

MEND'S MEDIA INFORMATION SHEETS

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MEDIA INFO SHEET – COUNTER-TERRORISM & SECURITY

(Schedule 7 & Prevent)

SUMMARY

Schedule 7

- Muslims are not opposed to airport examinations, however like many people in society, Muslims and non-Muslims, we feel that the checks need to be;
 - (a) intelligence-led
 - (b) proportionate
 - (c) fit for purpose.
- There are three significant problems with the current Schedule 7 powers;
 - (a) No reasonable suspicion
 - (b) Proportionate & non-discriminatory
 - (c) Passwords/Civil liberty encroachment.

PREVENT

- We fully support this idea of protecting protect the public against acts of terrorism, but do not agree that Prevent is the best way to tackle it
- Many individuals and organisations are critical of PREVENT
- A British Muslim is 80 times more likely to be referred to the CHANNEL programme under PREVENT
- PREVENT data from 2018/19 shows that around 90% of referrals to Channel are unwarranted.
- The problems with PREVENT are that;
 - It is underpinned by flawed science and has no proven predictive value in preventing terrorism
 - It uses an unclear definition of extremism

- Has been criticised by the Home Affairs Committee for its inadequate training
 - There have been many 'Prevent abuse' or 'false positive' cases where Muslims have been falsely implicated of being 'radicalised', leading to claims that it discriminates against Muslims.
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- MEND is of the firm belief that the PREVENT duty should be repealed, although it nevertheless welcomes the Government's independent review of PREVENT as an important first step in the right direction in tackling the problems with PREVENT.

SCHEDULE 7 (OF THE TERRORISM ACT 2000)

In the light of the exceptional terrorist threat we are facing, why are Muslims opposed to airports examinations, they are in everyone's interests?

Muslims are not opposed to airport examinations, however like many people in society, Muslims and non-Muslims, we feel that the checks need to be;

- (a) intelligence-led
- (b) proportionate
- (c) fit for purpose.

Ultimately if the checks are counter-productive, it benefits nobody and perhaps makes our security situation worse.

There are three significant problems with the current Schedule 7 powers:

(a) No reasonable suspicion

- A Schedule 7 stop can be undertaken without any reasonable suspicion that the person has any involvement with terrorism. This thus allows the police to stop and question individuals indiscriminately hence do not always appear to be intelligence-led. Now we know from the lessons we had learned from 'stop and search' on the street that when 'reasonable suspicion' was not required to stop and search people, black and Asian men were highly disproportionately affected. This caused much mistrust between the black community and the police. Following this 'reasonable suspicion' was introduced.
- The Equality and Human Rights Commission has shown that a British Pakistani male is 52 times more likely to be 'stopped and questioned' at an airport than a white male, and 154 more times likely to be detained. This is clearly disproportionate, and some would say discriminatory.
- Under Schedule 7, police and immigration officials are given the invasive power to stop, search, and hold individuals at ports, airports, and international rail stations. Officials can examine their targets and question them for up to 9 hours without

formally detaining them, during which time they have no right to a publicly-funded lawyer. This can indeed be described as 'unjust' as was declared by the European Court of Human Rights (ECHR) in 2019.ⁱ

- To avoid a similar situation at airports, we thus believe that there should be a criterion of reasonable suspicion introduced for Schedule 7 stops

(b) Lack of targeted questioning

- Now the proportionality argument should also apply to the nature of the questioning once someone has been stopped. Most reasonable people would agree that the questioning should be targeted at ascertaining whether that person is involved in terrorism-related activity. However Muslims detained under schedule 7 have been asked questions totally unrelated to their stops, for example, 'do you pray five times a day' or 'what are your views on Israel?' In another case.
- These appear to be completely irrelevant to the question of possible involvement with terrorist activity. In fact, Liberty has called these powers "a fishing expedition".
- We thus believe that the questioning should be much more focused and restricted to identifying terrorism-related activity, and there is a need for more training here. Focused questioning also saves police time and allows them to work more efficiently, which is important when you have limited and hard-pressed resources.

(c) Passwords/Civil liberty encroachment

- The current system allows officers to ask for passwords to electronic devices. These devices no doubt contain huge amounts of personal information/privileged data that have nothing to do with terrorism, e.g. journalists could have sensitive information from their sources, doctors may have confidential data on patients, and all personal emails and personal family photos may be looked at.
- In 2016 in relation to the case of the journalist David Miranda, the Court of Appeal also ruled that Schedule 7 being used to stop journalists and access their material was incompatible with Article 10 of the European Convention on Human Rights (freedom of expression).
- Also, David Anderson, the former independent reviewer of the UK's counter-terror legislation, has stated that safeguards are needed for sensitive or legally privileged

material, and that clear and proportionate rules governing the data taken from electronic devices are required.

- In February 2019, in the case of *Beghal v The United Kingdom*, the European Court of Human Rights (ECHR) unanimously declared the powers given to police and immigration officials under Schedule 7 to be unjust. In this case, Sylvie Beghal, a French national of Algerian descent living in the UK, was stopped at the border as she and her children returned from visiting her husband in France. The ECHR determined that the exercise of the Schedule 7 power to detain and question people at ports and airports had violated her human rights, namely the right to respect for her “private and family life” under Article 8 of the European Convention on Human Rights.ⁱⁱ
- We thus believe that there should be clear guidance as to what data the police should have access to under Schedule 7

Data shows that the number of examinations under Schedule 7 have been falling since 2011 – isn’t that evidence that they are being used in a more targeted way?

- That is true, but the proportion of examinations of Asian travellers has been rising over that period, as has the proportion of detentions of Asian travellers.
- In 2014, a team of students at Cambridge University – named Operation Insight – found that 88% of its sample of those stopped under Schedule 7 at a particular airport, were Muslim.
- In fact, in 2015/16 the numbers of Asian travellers detained was more than those from the White category, despite the 2011 Census figures showing 86% of the population is of White ethnicity, compared to 7% of Asian.

PREVENT

In the light of the terrible terrorist attacks in London and Manchester in 2017, why are you against Prevent?

So, PREVENT is part of the Government’s counter-terrorism strategy called CONTEST, and the whole idea behind is there to protect the public against acts of terrorism. We fully support this idea, but do not agree that PREVENT is the best way to tackle it.

We are not alone in stating this, many other individuals and organisations, nationally and internationally have been critical of PREVENT including;

- Andy Burnham, Mayor of Greater Manchester,
- Home Affairs Select Committee
- Several UN Special Rapporteurs (Human Rights, Racism and Privacy)
- Open Society Foundations think tank
- 140 academics,
- NUT,
- NUS,
- Royal College of Psychiatrists
- Independent reviewer of counter-terrorism

... and many more

Before I come onto the reasons for this, it is important to be aware of three facts

1. A British Muslim is 8 times more likely than a non-Muslim to be referred to Channel programme under PREVENT.ⁱⁱⁱ

2. Home Office PREVENT data in the year ending 31 March 2019 shows that:

- (i) 5,738 individuals were referred to PREVENT, with the education sector being the most significant source of referrals, at 1,887 or 33%.^{iv}
- (ii) Of those 5,738, only 561 – or one in 10 – went on to receive CHANNEL support.^v
- (iii) This shows that 90% of Prevent referrals are ‘false positives’

3. Every individual referred has their details stored without their knowledge in the PREVENT case management database, regardless of whether they go on to receive further support.^{vi}

So, this raises the question as to whether Prevent is actually working, and we believe it is not, for the following reasons;

Key problems with Prevent

1. Flawed science.

The science behind Prevent is based on something called the ERG22+. This is a group of 22 risk factors identified that serve as criteria against radicalisation is measured and forms part of the vulnerability assessment framework used by Channel. It is based on research on around 20 convicted Al Qaeda prisoners conducted by two psychologists (Christopher Dean & Monica Lloyd) who were working for the Home Office in the National Offender Management Service (NOMS) at the time of the research. This research has several problems with it

- Not peer-reviewed – it has only been published in one international journal where the Editor was the on the advisory committee for the study
- Data has been kept a secret by the Government not available for professional and public scrutiny
- Not independent – it was undertaken by researchers who were employees of the Government
- There is no replicating independent research
- Theory is unproven – even authors were concerned about the lack of reliability and validity, yet despite this, it forms the basis of statutory guidance that is Prevent
- It has no proven predictive value in preventing terrorism – 84% of all referrals to CHANNEL in 2017/18 (1,314) led to no further action (42%) or were sign-posted elsewhere (40%).

2. Unclear definition of extremism.

- Prevent is the Governments counter-extremism and counter-radicalisation policy. However, the Government has no clear working definition of ‘extremism’, ‘non-violent extremism’, ‘British Values’ and ‘radicalisation’. The definitions are usually unclear, conflated and confused.
- For example, the Government has defined extremism as “ *vocal or active opposition to fundamental British Values, including democracy, the rule of law, individual*

liberty and mutual tolerance and respect of different faiths and beliefs". However, what are 'British Values?' these mean different things to different people, e.g. if you are opposed to abortion, nuclear weapons or gay marriage, does that make you an extremist? Alternatively, if you use '*respect of different faiths and beliefs*' as your yardstick, then much of the right-wing press who demonise Islam and Muslims are also extremists.

- Additionally, there is no empirical evidence that being an 'extremist' means that you are more likely to commit a violent act of terrorism.
- Extremism is thus an unclear, subjective, relative concept, and what we need are clear, objective definitions.

3. Poor training

- For such an important aspect of the Governments counter-extremism, one would expect in-depth training lasting days or weeks. What is astounding is that Prevent training can be delivered in a couple of hours, which is completely inadequate to teach non-specialists such as Nursery school teachers and Physiotherapists how to spot when a child or patient is being drawn into terrorism.
- The Home Affairs Select Committee in their report on Prevent in 2016 also said there was a "*lack of sufficient and appropriate training*" and recommended this should be reviewed.
- The proposed CTSB (Counter-Terrorism and Security Bill 2017-19) continues the inappropriate expansion of PREVENT into areas of civil society, shifting the responsibility for reporting suspected extremism onto Local Authorities inadequately trained for such a task.

4. PREVENT 'abuse' or 'unwarranted' cases

- A combination of flawed science, unclear definitions and inadequate training have led to many cases where Muslims have been falsely implicated of being 'radicalised', leading to claims that it discriminates against Muslims. These cases include the following;
 - 'Cooker bomb' – a 4-year-old boy was referred by the manager of his nursery after drawing a picture of his father cutting a cucumber and mispronounced

the word cucumber as “cooker bomb”, and the latter was taken to mean “bomb”.^{vii}

- Misunderstood T-shirt - an 8-year-old boy was wearing a T-shirt which read ‘I want to be like Abu Bakr as-Siddique’ (the first Muslim caliph). A teacher told him to take it off, and he was questioned under PREVENT. It appears that the name was confused with Abu Bakr Al-Baghdadi, the leader of ISIS.^{viii}
- Palestine supporter - Rahmaan Mohammadi, a 17-year-old boy, wearing a Palestine T short and badge was referred to PREVENT by teachers after handing out leaflets highlighting the humanitarian problems in the Occupied Palestinian Territories. He was referred to PREVENT and questioned by a Police Officer about his views on Palestine, Israel and the Middle East.^{ix}
- The absence of evidentiary premises along with inadequate training and a lack of viable definitions has resulted in a situation where standard everyday practices of the Islamic faith (for instance, wearing the hijab or going on Hajj), cultural practices (viewing an Arabic news channel), or looking into governmental issues (criticising foreign policy) can be considered to be an indication of being drawn to political violence or extremism.^x
- Indeed, taking PREVENT in the NHS as an example, research conducted by Warwick University found that 70% of the respondents "were 'likely', or 'very likely'" to refer someone for the possession of Islamic philosophy books, even though these are not an indicator of being drawn into terrorism^{xi}
- So these cases show that the PREVENT net is being cast so wide as to 'catch' innocent children, and without proper training and education, how easy it is to stigmatise perfectly innocent Muslims.

Do you welcome the independent review of PREVENT the Government announced in 2019?

- Whilst MEND is of the firm belief that the Prevent duty should be repealed it nevertheless welcomes this independent review of PREVENT as an important first step in the right direction in tackling the detrimental impact of ill-conceived counter-terror strategies that hinder Muslims’ abilities to fully enjoy their social, civic, religious, political, and economic rights.
- However, whilst the Independent Reviewer and his/her team have yet to be announced, it is imperative that such a review;
 - (i) Is truly independent, credible and will be afforded access to any data or materials in the true spirit of openness and transparency.

- (ii) Must engage with all stakeholders, including grassroots Muslim organisations.
- (iii) Must work with in terms of reference that include an examination of all possible causes of terrorism, including the role of foreign policy.

MEDIA INFO SHEET – MUSLIM DEMOGRAPHICS AND SOCIAL WELFARE

SUMMARY

- Muslims have the youngest age profile of all religious groups.
- Approximately one third live in London.
- Nearly half live in the 10% of most deprived Local Authority Districts of Britain.
- Muslim students are less likely to be awarded first class degrees compared to students of other faiths
- Candidates with non-Muslim names are three times more likely to be offered interviews than those with Muslim names, despite having identical CVs
- A report by the MCB in 2015 showed that 7% of Muslims are unemployed compared to 4% in the overall population
- Muslims are less likely to be in higher professional and managerial occupations.

DEMOGRAPHICS

How many Muslims are there in the UK, and what is their age profile?

- There are approximately three million Muslims in the United Kingdom (5% of the population).
- Figures released by the Office for National Statistics (ONS) in January 2020 showed that the Muslim population of England increased by around 16% in five years, from 2.7 million in 2011 to 3.1 million in 2016. This means Muslims now make up 5.6% of England's population.^{xii}
- Muslims have the youngest age profile of all religious groups;
 - 33% aged 15 or under^{xiii} (18.8% of the general population)
 - 48% aged 24 or under (30.7% of the general population)
 - Muslims account for 9% of 0-4-year-olds (6.2% of the general population)

SOCIAL WELFARE/EDUCATION/HOUSING

Where do they live?

- Muslims are concentrated in certain areas;
- Approximately one third live in London
- Approximately 75% live in one of the following four areas;
 - London
 - North West
 - West Midlands
 - Yorkshire & Humber
- 46% of Muslims live in the 10% of most deprived Local Authority Districts of Britain, such as Newham, Tower Hamlets & Blackburn.

- However, although there is talk of Muslim ‘ghettos’, primarily in London, data from Office of National Statistics (ONS) in 2018 showed that there are large areas of the UK where the population is over 98%^{xiv} White British such as North East of England and Wales.
- It is natural for people of the same ethnicity, religion or cultural background to want to live together; the same can be said for other religious communities, e.g. UK Census data shows us that Jewish community in Golders Green is 37%^{xv} or the Sikh community in Southall is 39%.^{xvi}

In the 2011 Census;

- 1 in 3 Bangladeshi and Pakistanis were living in a deprived neighbourhood, compared to 1 in 12 from the White British group.
- 22.1% of Muslim households were defined as ‘overcrowded’, compared to 4.5% of households in the general population. As such, Muslims suffer the highest rate of overcrowding.
- Muslims were more likely to live in Council Housing (16% vs 9%).
- Muslims were less likely to own their homes outright (15% vs 31%).

What are their educational attainment & job prospects?

- 26% of young British Muslims leave school with no qualifications (vs 23% of the general population).
- A report by Advance HE in April 2020 highlighted the under-attainment of Muslim students at university compared to the wider student population and suggested that Muslims are systematically disadvantaged within education.^{xvii}
- The report detailed that only around 19% of Muslims were awarded a first class degree, which is a significantly lower proportion compared to any other religious group, with 34% of Jewish students and 27% of Christian students graduating with a 1st.^{xviii}
- According to the Advance HE report, the attainment gap is due to “differences in students’ backgrounds and experiences, differences in treatment from staff

and other students, and “barriers specifically associated with religious observation”.^{xix}

- Existing research suggests that negative student experiences amongst Muslims are a result of both overt, structural, and institutional Islamophobia, compounded by a lack of religious literacy and a lack of appropriate safeguards to prevent a culture of discrimination and racism.^{xx}
- A 2017 NUS report found that 1 in 3 Muslim students on campus have received Islamophobic abuse.^{xxi} A significant number of students who made complaints to universities did not always know how to do so, did not know what the possible outcomes might be, and were not kept informed of progress and felt unsupported.^{xxii}
- A Dept of Education report from 2015 showed in respect of obtaining 5 or more GCSE Grades A-C compared to White British;
 - Indian pupils are twice as more likely.
 - Bangladeshi pupils are more likely (despite being one of the most deprived communities).
 - Pakistani pupils are no different.
- A report by the MCB in 2015 showed that 7% of Muslims are unemployed compared to 4% in the overall population.^{xxiii}
- 6% of Muslims are in higher professional and managerial occupations (vs 10% of the overall population).^{xxiv}
- A report from the Social Mobility Commission in 2017 found that 20% of Muslim adults were in full-time work compared to 35% of the general population with the report’s author Prof Jacqueline Stevenson from Sheffield Hallam University stating that “*Muslims are excluded, discriminated against, or failed, at all stages of their transition from education to employment*”.^{xxv}
- A BBC investigation in 2017 found that identical CVs submitted under a non-Muslim name were three times more likely to be offered interviews than those with Muslim names.^{xxvi}

- Muslim women are particularly disadvantaged, with the House of Commons Women's and Equalities Committee report in 2016 on Employment Opportunities for Muslims in the UK concluding they faced a 'triple penalty' of being women, being BME and being Muslim; of these the most significant barrier was being Muslim.^{xxvii}

MEDIA INFO SHEET – FAITH SCHOOLS

SUMMARY

- Our human rights include the ability to send our children to schools based on a certain faith or ethos.
- As of 2019, Muslim schools are only 0.2% of all state-funded faith schools in England, and only 5% of Muslim children attend them, so we are talking about a tiny minority within a minority.
- In 2019, four Muslim schools made the top 10 'progress 8' nationwide list, making them the best schools in improving the progress children make between the end of primary school and the end of secondary school.
- The Trojan Horse plot in Birmingham was not a plot, as evidenced by Education Select Committee and the High Court overturning the initial bans on two teachers, and the NCTL dropping charges against all the remaining teachers, due to non-disclosure of statements that would have been favourable to the teachers' case.
- The supposed 'Islamic takeover' attributed to a Trojan Horse plot was, in fact, a case of an academically successful school acting as a sponsor as part of the DfE academies programme and done under the supervision of officials from the DfE and Birmingham City Council schools improvement team.
- There is no evidence that wearing hijab in young girls has anything to do with sexualisation but rather part of a (legally protected) racial/religious/cultural identity.
- It is within the parents' rights "*to make decisions about the child's care and upbringing and to administer the child's property.*" This includes how a child dresses, as long as that dress is part of the school uniform
- The right to wear religious clothes is protected by the Human Rights Act 1998, and to remove this right goes against the spirit of the Equalities Act 2010 with both religion and race being 'protected characteristics.'
- There is no evidence linking the wearing of the hijab with extremism.

Why do we need Muslim schools, or indeed any religious schools?

- **Human Rights** - The Cornerstone of any democracy like ours are our Human Rights (Human Rights Act 1998 - Article 9 is 'freedom of thought belief and religion) This includes the ability to believe what we want to or not at all, and to send our children to schools based on a certain faith or ethos etc.
- **The facts on Muslim schools**
 - Muslim schools are only 0.2% of all state-funded faith schools in England, i.e. 31 schools in total (out of a total of 6,802)
 - Only 5% of Muslim children attend Muslim schools in the UK.
 - We are thus talking about a minority within a minority.
 - So we need to keep this debate in perspective and acknowledge it only applies to a very small percentage of Muslim children.
- Muslim schools exist to provide a service to parents who want it, in the same way as Jewish, Christian and other faith schools.

The Achievement of Muslim Schools

- In 2019, Muslim faith schools topped the British government's ranking of secondary school performance, taking the top three positions and securing a total of four schools in the top ten. The list collated every year by the government ranks all schools across the country on measures including academic attainment and the percentage of students who stay on for further education.^{xxviii}
- The top three were Tauheedul Islam Girls' High School in Blackburn, followed by Eden Boy's school in Birmingham and the Eden Girl's School in neighbouring Coventry. All three schools say they are run according to Islamic and British values.^{xxix}
- According to the 'Progress 8' framework that the UK government uses to measure performance, schools are judged according to the progress students make in addition to the grades they achieve. At Tauheedul Islam 83% of students got high passing grades in English and Mathematics, while the institute got a 69.9-point score on the Progress 8 scale. It was the fourth consecutive year that the school had topped the national table.^{xxx}
- All of the top three schools were judged to be 'outstanding' by Ofsted.^{xxxi}

Aren't Muslims guilty of 'Islamicising' schools - like the Trojan Horse plot in Birmingham, for example?

- Initial letter and document that instigated the affair has been shown to be a fake
- The supposed Trojan Horse plot in Birmingham was, in fact, part of a schools improvement programme initiated by the Department for Education and developed in consultation with Birmingham City Council.^{xxxii}
- Initial concerns regarding only three schools, including Park View Academy. 21 schools were subject to special Ofsted inspections. However, only 4 schools came to be the focus of extended scrutiny, all associated with Park View Academy (three were part of its academy trust).
- The Inquiry did not address the fact that Park View Academy was an academically very successful school that had gone from 'special measures' in 1996 to 'outstanding' in 2012 and that the Department for Education had asked it to incorporate other, failing schools into its academy trust and to institute its proven good practices.
- The Inquiry by Peter Clarke found no evidence of extremism but suggested that there were some individuals with influence in schools were failing to promote British values.^{xxxiii}
- Subsequently, 15 teachers associated with Park View Academy were charged with professional misconduct in 4 separate tribunals.
- The whole 'plot' was proven to be a fake/hoax for the following reasons:
 - (i) The Parliamentary Education Select Committee (cross-party) concluded that with the exception of one incident in one school, there was no proof of a systematic Trojan horse 'Islamicisation' plot.^{xxxiv}
 - (ii) In October 2016, the High court overturned bans in 2 cases against teachers in the Trojan Horse plot citing 'considerable doubt over fairness' in their treatment by the tribunals run by the NCTL (National College of teaching and leadership) – which is an arm of the Department of Education.

- (iii) In July 2017, the remaining professional misconduct hearings were dropped by the NCTL following its own Professional Conduct tribunal throwing out the cases stating there had been an “*abuse of process*” which was of “*such seriousness*” that “*it offends the panel’s sense of justice and propriety*” and had brought the “*integrity of the process into disrepute*.”^{xxxv}
 - (iv) Essentially the NCTL lawyers were accused of misrepresenting its own use of witness statements to the Clarke Inquiry in the preparation of the case, which, in turn, made other witness statements to the Clarke Inquiry subject to disclosure, a disclosure that revealed that the Inquiry had evidence that Birmingham SACRE had approved Islamic assemblies; such statements would have been favourable to the teachers' case.
 - (v) The NCTL did not appeal or challenge the ruling.
 - (vi) This means 14 out of the 15 teachers had their bans overturned or lifted by NCTL.
- Hence Education Select Committee have shown that there was no Trojan Horse plot and the High Court /NCTL overturned or dropped the initial bans.
 - This story is the subject of a play called Trojan Horse by the Lung Theatre company which has ran numerous shows nationally from 2018 - 2020

The Court of Appeal found in 2017 that found Al-Hijrah school was guilty of segregation^{xxxvi} – why do Muslim schools’ segregate children and discriminate in this way?

- Interestingly, segregated lessons had not been seen as problematic by Birmingham City Council or by Ofsted until after Trojan Horse.
- The Court of Appeal overturned a High Court ruling that had supported Al-Hijrah School in Birmingham, concluding that segregation enforced at the school was illegal, and breached the Equality Act.
- The Judges stated that discrimination must be viewed from an individual perspective, not by comparing groups, and that segregation meant that girls were denied the opportunity to interact with boys and vice versa.

- The majority of the judges found that there was insufficient evidence to support that the segregation had a greater negative effect on girls than it did on boys, so there was actually no discrimination between boys and girls.
- Ofsted tried to use the argument that segregation was against British values, notwithstanding that top public schools are single-sex, such as Eton & Harrow (boys) and Roedean (girls)
- The Court acknowledged that some Orthodox Jewish and Christian faith schools also had a policy of segregation.
- However, we accept that segregation is not a requirement before the age of puberty from a religious perspective.
- The success of many single-sex schools, faith and non-faith suggests that being educated in such an environment is a positive experience for many children.
- The top three most improved schools in the country in 2019 were single-sex schools (see above)
- So it is strange that all the 'harms' identified by the High Court would seem to apply to these and indeed all single-sex schools, it is just that they would not be construed as unlawful.

Why should primary school girls wear hijabs – is not Ofsted right to question this as a sign of inappropriate sexualisation or an early sign of fundamentalism or extremism?

- Amanda Spielman, the head of Ofsted and chief inspector of schools, said wearing a hijab "could be interpreted as sexualisation" of girls as young as four or five when most Islamic teaching requires headcover for girls only at the onset of puberty.
- This was after she had met a small group of campaigners, including Amina Lone, co-director of the Social Action and Research Foundation, a very small organisation, barely known in the Muslim community, with little visible credibility in this sphere and most disturbingly, part of a broader attempt actually to ban the hijab in primary schools.

- Organisations such as the Muslim Council of Britain and the Association of Muslim Schools were not consulted; thus we are concerned as to whether a representative cross-section of the Muslim community was given the opportunity of offering their views on this issue.
- This is a clear misunderstanding of why young girls wear hijab. There is no evidence that it has anything to do with sexualisation but rather part of a (legally protected) racial/religious/cultural identity.
- In the Children Act 1989 “parental responsibility” is defined as “*all the rights, duties, powers, responsibilities and authority which by law a parent of a child has in relation to the child and his property*”. This includes how a child dresses, as long as that dress is part of the school uniform.
- On what basis is Ofsted questioning this right to wear a hijab if there is no demonstrable adverse impact on the child’s emotional or educational wellbeing, and it is in accordance with the school’s uniform policy?
- Furthermore, the right to wear religious clothes is protected by the Human Rights Act 1998, which guarantees freedom of thought belief and religion.
- As hijab is simultaneously a cultural, racial and religious norm in Muslim societies; to deprive Muslims (irrespective of age) the right to exercise their religious/racial identity and to discriminate against them (via interrogations in schools) goes squarely against the spirit of the Equalities Act 2010 with both religion and race being ‘protected characteristics’.
- The UN Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities, clearly states that all nations “*shall take measures where required to ensure that persons belonging to minorities may exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before the law*”.^{xxxvii}
- With regards to the fundamentalism/ extremism, charge, according to the Guardian, Ms Spielman referenced “*fundamentalist groups influencing school policy*”. The consequence of directly linking the hijab to fundamentalism is to imply that those who chose to wear the hijab may do so out of extremist tendencies. This is most disturbing and casts suspicion on thousands of innocent young girls. This is especially given the ‘triple’ penalty of employment discrimination on the grounds of gender, religion, and ethnicity that these girls are likely to face later in life.

- The consequence of indirectly linking the hijab to fundamentalism is to imply that those who chose to wear the hijab may do so out of extremist tendencies, and by inference to sow the seed in an Inspector's mind that a school in which girls were wearing the hijab, may have been influenced by 'fundamentalist groups'. What is the evidence for such an inference, and if there is none, why were these two issues linked together in this way?
- The hijab is purely a religious symbol and is no more an indication of extremism than is the crucifix, the skull cap or the turban. The danger of conflating religious dress with extremism without any evidence is to malign Muslim women and girls and to marginalise them within public life – which is a form of Islamophobia through exclusion.

MEDIA INFO SHEET – HALAAL MEAT

SUMMARY

- The main argument for having Halaal meat is our human rights, which includes the ability to eat what we like
- Currently, UK law permits both stunned and unstunned meat, and thus recognises the human rights of the Muslim and Jewish communities
- Only a small amount of Halaal meat is unstunned anyway
- We accept that the majority of scientific research suggests that Schechita/ Halaal probably causes more pain than conventional pre-slaughter stunning methods
- Stunning methods do not actually always work, hence to say stunning is always pain-free is not supported by the research.
- However, if we care about animal welfare, we should focus on the way animal is treated throughout their adult life, not just in the last few seconds.

Isn't the practice of Halaal Meat barbaric and shouldn't all meat be pre-stunned?

- **Human Rights** - The cornerstone of any democracy is our human rights (Human Rights Act 1998 - Article 9 is 'freedom of thought belief and religion') This includes the ability to believe what we want to or not at all, do dress how we wish or to eat what we like etc.
- Currently, UK law permits both stunned and unstunned meat, and thus recognises the human rights of the Muslim and Jewish communities to consume meat slaughtered in keeping with their religious beliefs.
- The Department for Halaal Certification EU (the only accredited international Halal certification body involved in the supervision, inspection, auditing and certification of Halal food products produced in Ireland, the UK and other European Countries) states "Halaal slaughter is one of the more humane methods available... and the only method acceptable for Muslim consumers".
xxxviii
- Research from the Food Standards Agency in 2013 suggested that 84% of all UK Halaal meat is pre-stunned anyway; this figure was 82% in a repeat survey in 2017, so we are talking about the minority of halaal meat.

What does the scientific research say?

- We accept that the majority of the scientific research suggests that Schechita/ Halaal probably causes more pain than conventional pre-slaughter stunning methods such as electrocution/ captive bolt (this is research from European Food standards Agency (EFSA) and Massey University in New Zealand funded by the UK & New Zealand Governments). However, even experts accept that they cannot definitively state that the animal feels more pain but only estimate this from behavioural responses, EEG readings etc.
- We accept that the British Veterinary Association (BVA), Farm Animal Welfare Committee (FAWC) and the RSPCA support pre-stunning.

Is stunning completely safe?

- The EFSA (European Food Safety Authority (funded by EU) also looked at conventional non-halaal slaughter methods by pre-stunning, including used a penetrative captive bolt (PCB) method whereby a bolt of 7-11cm is fired into

the animal's brain to render it unconscious and the non-PCB method whereby a bolt is fired at the head of the animal but does not enter the brain. It found that the failure rate in cattle for PCB method was around 4%, and between 20-30% for the non-PCB method, ^{1a} which means these animals had to be re-stunned. Now if you have a bolt fired at your head and you are not rendered unconscious, that is also going to be painful, and in fact, the research found that in some animals the non-PCB method caused skull fractures. Hence to say stunning is always pain-free is not supported by the research.

- There is also a broader animal welfare argument that is often overlooked, and that is looking at how the animal is treated throughout their adult life, not just in the last few seconds. For example, battery chickens are kept in appalling conditions throughout their lives, yet all that is focused on sometimes is how they are killed. We need to animal welfare across the board. The BVA organised an e-petition in 2014 against unstunned meat and said: "*We support a good life and a humane death for all animals.*"
- Stunning can also greatly harm the animal, particularly if stunning is carried out incorrectly. Animal Aid's 2009 report entitled: "The human slaughter myth", highlighted significant problems associated with electrical stunning and captive bolt stunning. The report noted: "*animals ran, hid, slipped and fell. Under such chaotic circumstances, the correct placement of electrodes on the heads of the animals - and maintaining the connection for the required duration - is problematic at best*".^{xxxix}

Do you accept that many people don't like the idea of eating halaal meat, so why shouldn't we just listen to public opinion and ban it?

- Within the UK context, any ban on halaal meat would be a breach of religious rights as protected under the Human Rights Act, 1998 and the European Convention on Human Rights. ^{xl}
- There are concerns as to the extent to which any suggested, and actual bans of halaal and kosher are the result of anti-Semitism and Islamophobia, and indicative of political agendas, rather than animal rights concerns. This is supported by the fact that other practices such as hunting (with a permit) are legal.
- We fully accept that some people will not want to eat halaal meat and that is fine – it is their right not to do so, and we fully support that.

- This is why Broadly speaking, Muslim and Jewish groups, including the MCB and Schechita UK, fully support efforts to accurately label meat, so people have the choice whether to buy it or not.

We have all seen these covert videos of the appalling conditions and cruelty towards animals in Muslim slaughterhouses – do you accept that we need to take action against these and close them down if necessary

- We have seen such conditions and behaviour in all slaughterhouses and abattoirs, so this is not just a 'Muslim' problem.
- No-one wants to see animals suffering unnecessary cruelty, and anyone found mistreating animals in any way should be prosecuted.
- Most rightly minded people would welcome CCTV cameras installed in all abattoirs and slaughterhouses to raise standards and help prosecute those people who do not adhere to these.
- Moves should be made by countries (and religious authorities) to ensure that animals live a better quality of life and are healthy before being killed for meat. Too much emphasis is on slaughter methods, and disputes about religious-slaughter are insignificant if the preconditions of holistic animal welfare are not met.
- Outlawing only certain practices on the basis of emotion or prejudice only, without examining adequate evidence, is not only discriminatory and an infringement of religious rights, but also does little to truly safeguard animal welfare

Isn't non-halaal meat more economical and cheaper to produce?

- Yes, because of the extra manual labour involved halaal meat is more expensive, but consumers should be given a choice as to whether they wish to pay more for halaal meat or not.

MEDIA INFO SHEET – ISLAMOPHOBIA

SUMMARY

- Islamophobia can be defined as an exaggerated irrational fear, hatred and hostility towards Islam and Muslims, although there are alternative definitions such as anti-Muslim hatred.
- The APPG (All Party Parliamentary Group) on British Muslims produced a report in 2018^{xli} in which they gave the following definition that we support;

“Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness”^{xlii} MEND supports that definition along with its explanatory guidelines

- MEND’s definition of Islamophobia can be split into two parts:
 - (i) The overt part: Islamophobia is a prejudice, aversion, hostility, or hatred towards Muslims.^{xliii}
 - (ii) The "hidden" part that affects all Muslims both as individuals and as a group is the discrimination that excludes or limits Muslims' in fully participating in political, economic, social, cultural or any other field of public life.^{xliv}
- Research has shown that Islamophobia exists in different forms ranging from;
 - violent attacks in the streets
 - bullying in playgrounds
 - discrimination in the workplace
 - hatred in the media or online.
- Tackling Islamophobia requires the following;
 - Everyone needs to stand up to it
 - Victims need to report it
 - The police need to record it
 - We need to educate our children about it
 - We need to equalise the religious hatred legislation with racial hatred legislation
 - We need to reform the press with an effective Leveson compliant regulator to stop biased, inaccurate and unfair reporting on Muslims

Some people debate whether Islamophobia actually exists and say that a fear of Islam is perfectly rational – what do you say to that?

- The APPG (All Party Parliamentary Group) on British Muslims produced a report in 2018^{xliv} in which they gave the following definition that we support;
- *“Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness”*^{xlvi} MEND supports that definition along with its explanatory guidelines (see Appendix)
- The reason that it is racism is that looking at the abuse and hatred Muslims see it is obviously is not simply aimed at the religion of Islam but is also aimed at their race, ethnicity and culture, e.g. using the term Paki.
- Muslims have thus become racialised through their religion, i.e. they are viewed and treated like a race, even though legally they are not a race.
- This definition has been supported by all major political parties apart from the Conservatives , and many Local Councils
- MEND’s definition of Islamophobia can be split into two parts:
 - (i) The overt part: Islamophobia is a prejudice, aversion, hostility, or hatred towards Muslims.^{xlvi}
 - (ii) The "hidden" part that affects all Muslims both as individuals and as a group is the discrimination that excludes or limits Muslims' in fully participating in political, economic, social, cultural or any other field of public life.^{xlvi}
- So you can see that Islamophobia is not just simply hate crime and abuse such as attacks in the street, and therefore alternative terms, for example, “anti-Muslim hatred” are not suitable.
- MEND contends unequivocally that the expression "Islamophobia" is the most suitable phrasing to use in this discussion for an assortment of reasons.^{xlvi} Some include:

- It is an established terminology in academic, activist, advocacy, and victim vocabularies.ⁱ
- It is a terminology with an existing broad conceptual understanding. Therefore, it is an all-encompassing label that identifies the phenomenon in all its social, economic and political forms.^{li}
- Contrary to some claims, it has not historically, nor should it presently, be seen as an attempt to stifle free speech and, in particular, an effort to curtail all questioning or criticism of religion.^{lii}

Can you give us some facts to show how big a problem Islamophobia is?

- The term Islamophobia is not a fear of Islam any more than homophobia is a fear of people who are gay
- Whatever the definition there is no doubt that it exists based on the following facts;
 - (i) In 2019/20, there were 105,090 hate crimes recorded by the police in England and Wales, excluding Greater Manchester police, an increase of 8 per cent compared with 2018/19 (97,446 offences). 79% of hate crime offences are recorded as either racially or religiously aggravated offences.^{liii}
 - (ii) There has been a 70% increase in religious hate crime from 2015/16 to 2019/20 (from 3,900 to 6,800)
 - (iii) 50% of religious hate crimes in 2019/20 was against Muslims.
 - (iv) In a ComRes survey commissioned by MEND in 2018, over 58% of the British public felt that Islamophobia was a real problem in society (sample size = 2,000)
 - (v) In the month following the publication of Boris Johnson's article about the burka in August 2018, Islamophobic hate crime incidents rose by 40% in London as reported by the Metropolitan Police Service.^{liv}
- Now we can see examples of Islamophobia in all aspects of society;
 - On our streets - in recent years we have sadly witnessed the brutal murders of Mohammed Saleem in 2013, Muhsin Ahmed in 2015, and most recently Makram Ali in the Finsbury Park attack in 2017.

- In September 2017, Zainab Hussein, a Muslim mother from Leicester, was taking her children to school when Paul Moore ran over her with his car. Moore then proceeded to hit an eight-year-old girl in a hijab, before returning to the scene where Zeinab lay injured on the floor and running over her again.^{lv}
- In our playgrounds – Childline statistics showed a 69% increase in bullying, with common words being “bomber” and “terrorist” and “go back home where you came from” – it is likely that many of these children were Muslim.
- In 2017 Childline also reported an increase in children experiencing religious bullying, including Muslim children being threatened with violence or victimised for wearing a hijab. Some of these children requiring counselling sessions and said that the abuse was “*so cruel that they had self-harmed*.”
- In the workplace - BBC’s analysis showing Muslims are 3 times less likely to get an interview after submitting an identical CV to someone with a non-Muslim sounding name^{lvi} The National Equality Panel analysis which shows that Muslims are paid 13-21% less than their Christian counterparts for doing similar jobs.^{lvii}
- In our media – Research from Lancaster University has shown that for every positive/moderate reference to Muslims in the press, there are 21 negative/extremist references.^{lviii}
- Online/ Social media – research from the think tank Demos showed nearly 400 Islamophobic tweets per day on average in 2016 between March and July.^{lix}
- In 2020, the Islamophobia Response Unit (IRU) at MEND received three reports of Islamophobic abuse in Primary Schools. One such case the IRU received involved a four-year-old who was physically and verbally abused by another student at his Primary School. His abuser would punch and kick him while saying statements like “Muslims are not good”.^{lx}

So how can we improve things and combat Islamophobia?

The first thing to say is that tackling Islamophobia is a problem for all of society, not just Muslims. In this sense, it is no different to racism, anti-semitism and other forms of hate crime and discrimination.

1. Stand up to it

- Everyone, everywhere, be it the dining table, relatives at home, friends in restaurants should take a stand against Islamophobia, as many have done against other forms of hate.

2. Report it

- Hate crime figures come from 2 sources;
 - Crime Survey of England & Wales (CSEW) – this records around 180,000 hate crimes per year (2015-2018 figures).^{lxi}
 - In year ending March 2020, the Home Office published that there were 105,090 hate crimes recorded by the police in England and Wales, excluding Greater Manchester police, an increase of 8 per cent compared with year ending March 2019 (97,446 offences).^{lxii}
- So, you can see from the difference that half of all hate crimes go unreported
- The Home Office estimated that there might have been around 39,000 religiously motivated hate-crimes, around five times the reported figure of 8,300; hence the majority of these are unlikely to be reported.
- So although under-reporting is a big problem in all terms of hate crime and the Governments own Action Plan in 2016 states that some groups were more likely to under-report such as Muslim women and taxi drivers who are often Muslim.
- So the Muslim community also needs to report Islamophobic hate crime much more. Some victims feel there is no need to report as the police will do nothing about it; we need to change this mindset as accurate figures on the scale of the problem are vital.

3. Record it

- Vital that police start recording Islamophobia accurately as a separate category of hate crime in line with this becoming law in April 2016. They often conflate Islamophobic hate crime with racist hate crime which distorts figures, and thus further underestimates the actual number of Islamophobic hate crimes.
- Similarly, we need to ensure that Councils and Police Crime Commissioners should support their local police forces with the necessary training and

resources to do this, and ensure Islamophobia forms part of their local Action Plans to tackle hate crime.

4. Education our children

- The government needs to invest more in the creation of schools' materials to tackle Islamophobia. These materials need to be rolled out through PSHE, Citizenship and RS lessons.

5. Equalise the Racial/Religious Hatred incitement legislation

- There is a difference in the legislation that deals with prosecuting someone for 'Incitement to racial hatred' versus 'Incitement to religious hatred'. For racial hatred, you do not have to prove intent, but for religious hatred, you do. This is very difficult to prove and legally a much higher burden of proof.
- What this means in practice is that it is extremely difficult to prosecute someone under 'incitement of religious hatred'. So noting this law was introduced in 2006 (Racial & Religious Hatred Act, 2006) from 2011 – 2015, only 6 people have been prosecuted under this act, approximately one person every year!

6. Press regulation

- We agree that we need a free, and fair press, but it also has to be accountable and subject to a proper system of regulation, which we sadly do not have at the moment. Muslims are often the sharp end of some very biased, inaccurate and unfair reporting.
- We thus need to fully implement press regulation as defined by the cross-party agreement as defined in the Royal Charter recommended after the Leveson report.
- To date, the Conservative government has refused to implement these recommendations (so-called Leveson, Part 2) and in doing so, provide justice to the victims of press abuse.

Appendix – MEND definition of Islamophobia

Short Definition:

Islamophobia is a prejudice, aversion, hostility, or hatred towards Muslims and encompasses any distinction, exclusion, restriction, discrimination, or preference against Muslims that has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

Working Definition:

Islamophobia (in line with anti-Semitism, racism, homophobia, sexism and other forms of hatred and discrimination) is a tool used to gain and maintain power. It is inextricably linked with socio-economic factors, and frequently reflects the underlying inequalities within society.

Islamophobia is a prejudice, aversion, hostility, or hatred towards Muslims and encompasses any distinction, exclusion, restriction, or preference against Muslims that has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

As such, Islamophobia is demonstrated in, and articulated through, speech, writing, behaviours, structures, policies, legislation or activities that work to control, regulate or exclude Muslim participation within social, civic, economic and political life, or which embody hatred, vilification, stereotyping, abuse or violence directed at Muslims.

Taking into account the overall context, examples of Islamophobia in public life, the media, schools, the workplace, and in the religious sphere may include (but are in no way limited to):

- Causing, calling for, aiding, or justifying the killing or harming of Muslims or those perceived to be Muslim due to their religious identity.
- Causing, calling for, aiding, or justifying the killing or harming of individuals due to their perceived or actual connection to or support of Muslims.
- Charging Muslims with conspiring to harm humanity and/or the Western way of life or blaming Muslims for the economic and social ills of society.
- Making mendacious, dehumanising, vilifying, demonising, or stereotypical allegations about Muslims.
- Objectifying and generalising Muslims as different, exotic or underdeveloped, or implying that they are outside of, distinct from, or incompatible with British society and identity.
- Espousing the belief that Muslims are inferior to other social or religious groups.
- Accusing Muslims as a collective of being responsible for real or imagined wrongdoing committed by a single Muslim person, group or nation, or even for acts committed by non-Muslims.

- Applying double standards by requiring of Muslims a behaviour not expected or demanded of any other social, religious or ethnic group.
- Applying ethnocentric approaches to the treatment of Muslims (judging another culture solely by the values and standards of one's own culture). For example, evaluating Muslim women's choice of dress exclusively through the speaker's expectations and without reference to the personal cultural norms and values of the women in question.
- Acts of aggression within which the targets, whether they are people or property – such as buildings, schools, places of worship and cemeteries – are selected because they are, or are perceived to be, Muslim(s) or linked to Muslims.

While criticism of Islam within legitimate realms of debate and free speech is not in itself Islamophobic, it may become Islamophobic if the arguments presented are used to justify or encourage vilification, stereotyping, dehumanisation, demonisation or exclusion of Muslims. For example, by using criticism of religion to argue that Muslims are collectively evil or violent.

MEDIA INFO SHEET – NIQAAB

SUMMARY

- Starting (default) position is that a woman should be free to wear what she likes in accordance with our Human Rights.
- The right to wear religious dress is protected by Article 9 of both the European Convention on Human Rights and the Human Rights Act 1998, which protect the right to freedom of thought, conscience and religion.^{lxiii}
- This right includes the freedom to manifest one's religion or belief in worship, teaching, practice and observance and wearing the niqaab can be seen as part of that religious observance.^{lxiv}
- No empirical evidence that women in niqaab pose a security risk. Indeed the compulsory wearing of face masks in public places due to the Coronavirus pandemic has shown that being unable to see one's face is not a security risk.
- Women are happy to take off niqaab for identification purposes, e.g. at the airport, or in Court.
- Part of the Government definition of extremism in the Prevent strategy includes *"individual liberty and mutual respect and tolerance of different faiths and beliefs"*, hence wearing the niqaab or burka is actually in line with British values.

Does the niqaab have any place in an open democratic society like ours?

- The cornerstone of any democracy like ours is our Human Rights (Human Rights Act 1998 - Article 9 is 'freedom of thought belief and religion).
- The right to wear religious dress is protected by Article 9 of both the European Convention on Human Rights and the Human Rights Act 1998, which protect the right to freedom of thought, conscience and religion.^{lxv}
- This right includes the freedom to manifest one's religion or belief in worship, teaching, practice and observance and wearing the niqaab can be seen as part of that religious observance.^{lxvi}
- The Equality Act 2010 makes it illegal to discriminate against someone based on their religion or belief.^{lxvii} Therefore, questioning an individual who wears the niqaab solely on the basis that they are Muslim would most likely be in breach of this legislation.
- Starting (default) position is that a woman should be free to wear what she likes.
- This is a position echoed by the former PM Theresa May who in 2013 told the House of Commons as Home Secretary "*What a woman wears is a woman's choice*", and the then PM David Cameron also ruled out a ban in 2016.
- Even its detractors, like the current PM Boris Johnson, argued against banning it in comments he made in August 2018, when he likened women wearing the niqaab to "letterboxes" and "bank robbers".

Isn't wearing a niqaab is a security risk because "we can't see your face"?

- The compulsory wearing of face masks in public places due to the Coronavirus pandemic has shown that being unable to see one's face is not a security risk
- No empirical evidence that women in niqaab specifically pose a security risk
- Women are happy to take off niqaab to be identified at the airport, or in Court.

- In 2013 Judge Peter Murphy stated that a woman could stand trial wearing niqaab but would have to take it off to give evidence – so you can see it is not a barrier in this environment.
- Police have the power to ask a woman to remove it if required.

It is against British Values & cultural norms – other European countries have banned it, and several public surveys have shown support for a ban, so why don't we? (e.g. Belgium, 2010, France, 2011, Holland 2015)

- We are different from other European countries, e.g. in France religious symbol like wearing crosses are banned in public institutions (France has a particular form of secularism called laïcité – we don't have that).
- We believe faith is a fundamental part of someone's identity and being able to express that makes them a happier employee, so, e.g. we would not wish to ban Jewish yarmulke (skull-caps) or Christian crosses.
- Part of the Government definition of extremism in the Prevent strategy includes *"individual liberty and mutual respect and tolerance of different faiths and beliefs"*, hence wearing the burka is in line with British values and trying to ban the burka would be seen as extremist in this definition.
- The UK is a culturally diverse society, and we should be proud of that tradition.

Children learn from facial expressions, so teachers workers wearing niqaab when teaching children is going to affect their learning, isn't it?

- We accept that facial expression can be important in specific situations, e.g. teaching children to read and write, or speech and language therapy.
- However, if you want to take away a human right, you have to show through research that wearing a niqaab is causing harm to children's learning.
- If it can be shown that wearing a niqaab causes this harm, we accept that there is a debate to be had as to whether it should be banned in that specific educational situation.

Aren't women forced to wear it? Isn't it a symbol of the oppression of Muslim women?

- There is no Islamic requirement to wear Niqaab anyway; it is generally agreed as a consensus by the Islamic Scholars that only a headscarf is required to be worn.
- While some may even question the religious requirements for someone to wear the niqaab, it can be accepted that wearing it is a cultural practice, and therefore protected by the individual's right to cultural identity.
- No evidence that women are coerced to wear it as opposed to legislation requiring the wearing of masks due to the coronavirus pandemic.
- A tiny minority of women wear it, so the amount of debate it generates is disproportionate. There are no figures estimating the number of the women who wear the niqaab or burka in the UK, but in France, it has been estimated that only 0.04% of Muslim women wear it.
- Women are oppressed in society in all sorts of ways, e.g. dress codes that force them to wear make-up and high heels, or via sexual harassment at work, e.g. look at the #MeToo movement. These are much bigger problems in society.
- The niqaab is purely a religious symbol and is no more an indication of oppression than is the crucifix, the skull cap or the turban. The danger of conflating religious dress with oppression without any evidence is to malign practising Muslim women and girls and to marginalise them within public life – which is a form of Islamophobia through exclusion.

MEDIA INFO SHEET – POSITIVE CONTRIBUTIONS & LOYALTY OF MUSLIMS

SUMMARY

- Muslims have massively contributed to life in the UK, including in the areas of defence of this country, working in the NHS, being the most generous charity givers, contributing to the UK economy by running successful businesses and creating many jobs, excelling at sports, and becoming cultural icons.
- 850,000 fought with the Allies in World War I, with over 400,000 Muslim soldiers fighting on behalf of Britain. However, research conducted by the think tank British Future showed only 1 in 5 of the British public know that Muslim soldiers fought at all for the allies in World War 1, and only 2 per cent are aware of the scale of their sacrifice
- Of all doctors in the UK 10% are Muslim. Of the doctors that disclosed their religion, Muslims doctors made up 17% despite being only 5% of the population.^{lxviii}
- Muslim and BME health professionals have been disproportionately affected by the Covid-19 pandemic but been on the front line, saving lives at great personal risk
- Many mosques and Muslim organisations have been serving the community delivering food, medicines and other essential items during the Coronavirus pandemic
- Research has shown that Muslims are highly loyal to Britain, being as or more loyal than the general population.
- We need to ask Muslims are often the only ethnic or religious group to have their loyalty questioned in this way.
- Often the assumption is that having a Muslim identity correlates with a dislike or hatred for Britain, and hence Muslims are more likely to commit acts of terrorism in this country. There is simply no evidence for this.

What have Muslims contributed to life in the UK?

- The short answer is a lot. Muslims have contributed in various ways including;
 - Defence
 - NHS
 - Charity
 - Job creation
 - Sports, Culture & Business

Defence

- So historically Muslims have been part of the British Army in both World Wars helping to defend this country.
- Now 850,000 fought with the Allies in World War I, with over 400,000 Muslim soldiers fighting on behalf of Britain. However, research conducted by the think tank British Future showed only 1 in 5 of the British public know that Muslim soldiers fought at all for the allies in World War 1, and only 2 per cent are aware of the scale of their sacrifice.^{1a}
- During the Second World War over 2.5 million men and women from the Indian sub-continent, many of whom were Muslim, formed the largest volunteer force ever seen in history and fought on behalf of Britain.
- Despite this, their contribution has been largely ignored in the mass media. For example, the 2017 blockbuster film Dunkirk, that told the story of the mass evacuation of Allied soldiers in World War II, contained no non-white actors. It has thus been criticised for whitewashing the brave contribution of Muslim and black soldiers.

NHS/ Medical Workforce

- NHS is reliant on health professionals drawn from countries with large Muslim populations, such as India, Pakistan and the Middle East.
- As of 2018, 29% of all doctors working in the NHS were Asian or Asian British (Indian, Pakistani, Bangladeshi, or of Middle Eastern origin).^{lxix} As such, Asian and Asian British individuals are the largest minority group in medical roles.

- As of March 2019, NHS workforce statistics reveal that BAME staff constitute a significant 44% of all medical roles,^{lxx} compared to around 15% of the public who stated they are from a BAME background in the 2011 census.^{lxxi}
- Of all doctors in the UK 10% are Muslim. Of the doctors that disclosed their religion, Muslims doctors made up 17% despite being only 5% of the population.^{lxxii}
- Muslim and BME health professionals have been disproportionately affected by the Covid-19 pandemic but been on the front line, saving lives at great personal risk
- Of the numerous health professionals that have died due to Covid-19, the majority have been of BAME origin

Charity

- An ICM survey of over 4,000 people in conjunction with JustGiving concluded that British Muslims were the top online charity givers amongst different religious groups, donating £371 each on average.^{lxxiii}
- This generosity is especially seen in the holy month of Ramadan. The Muslim Charities Forum found that British Muslims donated £100million during Ramadan in 2016 – equivalent to £38 per second.
- Many Muslim charities operate soup kitchens and other help for the homeless, both nationally, e.g. Penny Appeal and locally, e.g. Myriad Foundation in Manchester.
- Muslim charities have been at the forefront of fundraising for the Grenfell Tower disaster including Muslim Aid, National Zakat Foundation and Al Manaar.
- British Muslims have undertaken campaigns to feed the homeless during Ramadan. As a result, 20,000 hot meals were distributed by Muslims to the homeless across London and Manchester in 2018^{lxxiv} and similarly the homeless in Birmingham were also served during Ramadan of 2019.^{lxxv}
- There have been numerous examples of Muslim organisations volunteering During the Coronavirus Pandemic;
 - Three mosques in Preston collected essential food and toiletry items from the Muslim community, which were donated to the incredibly hard-working NHS staff in the area.^{lxxvi} Masjid E-Raza mosque in Blackburn became central to delivering food and medical supplies to vulnerable members of the community

whilst it also offered child support and phone conversations to those at risk of loneliness. The mosque also pledged support for the Lancashire Telegraphs' campaign to support the NHS during the crisis.^{lxxvii} Moreover, a mosque in Bolton transformed into a hospice to help patients afflicted with the coronavirus in their recovery. The mosque, which became known as a "nightingale mosque" had been converted to accommodate 55 beds for end-of-life patients.^{lxxviii}

- The Muslim charity in Kirklees, Purpose of Life, provided food parcels and COVID related information to those who are homeless, vulnerable, or self-isolating.^{lxxix}
- The Period Poverty Project in Manchester continued delivering sanitary wear to local organisations, community hubs, and food banks, in order to help women and girls struggling to access menstrual products.^{lxxx}

Job Creation

- There are more than 13,400 Muslim-owned businesses in London, creating over 70,000 jobs.
- Muslim-owned firms are representing a third of small to medium enterprises in London.
- UK British Muslims contribute over £31 billion to the UK economy.
- British Muslims wield a spending power of £20.5 billion.^{lxxxi}

Famous British Muslims in Sports, Culture & Business

- Sir Mohamed Farah CBE – Double Olympic Gold medallists
- Moeen Ali – England cricket all-rounder
- James Caan CBE – Entrepreneur & star of BBC's Dragons Den
- Nadiya Hussain – TV personality & Winner of Great British Bake Off

Some people have questioned British Muslims loyalty to the UK – isn't it true that Muslims are not as loyal to Britain or don't feel as British as the rest of us?

- This is not true at all and not borne out by the facts from research –
- A BBC commissioned Comres poll in 2015 found that 95% of British Muslim feel a loyalty to the UK (1000 Muslims polled).
- A Channel 4 commissioned ICM poll in 2016 showed that 86% of British Muslims felt a strong sense of belonging to Britain – this was higher than the national average of 83% (1081 Muslims polled).
- Further significant studies conducted demonstrate that most British Muslims (88%) expressed that they are reasonably happy with their “life as a whole nowadays” and feel positive about the community spirit in their general vicinity.^{lxxxii}
- However, we must ask why only Muslims tend to have their loyalty questioned in this way. Often the assumption is that having a Muslim identity correlates with a dislike or hatred for Britain, and hence Muslims are more likely to commit acts of terrorism in this country. There is simply no evidence for this.

MEDIA INFO SHEET – PRESS REGULATION

SUMMARY

- We agree that a free press is important, but it also needs to be accountable and offer a system of redress for when journalists get things wrong.
- Over the years the press has been guilty of several abuses of its power; it has been (1) Unethical and (2) Unaccountable.
- Examples of Unethical behaviour include wide-scale phone-hacking (leading to the Leveson Inquiry), libels against individuals and discriminatory reporting against communities, e.g. Muslims.
- Despite this, the press has been unaccountable due to the lack of a proper regulator in line with the recommendations from the Leveson Inquiry.
- The current regulator, IPSO is not fit for purpose since it;
 - Is not independent
 - Does not produce adequate apologies and corrections
 - Does not adequately respond to complaints; only in a tiny fraction of cases are resolved or a breach determined
 - Does not hear third-party or group complaints, e.g. against Muslims as a whole
- A Leveson compliant regulator would be better since it would be
 - Independent
 - Have the power to order the press to issue fair apologies
- We, like bodies such as Hacked Off and victims of press abuse, thus call on Parliamentarians to insist that the Government implement Section 40 without delay.
- If Section 40 were triggered, then this would incentivise newspapers to join a Leveson compliant regulator and offer ordinary members of the public a low-cost arbitration scheme to able to take powerful and rich papers to court.

Why do you wish to curb our free press, it's the cornerstone of our democracy?

We agree that a free press is important, but it also needs to be accountable and offer a system of redress for when journalists get things wrong; such as making factual inaccuracies, discriminatory reporting, or unethical conduct.

The problem is that over the years the press has been guilty of several abuses of its power, and the lack of effective regulation has resulted in no significant redress for its victims,

i.e. it has been (1) **Unethical** and (2) **Unaccountable**.

Some examples are as follows;

1. Unethical

- **Phone-hacking** – in 2011 wide-scale phone hacking (voicemail interception) was uncovered at the News of the World, in particular the case of the murdered schoolgirl Milly Dowler, whose parents were led to believe she was alive, possibly due to her phone being hacked to retrieve the voice messages. Industrial-scale hacking was subsequently discovered at Mirror Group titles. The Sun is presently facing hacking litigation, and there are allegations that the practice occurred at The Times as well.
- **Libels against individuals** – For example, the parents of Madeleine McCann and Christopher Jefferies. The Christopher Jeffries case shows how an innocent man was practically tried as 'guilty' by the media of the murder of Joanna Yeates. The Lord Chief Justice said that the media had 'vilified' Mr Jefferies to the extent that it would have compromised a fair trial. Justice is made difficult in many cases and impossible in others because the costs-risk of bringing an action against a wealthy and influential newspaper publisher is prohibitive for ordinary people.
- **Discriminatory reporting; for example, the demonisation of an entire community** – Research has shown that for the every-one occasion, Muslims are described via moderate/favourable terms in the print press, there are 21 occasions of extremist/negative references. Muslims are frequently subject to discrimination in newspapers.

2. Unaccountable

- **History of failed regulation** - Over the past decades, the press had a system of absolute self-regulation that has been repeatedly shown by independent inquiries to be inadequate. For example, the Calcutt Inquiry Report in 1990, and a 2nd Calcutt Report in 1993 said that self-regulation had failed and that a statutory tribunal should take over complaints about the press. The Press and the Government ultimately rejected the report. The then Prime Minister, Sir John Major, indicated that he regretted not taking up the recommendations of the subsequent review at the Leveson Inquiry.
- **Gross inaccuracies used to smear communities with inadequate redress** - In 2015 the Sun ran a headline stating "*1 in 5 Brit Muslims sympathy for Jihadis*" which was an inaccurate distortion of a survey by Survation, who denied that their survey had said this. The absence of regulation meant that this inaccuracy was never adequately remedied, while the public's perception of Muslims is negatively and unfairly affected.
- **Leveson Inquiry** - In 2011 following the phone-hacking scandal, the Leveson Inquiry was set up to look into the culture, practices and ethics of the press. It concluded in 2013 that the press regulator, the Press Complaints Commission was "toothless", had "failed" and "lacks independence". It recommended that a new regulator be set up.
- **A proper regulator?** The Leveson inquiry called for a regulator that met a number of criteria in line with its recommendations. For example, it has to be independent, have transparency in how its board is appointed, be appropriately funded etc. To date, the only regulator that is Leveson compliant is IMPRESS, but none of the national press have joined it. Instead, most national titles have joined IPSO, a body controlled by the publishers. It is a regulator only in name. Consequently, most of the British press remains unregulated in any meaningful sense. This has dire consequences for our democracy, the public at large, and in particular, minority and Muslim communities and others affected by discriminatory and inaccurate press reporting.

But we have a regulator, set up after the Leveson Inquiry, IPSO. What is wrong with it?

IPSO is not what Lord Justice Leveson proposed – it does not satisfy all the criteria he set out. It is effectively a useless regulator

- **Independence** - It is not independent. The Media Standards Trust has produced a report on IPSO and said that IPSO is dependent on the industry at “almost every level”. For example, IPSO’s rules are established by a body called the Regulatory Funding Company (RFC). This body presides exclusively of newspaper executives. You cannot have the press effectively marking its own examination papers.
- **Regulation, not mediation** - IPSO acts as a mediator, rather than a regulator. It forces the complainant to try and negotiate a resolution with the publisher, which can take months. What it should do is determine if its code of conduct has been breached and take action to rectify it. It has the power to fine Newspapers up to £1m, but it has not issued a single fine to date. It has not even launched an investigation.
- **Inadequate response to complaints** - You would expect an effective regulator to deal effectively with complaints. However, IPSO has done anything but. If we examine the IPSO complaints data from 2014-18 we find the following ^{1a};
 - (i) Out of 23,000 of complaints under Clause 1 (Accuracy), only 6% were resolved or a breach determined.
 - (ii) Out of 16,000 of complaints under Clause 12 (Discrimination), only 0.5% were resolved or a breach determined.
 - (iii) Over 99% of claims under Clause 12 (Discrimination) are rejected or not even considered.
- So the vast majority of complaints are dismissed, which gives the green light for newspapers to continue to print inaccurate or discriminatory articles. In evidence to the Home Affairs Committee looking at hate speech, Sir Alan Moses, former Chair of IPSO, admitted that out of more than 8,000 complaints made to IPSO under its discrimination clause only one had been upheld! No wonder the Commons Culture & Media Committee has called it “toothless”.^{lxxxiii}
- **Correction & Apologies** - Even if you win a complaint against the Publisher, IPSO is so under the thumb of the industry that it typically requires the correction be a fraction of the size of the inaccuracy, and often buried deep inside the paper. Do not even think about an apology – Leveson said it is essential that the regulator can require apologies, but IPSO has no such power. So it can run an inaccurate front-page headline, which millions read, but then six months later print a buried apology in a small font buried on page 17. If you are lucky, you might get a cryptic footnote at the bottom of the front-page read by a dozen or so people who have 20/20 vision. Is that fair?
- **Third-party complaints** - Leveson was apparent that a proper regulator should hear complaints from whomever they come from. However, in practice, IPSO

refuses to consider third party complaints unless you are personally affected by the story, or there is 'substantial public interest' in correcting a 'significantly' inaccurate story, i.e. it decides whether the complaint is investigated or not.

- **Group complaints** - When it comes to discrimination, IPSO refuses to hear anything from groups. So what that means in practice is that the press can get away with writing discriminatory stories about Muslims, migrants, people with disabilities or mental illness etc. with virtually no redress for people in those communities or groups. You can only bring a complaint if the discrimination is targeted at a specific individual. This is how Trevor Kavanagh got away with referring to "The Muslim Problem" in The Sun. That is clearly disgraceful discrimination, but because it was about a group, IPSO would not consider it. In 2017, IPSO received 8,148 complaints of discrimination and upheld just one.^{lxxxiv} Consequently, this gives the press a licence to abuse minorities, and they are using that licence to the full.
- **Lack of impartiality** - In July 2016, the Muslim journalist Fatima Manji reported on the Nice terror attacks for Channel Four. In response, Kelvin MacKenzie composed a piece in the Sun attacking Channel Four for having a Muslim woman wearing a hijab reporting about a terrorist incident. When Manji and ITN filed an IPSO complaint,^{lxxxv} based on discrimination, harassment, and inaccuracy, IPSO dismissed the complaint, expressing that MacKenzie's remark that Islam "was clearly a violent religion" was his supposition and could not, therefore, be seen as inaccurate.^{lxxxvi}
- **Lack of oversight for opinion articles** - Comment or opinion pieces in print and online media sources are often packed with distorted or made up 'facts' or that are presented as fact.^{lxxxvii} Therefore such content must be held to the same standards as any other news item. Currently, pieces titled as 'opinion' are exempt from many of the clauses contained in IPSO's editors' code of practice. Combined with a lack of protection against group discrimination, this lack of oversight has led to;
 - Trevor Kavanagh, former Political Editor of the Sun, being permitted to use Nazi-like language describing the "Muslim Problem" in the Sun. IPSO ruled he had not breached the Editors Code (interesting to note he sat in IPSO's regulatory board at the time)
 - Rod Liddle stating in the Spectator "there is not nearly enough Islamophobia within the Tory party"^{lxxxviii}.

Why is having a Leveson-compliant regulator a better option?

- **Cross-party agreed** - Taxpayers spent £5m on Leveson Inquiry and Royal Charter was agreed on a cross-party basis. Parliament supported it (and still does). For the

Government to not implement this agreement goes against the will of the people. It has confirmed that Part 2 of the Leveson inquiry into media standards will be scrapped, despite a promise made to the victims of the Phone hacking scandal by former PM David Cameron that it would.^{lxxxix}

- **Independence** - IPSO is funded, and its rules are effectively set by a committee of newspaper executives – the RFC. This is simply wrong. A genuinely independent regulator would be better able to hold the press to account and command greater public confidence.
- **Fair remedies and group complaints** – Leveson recommended that the regulator should have the power to hear group complaints on discrimination. He also said that the regulator should have the power to award apologies, and his recommendations on independence would ensure that the regulator required appropriate and proportionate corrections and sanctions for unethical conduct.

Section 40

- Now further advantages can only be realised when something called Section 40 (of the Crime and Courts Act 2013), is enacted by the Government. So far, the Government has refused to do this, despite the fact this was agreed cross-party in 2013 as the crucial piece of the legislation which underpins the Royal Charter and Leveson system. If Section 40 was triggered then this would incentivise newspapers to join a Leveson compliant regulator and offer the following;
- **Low-cost arbitration/complaints** – One of the requirements in the Royal Charter for regulators is the provision for in-house 'arbitration' system which complainants could access for a nominal fee, e.g. £40. The benefit of this is that Joe Public does not have to spend tens of thousands of pounds taking papers like the Sun or the Daily Mail to court, as is currently the case. Publishers also benefit, because sometimes the claimant is a wealthy individual trying to silence negative coverage with a lawsuit.
- **Disincentives for boycotting** – Newspapers who do not join the Leveson compliant regulator would face this consequences of having to pay the claimant's costs of going to court, win, or lose, unless the claimant was abusing the process.
- **The incentive to joining** - The reverse is true for those which join – they would not have to pay the costs of a claimant who insisted on going to court despite the fact the newspaper was in a regulator and offering arbitration; this would protect them against being taken to court by very wealthy individuals

- We, like bodies such as Hacked Off and victims of press abuse, thus call on Parliamentarians to insist that the Government implement Section 40 without delay.
- Failure to do so suggests the Government is more concerned with the interests of the Press Barons rather than the rights of the public it seeks to serve. Also, some elements of the press are supportive of the Government, and so perhaps the Government do not want to pick a fight with them by introducing Section 40 against their wishes.
- Newspapers will not join the system without incentives in place, because they enjoy maintaining absolute control over their own regulator.
- Also, do not forget some elements of the press have made a good living out of Islamophobia and effective press regulation will bring proper redress, so that may partly explain why they are resisting this.

However, many in the press have said that bringing in Section 40 would mean the death of investigative journalism. They say that if Section 40 existed no newspaper would be able to expose stories about the rich and powerful, like the Panama papers, since the threat of libel action and having to pay all the legal costs of hundreds of claimants could financially ruin that paper. So Section 40 is an attack on press freedom, isn't it?

- The answer to this is simple. If they signed up to a Leveson compliant regulator like IMPRESS or made IPSO compliant, they would not have to. Section 40 not intended to punish or curb the freedom of the press, it is intended to act as a disincentive to boycotting the Leveson regulator that we now have. Arbitration would save both sides their costs.
- In any case, the press has failed to make the case as to why it would curb freedoms as they claim. Suppose we look at Ofcom, the independent media regulator. In that case, no-one is saying that organisations like the BBC or SKY are limited in what they can report on because there is an independent regulator. By way of example look what happened to PRESS TV a few years ago. Ofcom took away their license to broadcast in the UK as it did not comply with their code.

Glossary of terms

- Royal Charter – all political parties agreed to this in 2013 as an alternative to an Act of Parliament following the Leveson Inquiry as a concession to newspaper editors who did not want to see a 'Press Law.'
- Press Recognition Panel (PRP) – This is an independent body set up by the Royal Charter which 'signs-off' potential press regulators as Leveson-complaint.
- IPSO – This is effectively today's equivalent of the old PCC, with a couple of minor changes. It is run by the press and totally toothless.
- IMPRESS – This is a Leveson complaint signed off regulator but has virtually none of the major press signed up to it.
- Regulatory Funding Company – This is a body that funds IPSO, and is comprised, member publishers. These raise levies on the various publications.
- Section 40 – this is a provision of the Crime and Courts Act 2013 that is designed to provide a low-cost arbitration scheme to provide access to justice for the public whilst also protecting investigative journalists from costly legal threats of rich litigants.

MEDIA INFO SHEET – SHARIA COUNCILS

SUMMARY

- The term Shariah Courts is incorrect- these are not Courts, but Councils or Tribunals whose primary purpose is arbitration between two individuals.
- As such UK law does not recognise them as Courts and they have thus had no jurisdiction to operate as Courts
- They do NOT form part of an alternative parallel legal system but operate under the 1996 Arbitration Act, hence are part of the UK legal system.
- A Government-commissioned Independent Review in 2018 into Sharia Councils concluded *"it is clear that sharia councils are fulfilling a need in some Muslim communities ... we consider the closure of sharia councils is not a viable option."*

Why do we need an alternative or parallel Court / Legal system for Muslims, shouldn't they use the UK courts like everybody else?

- Firstly, I would like to correct this misconception they are Courts. The term Shariah Courts is incorrect (even though that is what they call themselves) – these are not Courts, but Councils or Tribunals whose primary purpose is arbitration between two individuals. As such UK law does not recognise them as courts and they have thus had no jurisdiction to operate as Courts. They cannot substitute for, or overrule UK Courts.
- Also, they do NOT form part of an alternative parallel legal system, but operate under the 1996 Arbitration Act hence are part of the UK legal system. This allows any two individuals to select an arbiter of their choosing to adjudicate between them.
- They are only there to give guidance, not formal judgements, usually on matrimonial matters. They operate voluntarily, and their decisions are non-binding on the parties.
- Anyone who has put their case to a Shariah council still has their full statutory right of going to a UK court if they are not happy with the decision from the Shariah Council.
- Having them also takes a burden off our already hard-pressed Court system, especially so in times of austerity and cuts to Legal Aid where they offer a valuable alternative in terms of costs in that respect.
- A government commissioned review in 2018 by Prof Mona Siddiqui concluded that *"it is clear that sharia councils are fulfilling a need in some Muslim communities ... we consider the closure of sharia councils is not a viable option."* The review found that the vast majority of people (90%) using the councils were women seeking a religious divorce from their spouse. The review added that *"without Sharia councils, these women would have very few avenues for obtaining a religious divorce and will end up being trapped in undesirable and often abusive marriages"*.^{xc}

Do Shariah Councils discriminate against women – we hear lots of examples of misogynistic attitudes towards women, and examples of women who have been badly treated by them?

- There is no credible evidence showing systematic abuse of women's rights in Shariah courts. However, we accept that there will be examples of women who feel that they have been unfairly treated.
- The Muslim Women's Network told the Home Affairs Select Committee that if Shariah courts are abolished, then women would have nowhere to go to get an Islamic divorce.^{xc} They would thus be trapped in abusive marriages and thus banning them would force Shariah councils to go underground.

Why are Shariah Councils comprised entirely of men? Surely it would be better to have women represented on them?

- Firstly, it is important to recognise that this issue of lack of women in such positions is a problem across the whole of the UK Court system. Data from the Judiciary published in 2017 showed that only 28% of all Court judges were female, so this is a society-wide problem.^{xcii}
- We accept that to have more women Judges sitting on such Councils would be preferable to make them more balanced. There is no ruling to say that women cannot sit on Shariah Councils.
- Dr Amra Bone is the UK's first female Shariah judge. The 45-year-old former headteacher and university chaplain at the University of Bristol sits on the panel of the Sharia Council at Birmingham's Central Mosque, where her job entails serving rulings on Islamic divorce hearings.^{xciii}

Wouldn't amending the Marriage Act to ensure that all Islamic marriages were recognised under UK law help reduce the need for these Shariah Councils?

- The current problem is that Islamic marriages are not recognised under UK law; hence women undergoing Islamic divorces have no legal protection under UK law. Recognising them under the Marriage Act would give this protection to women in particular.
- However, a High Court case in 2018 ruled that a couple who had an Islamic marriage could only divorce under UK law.
- Independent Review in 2018 recommended that there be changes to the Marriage Act to ensure that civil marriages are conducted before or at the same time as Islamic marriages.

- As for whether these changes would make Shariah Councils obsolete, we believe that it is down to the individual to choose whether they would prefer their case to be heard by a Shariah Council or in the UK courts.

Why are Muslims the only community who want their separate Court system?

- That is simply not true. The Jewish community has a similar system called the Jewish Beth Din system and there are also Roman Catholic Marriage Tribunals.
- Interestingly, by way of comparison within this system, the Rabbi still needs the permission of the man to grant the divorce to the woman. No such requirement exists in Shariah Councils. Despite this, Beth Din courts have had very little scrutiny in relation to Shariah Councils.

MEDIA INFO SHEET – ISLAMIC WILLS

SUMMARY

- In UK law, a person can actually write a will and deprive any female relatives and heirs of their inheritance, i.e. there is NO protection for women, and you can be left with NOTHING.
- Under Shariah (Islamic) Law this cannot happen, since it enforces a share for all relatives under rules stipulated by the Qur'an, so you cannot deprive any female relatives of their share.
- So in this respect, Islamic Law is superior to UK Law in protecting inheritance rights for women.
- One reason for the difference in distribution between males and females is the greater obligation on males to support and provide for female relatives.
- There should be a choice to allow someone to make an Islamic Will in accordance with their faith if they wish,
- To take away this right to have Islamic wills would be to deprive a person of their human rights.

Why do Islamic Wills discriminate against women, who only receive half as much as their male relatives?

- Firstly, let us look at UK Law covering wills, which is based on the Wills Act 1837.
- Now in UK Law a person can actually write a will and deprive any of his or her female relatives and heirs of their inheritance, i.e. there is NO protection for women, and you can be left with NOTHING.
- Under Shariah (Islamic) Law this cannot happen, since it enforces a share for all relatives under rules stipulated by the Qur'an, so you cannot deprive any female relatives of their share.
- So in this respect, Islamic Law is superior to UK Law in protecting inheritance rights for women.
- Having established that now we can look at why in Islamic Law the ratio of distribution is 2:1 in favour of male heirs
- The exact reason is not known, but one of the commonly cited reasons is that there is a difference in Islamic culture and practice as to wealth ownership within relationships.
- Hence women are allowed to call upon or have a claim on the assets of male relatives, e.g. a wife has a claim on her husband's earnings and assets, but he does not on hers. What's his is hers, what's hers is hers too.
- The reason for the difference in distribution is the greater obligation on males to support and provide for female relatives, and this is commonly seen in general society when women take career breaks to raise children and husbands or partners financially support them.
- Even UK courts recognise this principle when looking at the division of assets in divorce cases. Assets are not simply divided in accordance with the level of earnings of both parties. The Courts recognise that women are disadvantaged from contributing to the family's wealth and assets by virtue of the fact that they could not pursue careers whilst raising children, and they distribute assets bearing this in mind.

Why not just give female equal shares, and stop this discrimination between men and women?

- Any Muslim is, of course, free to distribute their assets as they wish, including equal shares; by having a provision for Islamic wills does not take away this right.
- Of course, people can choose not to make a will under Islamic Law, but if they do so they should not be condemned as being discriminatory
- However, if someone did this it would simply not be Shariah-compliant – so we are merely saying that there should be a choice to allow someone to make an Islamic Will in accordance to their faith if they wish

Why do we have to have Islamic Wills anyway – why can't everyone just have wills in accordance with UK Law?

- It is worth remembering that this practice (2:1, respectively) is allowed within the UK legal context (as part of the Human Rights Act) which allows for such freedoms.
- Indeed, as free citizens of the country, individuals can choose to construct wills in any way, shape or form they want. Therefore, to choose to construct a will in a particular way, such as that in a Sharia-compliant manner, is a fundamental civic right under the UK legislation.
- To take away this right to have Islamic wills would be to deprive a person of their human rights, (Human Rights Act 1998 - Article 9 is 'freedom of thought belief and religion)
- To take away this right to have Islamic wills would also be at odds with the Government definition of extremism in the Prevent strategy includes *"individual liberty and mutual respect and tolerance of different faiths and beliefs"*, hence practising your faith by having the ability to make an Islamic Will is in line with British values, and trying to ban the right to do this would be seen as extremist in this definition.
- Also, in a conventional, non-Islamic will, an individual will simply leave what they want to whomever they want. That's why there are cases of people leaving all their money to charity or even pets.^{xciv}

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