

## **MYTH-BUSTING: the Equality Bill and Religion**

The Equality Bill will strengthen the law and maintain people's protection from discrimination because of their religious beliefs. There has been some misunderstanding about the intentions and impact of the Bill, especially around Christmas, so this fact sheet will help to clarify the facts from the myths.

### **MYTH: The Equality Bill will ban religious celebrations.**

RESPONSE: This is not true. The Equality Bill will protect people's rights to hold religious beliefs and to be treated fairly, whatever their religion or belief, but it will not ban anything to do with religious celebration.

The Bill contains an Equality Duty that will require public bodies to think about different groups when planning and delivering services. There are already duties which currently cover disability, gender and race - the Equality Bill will replace these with a new duty which will also include religion and belief, age, sexual orientation, pregnancy and maternity, and gender reassignment in full.

So for example, a duty on religion or belief could lead a local authority to set up shared public spaces, such as community halls or youth centres to encourage more people of different religious backgrounds to mix. This will so foster good relations and promote understanding between different groups. However it will not require public bodies to interfere with anybody's religious celebrations.

### **MYTH: The Equality Bill will mean local authority tenants will be asked to take down Christmas lights.**

RESPONSE: This is absolutely not true – of course the Equality Bill will not stop local authorities or their tenants from putting up Christmas trees and lights or celebrating any other religious festival such as Diwali, Eid or Chanukah.

### **MYTH: Authorities are avoiding use of the word 'Christmas' out of cultural sensitivity.**

RESPONSE: The Equality Bill embraces the cultural diversity of UK society. It is ridiculous to suggest that anyone should stop referring to Christmas and any other religious festivities.

**MYTH: Religious organisations that display holy images in the workplace are vulnerable under the Equality Bill.**

RESPONSE: Religious organisations are free to display holy images. Some people have suggested that the Equality Bill will mean that workers will be able to sue religious organisations for harassment because they are offended by religious images in the workplace. This is just mischief-making.

An example often used is that of a cleaner working in a care home who is offended by crucifixes on the walls – it is completely untrue to suggest that the care home would be required by the Bill to take them down. The cleaner should expect to see these images in a religious organisation.

**MYTH: Scientology will be given the same status as a religion as Roman Catholicism or the Church of England.**

RESPONSE: The Equality Bill retains the current definition of religion or belief, as “any religion or any religious or philosophical belief or any lack of such religion or belief”.

The Government does not maintain a list of recognised religions, so if there is any doubt about whether or not something constitutes a religion or belief within this definition, this would ultimately be a matter for the courts to determine.

**MYTH: The Equality Bill will force churches to hire gay priests.**

RESPONSE: Everyone should be protected from discrimination and should have the right to be treated fairly in employment and in other areas of life. The Equality Bill recognises and protects people’s rights to hold and manifest religious belief. It also protects gay men, lesbians and bisexual people from being discriminated against. Where such rights have the potential to come into conflict, the Bill strikes an appropriate balance between them.

The Equality Bill will not change the existing legal position regarding churches and employment. It clarifies the existing law to ensure a balance is maintained between the rights of people to manifest their religion and the right of employees not to be discriminated against because of a protected characteristic such as sexual orientation.

In the case of Ministers of Religion and other jobs which exist to promote and represent religion, the Bill recognises that a church may need to impose requirements regarding sexual orientation, sex, marriage and civil partnership or gender reassignment if it is necessary to comply with its teachings or the strongly held beliefs of followers. However, it would not be right to permit such requirements across all jobs within organised religions, such as administrators and accountants, and the Equality Bill makes this clear.

**MYTH: The Bill will mean employees will not be able to wear symbols of their faith, such as a cross, to work.**

RESPONSE: This is not true, there is no domestic law stating what people can and cannot wear as this is considered a matter of personal choice. The Equality Bill will maintain this position.

However, as under the existing law, it will remain possible for employers to apply general rules (for example, rules about not wearing jewellery) which may have a particular impact on people of particular religions. This will continue to be permitted, provided the rule is a proportionate means of achieving a legitimate aim (for example, it is necessary for safety or hygiene reasons).

**MYTH: Religious organisations that receive public funding will come under increasing pressure to abandon their religious ethos because of the Equality Duty.**

RESPONSE: The Bill protects the ability of religious organisations to preserve their religious ethos, for example by allowing them to impose religious requirements in relation to some employees and to restrict their services to followers of the religion.

Where a religious organisation is providing a service funded by a public body, and limits that service to followers of the religion, the public body will need to ensure that all people requiring the service are able to access services of a similar standard. For example, a local authority might contract a Jewish organisation to provide kosher meals on wheels for Jewish service users, while contracting a non-religious organisation to provide meals on wheels to those in the community who have no religious dietary requirements.