children to a school without a religious character of some kind.

Although not ideal, many non-religious parents would prefer an integrated school to the other types of school available. However, a further issue affecting school choice is that integrated schools represent only a very small proportion of the total number of schools in Northern Ireland (in the region of 7 per cent). What's more, despite non-religious people now accounting for more than a quarter of the population in Northern Ireland, integrated schools generally aim at 40 per cent of pupils from Catholic backgrounds, 40 per cent of pupils from Protestant backgrounds, and 20 per cent of pupils from other backgrounds. This means places are likely to be far more scarce for non-religious families than for Christians.

In 2022, the Northern Ireland Assembly passed the Integrated Education Act, which should theoretically make it easier for more integrated schools to open. However, the Act did nothing to remove the Christian ethos of these schools and is therefore of limited help to non-Christian parents struggling with school choice in the current system.

We are campaigning to alter this situation, and hope that the **2022 High Court ruling on collective worship and RE** (albeit subject to appeal, see Chapter 4) will lead to policymakers ensuring that the Government does more to provide inclusive schools that do not seek to impose a particular faith on children, and which are open and welcoming to all regardless of background. In the meantime, we are keen to hear from parents who are experiencing difficulties in this area: [info@nihumanists.org](mailto:info@nihumanists.org).



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# CONTACTS

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