



Press Release

21 January 2010

An-Nisa Society publishes 'Briefing Paper: The Equality Bill 2009/10 & Implications for Muslims'

Muslims urged to lobby to keep clause 148 for religion and belief

An-Nisa Society welcomes the Equality Bill 2009/10, which is currently going through the House of Lords. We believe that it is groundbreaking and courageous and has the potential to make this country a fairer place for all.

We particularly welcome the extension of a public equality duty to religion and belief as a 'protected characteristic' on a par with seven other categories, which includes race, gender and disability.

This means that it will be a statutory duty for public bodies to proactively address issues around religion and belief. For Muslims this is phenomenal news as it means that public bodies will have to deal with Islamophobia and institutionalised anti-Muslim discrimination, which have made Muslims the underclass of Britain. Khalida Khan, Director, An-Nisa Society, said "we believe this Bill has the potential to uplift Muslims from social exclusion."

However, as the Bill makes its progress through the House of Lords there is a possibility that the public equality duty on religion and belief may be diluted or taken out, due to fears that it will promote religion.

"The promotion of faith is not the role of government but meeting the needs of faith communities and addressing any inequality and disadvantage they suffer certainly is."

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There is an amendment to delete clause 148, expected to be discussed on 25th or 27th January 2009, to remove the duty to 'advance equality of opportunity' for religion and belief, which is an essential element of the legislation. Muslims need to lobby to ensure that this does not happen.

"Deleting clause 148 will be disastrous for Muslims because Muslims suffer disadvantage, have differing needs based on faith and are marginalised and there has been a historic lack of engagement and participation."

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Until 2006 equality legislation did not protect Muslims as a faith community from Islamophobia. The Equality Act 2006 for the first time included religion and belief in its

remit. However, there was no public sector equality duty for public bodies to address Islamophobia and to deal with Muslim advantage and deprivation.

As a result, in the four years since there has been little improvement in the way public bodies address Islamophobia and provide Muslim-sensitive services.

"It is often erroneously believed that the duty on race is sufficient to cover the needs and issues of Muslims. However, whilst there has been some progress on race, a faith-blind approach to equality and anti-racism over many decades has not delivered social justice for Muslims."

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The Second Reading is currently underway where amendments will be made and debated. At the third reading the amended version of the Bill will be debated. No further amendments can be made at this stage before the Bill is put forward for Royal Assent. In view of the general elections coming up in the spring, the Equality Bill has a limited time in the House of Lords, as Parliament has to be dissolved by 6 May 2010. If the Bill is not passed it will be down to the discretion of the next government, from whichever party, to reintroduce the Bill if they see fit.

The Bill is therefore in a very precarious position and in the rush to get it through before the general elections it may mean that the religion and belief equality provision may be taken out or weakened because Muslims have not had an opportunity to make their voices heard. If this happens, it will be disastrous for Muslims. The opportunity for this type of legislation only comes around once in a lifetime.

An-Nisa Society has responded to the consultation of this Bill in a Briefing Paper entitled 'The Equality Bill 2009/10 and the implications for Muslims,' released on 21 January 2010. In this paper we make the following recommendations:

Recommendations

- 1.** The Religion and Belief public duty must be equal to and as robust as the other 'protected characteristics.'
- 2.** The equality duty must be retained for religion and belief.
- 3.** Clause 148 must remain for religion and belief.
- 4.** We support the amendment by the EHRC to strengthen Clause 148 on the Single Equality Duty by inserting **'take steps'** to meet the three equality duty objectives.
- 5.** Specific Duties – All reporting must include religion and belief including employment data.
- 6.** Harassment on the basis of religion and belief must be extended to all areas due to the serious levels of anti-Muslim feelings in the country.
- 7.** Diversity Monitoring should be made compulsory, to include religion and belief.
- 8.** The Equality and Human Rights Commission (EHRC) should make extra efforts to ensure that statutory guidance on religion and belief is clear and robust.

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