

THE INTER FAITH NETWORK FOR THE UNITED KINGDOM

The Inter Faith Network is very likely to have broken the law by discriminating against particular communities on grounds of religion

The Equality Act 2010 and other human rights legislation prohibit organisations including Inter Faith Network from discriminating and treating a person or group of people less favourably because of their religion

The Inter Faith Network openly admits that it has discriminated on grounds of religion

However the Inter Faith Network has claimed that it can legally defend such discrimination as necessary “because of the purpose of the organisation”, namely that of “promoting religious harmony among the faith communities in Britain”

However, the law requires the Inter Faith Network to back up its claims with clear and compelling evidence that its actions of religious discrimination are justified as a necessary part of its purpose of “promoting religious harmony among the faith communities in Britain”

The burden of proof in law is at all times with the Inter Faith Network otherwise the Court must find against it

There is a large body of evidence which supports the assertion that not only is the IFN’s claim untrue that it is entitled and justified in need to discriminate “because of the purpose of the organisation”, but further that such discrimination actively damages good interfaith relations in Britain and promotes intolerance and religious prejudice against particular faiths

And thus the IFN’s actions are very likely to be unlawful as well as plainly morally wrong

*First they came for the communists,
and I didn't speak out because I wasn't a communist.*

*Then they came for the trade unionists,
and I didn't speak out because I wasn't a trade unionist.*

*Then they came for the Jews,
and I didn't speak out because I wasn't a Jew.*

*Then they came for me
and there was no one left to speak out for me.*

1 The Inter Faith Network is Prohibited from Unlawfully Discriminating Against Any Person or Group of People Because of their Religion

The Inter Faith Network for the United Kingdom (IFN) is very likely to have broken the law by discriminating against, and treating people of the Druid religion (a fully recognised and protected religion in English law) “less favourably” than people of the Baha’i, Buddhist, Christian, Hindu, Islamic, Jain, Jewish, Sikh and Zoroastrian religions.

On 23 April 2012, Mr Philip Ryder submitted an application to join the Inter Faith Network on behalf of the registered charity, the Druid Network, which is protected in law as a faith community (Charity Registration Number: 1138265, and recognised as a religion under Section 2(3)(a) of the Charities Act 2006).

On 30 April 2012, Dr Harriet Crabtree, Director of the Inter Faith Network rejected this application in an e-mail in which she stated the following grounds of “religion and belief” as being the sole basis for her letter of refusal (the Druid Network had met all other membership requirements):

“The 2007 AGM of IFN resolved that the category of ‘national faith community body’ be open, at the present time, to organisations from the Baha’i, Buddhist, Christian, Hindu, Jain, Jewish, Muslim, Sikh and Zoroastrian traditions. In view of this membership policy, IFN’s Executive Committee is not in a position to recommend acceptance of your application to the 2012 AGM”¹

2 The Equality Act Makes it Unlawful to Discriminate because of Religion or Belief, and Further Places the Burden of Proof on the Inter Faith Network to Demonstrate that it is Not Discriminating

Under the **Equality Act 2010** it is unlawful for an organisation to discriminate against a person or a group of people because of their “religion or belief”, race, gender, disability, age or other “protected characteristic” (except for strictly limited grounds which are treated below). The law states clearly:

“A person (A) discriminates against another (B) if, because of a protected characteristic, A treats B less favourably than A treats or would treat others”²

In law, the term “protected characteristic” covered by the Act includes “religion or belief”. The Druid religion is fully recognised as a religion and protected in English law under Section 2(3)(a) of the Charities Act 2006 and Section 10 of the Equality Act 2010:

“religion” includes—

- (i) a religion which involves belief in more than one god, and**
- (ii) a religion which does not involve belief in a god;³**

¹ E-mail from Harriet Crabtree to Philip Ryder, 30 April 2012

² Equalities Act 2010 13(1)

³ Charities Act 2006 2(3)(a)

“Religion means any religion and a reference to religion includes a reference to a lack of religion”⁴

The law places the burden of proof on the Inter Faith Network to demonstrate that it is not discriminating unlawfully against the Druid Network because of their “religion or belief”, otherwise the Court is required by law to find against the Inter Faith Network. The law states:

“If there are facts from which the court could decide, in the absence of any other explanation, that a person (A) contravened the provision concerned, the court must hold that the contravention occurred”⁵.

In this case, Dr Crabtree and the IFN Executive Committee have openly admitted that the reason for their rejection of the Druid Network’s application is on grounds of “religion or belief”.

3 It is Prohibited for Membership Associations Like the Inter Faith Network to Practice Unlawful Discrimination

The Act states clearly that it is unlawful for a membership association such as the Inter Faith Network to discriminate contrary to law against a person or group of people because of their “religion or belief”, or other “protected characteristic” (except for certain strictly limited grounds which are treated below):

“An association (A) must not discriminate against a person (B)—

- (a) in the arrangements A makes for deciding who to admit to membership;**
- (b) as to the terms on which A is prepared to admit B to membership;**
- (c) by not accepting B's application for membership”⁶.**

4 The Equality Act 2010 and Charities Like the Inter Faith Network

The Equality Act allows an “exception” for charities which have explicitly stated in their “charitable instrument” (ie. their charity governing document) that the beneficiaries of the charity are to be restricted to a particular class of people sharing a “protected characteristic” and who are demonstrated by evidence to be more disadvantaged in society than others.

An example of this would be a charity set up to benefit the restricted class of unemployed black women with disabilities who have been proven by independent research evidence to be more disadvantaged than other people in society. Such a restriction to a particular group defined by a “protected characteristic” would also have to be clearly stated in the organisation’s “charitable

⁴ Equalities Act 2010 10(1)

⁵ Equalities Act 136(2)

⁶ Equalities Act 101(1)

instrument". However, reliance upon Subsection 2(b) can take place only "for the purpose of preventing or compensating for a disadvantage."

In order to rely on this defence, the law would require clear evidence in Court from the Inter Faith Network that:

- The Inter Faith Network's "charitable instrument", namely its Memorandum and Articles of Association, makes clear such a restriction, and further
- That there is independent proof that Christians, Jews, etc who are currently accepted as member organisations by the Inter Faith Network are more disadvantaged in society than Druids, and so any restriction placed by the IFN aims to compensate for this social disadvantage faced by Christian, Jews, relative to the more privileged Druids.

It is rather unlikely that the IFN would be able to claim a "charities exception" on such grounds. The burden of proof is always on the Inter Faith Network to provide "weighty and convincing" evidence and justification, otherwise the Court must find against it.

As it happens, in any case, the Inter Faith Network Memorandum and Articles of Association do not restrict who can benefit from the charity, but on the contrary rather applies its benefit to all "the faith communities in Britain":

"The Network is established to advance public knowledge and mutual understanding of the teachings, traditions and practices of the different faith communities in Britain including an awareness of their distinctive features and their common ground and to promote good relations between persons of different faiths"⁷

The other grounds for restriction, given under Subsection 2(a), which again must explicitly be justified and authorised in the "charitable instrument" of the Inter Faith Network is a fair, balanced and "proportionate means of achieving a legitimate aim". The law states:

"(1) A person does not contravene this Act only by restricting the provision of benefits to persons who share a protected characteristic if—

- (a) the person acts in pursuance of a charitable instrument, and**
- (b) the provision of the benefits is within subsection (2).**

(2) The provision of benefits is within this subsection if it is—

- (a) a proportionate means of achieving a legitimate aim, or**
- (b) for the purpose of preventing or compensating for a disadvantage linked to the protected characteristic"**.⁸

What this means in law is that a charity which, for example, has a clear objective such as the alleviation of poverty in developing countries, and which decides to targets poor female farmers in a fair, balanced and proportionate way (rather than farmers of both male and female gender) in

⁷ Memorandum of the Inter Faith Network for the United Kingdom 3

⁸ Equality Act 2010 193(2)

pursuit of that wider objective, is able to do so by presenting “particularly weighty and convincing reasons” backed up by evidence, that by this approach, the families of those women – people of both male and female gender – are able to benefit from alleviation of hunger.

The Charity Commission is very clear indeed that charities which seek to rely on this “exception” must justify the restriction with “particularly weighty and convincing reasons” and demonstrate with evidence that “it is the only effective way of carrying out the aim” (in this case, promoting religious harmony among the faith communities in Britain). In addition, the law requires that “the trustees must be able to show they have considered if the aim [of promoting religious harmony among the faith communities in Britain] can be pursued by less discriminatory means and, if so, why these cannot be pursued instead.” The Charity Commission guidance states:

- **“Where the restriction [to a particular class of people sharing a common “protected characteristic” like “religion or belief”] is not justified on the basis of disadvantage or need (see Test A [namely, tackling social disadvantage]), this can only be justified by particularly weighty and convincing reasons. Charities seeking to use Test B [namely, a proportionate means of achieving a legitimate aim] will need to take advice about whether the discrimination they propose is in the category requiring a convincing and weighty justification”.**
- **Is not justified by reference to funding consideration alone...For example a charity could not justify restricting benefits to a particular group as a means of obtaining funding from a source [such as a church or faith group] who will only provide it on a discriminatory basis**
- **Is the only effective way of carrying out the aim [of promoting understanding of the teachings, traditions and practices of the different faith communities in Britain...and to promote good relations between persons of different faiths]. The trustees must be able to show that they have considered if the aim can be achieved by other less discriminatory means and, if so, why these cannot be pursued.⁹**

5 Independent Evidence from Other Interfaith Organisations Refutes Any Legal Defence by the Inter Faith Network

The law at all times places the burden of proof in Court upon the Inter Faith Network to justify with evidence and “particularly weighty and convincing reasons” that the IFN’s exclusion of Druids from membership is “the only effective way of carrying out the aim [of promoting religious harmony among the faith communities in Britain]” and the aim cannot “be achieved by other less discriminatory means”.

In so doing, evidence would of course come from other national representative interfaith organisations (eg. in Scotland, Wales, Northern Ireland) aiming to demonstrate that they too have been unable to deliver their charitable aim of “the promotion of religious harmony for the public benefit”, except by excluding Druids and equivalent Minority Religions (“New Religious Movements”) as “the only effective way of carrying out the aim”.

⁹ Charity Commission Guidance: Restricting Who Can Benefit from Charities C5

In their statement, Dr Crabtree and the Inter Faith Network Executive Committee have attempted to defend their legal position by claiming that if the Inter Faith Network were to grant equal membership to the Druid Network this would seriously damage the charity's work to the extent that it would no longer be able to carry out its charitable aim of "promoting religious harmony among the faith communities in Britain", and therefore the IFN's exclusion of the Druid Network from membership is "the only effective way of carrying out the aim" and the aim cannot "be achieved by other less discriminatory means". Dr Crabtree and the IFN Executive Committee claim the:

"Risk of the withdrawal of some of the major faith groups which have traditionally only been prepared to engage with a range of world faith traditions"¹⁰

Furthermore, Dr Crabtree and the IFN Executive Committee have attempted to rely on Schedule 23 of the Equalities Act 2010 relating to exemption on doctrinal grounds for religious bodies:

"If an organisation, the purpose of which is to 'foster or maintain good relations between persons of different religions or beliefs', concludes that their work could be seriously affected by the acceptance into membership of a particular organisation (or individual)...a decision not accept that membership application would be consistent with the relevant provisions in Schedule 23 [of the Equality Act 2010]. An example of this might be a decision by an inter faith organisation not to accept a membership application from a particular faith organisation if the admission to membership of that organisation could have the effect of leading to representative bodies of major faith communities withdrawing from membership of that inter faith organisation."¹¹

In law, it is not of itself sufficient legal defence for Dr Crabtree and the IFN Executive Committee to assert "the risk of the withdrawal of some of the major faith groups". What is required is that the Inter Faith Network must defend in Court backed up with independent evidence supporting "particularly weighty and convincing reasons" that its course of restriction, namely excluding the Druid Network from membership, is the "only effective way" of the IFN carrying out the charitable aim of promoting religious harmony among the faith communities in Britain – as a fair, balanced and "proportionate way" of achieving this legitimate aim, and that the aim cannot "be achieved by other less discriminatory means".

And far from supporting any such legal defence by the IFN, the clear independent evidence from other successfully-operating national bodies for interfaith dialogue clearly refutes any such justification by the IFN for its exclusion of Druids:

A INTERFAITH WALES

Interfaith Wales (IW) is the highly successful national interfaith organisation which promotes religious harmony for the public benefit among the faith communities of Wales and clearly states that it is fully inclusive of Druidry as well as Paganism and other under-represented communities:

"Wales is pioneering inclusion for under-represented communities...They include eco-spiritualities, paganism, druidry...Paganism claims to be the indigenous polytheistic or pantheistic

¹⁰ Inter Faith Network Annual General Meeting 2012 AGM Agenda Item 8 1.8

¹¹ Inter Faith Network Annual General Meeting 2012 AGM Agenda Item 8 Annex A 4.7

nature-worshipping religion of the British Isles. In the 2001 UK Census over 30,000 people identified themselves as Pagan”.¹²

Interfaith Wales also includes Baha’i, Buddhist, Christian, Hindu, Muslim and Sikh communities and there is no evidence to support the claim by the Inter Faith Network that inclusion of Druidry has led to such a national interfaith body being unable to discharge its charitable purposes of the promotion of religious harmony among the different faith communities in Wales – in fact, as IW goes on to state in regard to participation of the Christian churches in its work:

“There are representatives on the Interfaith Forum and Council for the Anglican Church, Roman Catholic Church, Free Churches, Churches Together (Cytûn) and the Evangelical Alliance”.¹²

B SCOTTISH INTER FAITH COUNCIL

The **Scottish Inter Faith Council (SIFC)** is the highly successful national interfaith organisation which promotes religious harmony for the public benefit among the faith communities in Scotland. It is fully inclusive of Brahma Kumaris which, like Druidry, is a Minority Religion (“New Religious Movement”) that has been excluded by the Inter Faith Network for the UK. As well as the Brahma Kumari community, the Scottish Inter Faith Council is supported by Christian churches of various denominations, alongside Baha’i, Buddhist, Hindu, Jewish, Muslim and Sikh communities:

“The BKWSU [Brahma Kumaris World Spiritual University] in Scotland have participated in Inter Faith activities since the days of the “International Flat” in Glasgow...The BKWSU were part of early consultation phase of the SIFC [Scottish Inter Faith Council] since 1998”.¹³

As with Interfaith Wales, there is no evidence to support the claim by the Inter Faith Network that inclusion of Minority Religions (“New Religious Movements”) has led to such a national interfaith body being unable to discharge its charitable purposes of the promotion of religious harmony among the different faith communities in Scotland.

C NORTHERN IRELAND INTER-FAITH FORUM

The **Northern Ireland Inter-Faith Forum (NIIFF)** is the highly successful national interfaith organisation which promotes religious harmony for the public benefit among the faith communities in Northern Ireland. The NIIF is fully inclusive of the Pagan religions, including Druidry, working alongside Christian churches and other faith communities. It states:

“The Northern Ireland Inter-Faith Forum (NIIFF) was formed in May 1993, following extensive discussions with members of the ethnic and religious communities in Northern Ireland...Membership currently stands at over a hundred drawn from many religious backgrounds: Jewish, Bahá’í, Muslim, Hindu, Buddhist, Pagan and Sikh, as well as Christians from different traditions”¹⁴

¹² Interfaith Wales website <http://www.interfaithwales.org/>, accessed 12 July 2012

¹³ Scottish Inter Faith Council website <http://www.scottishinterfaithcouncil.org/>, accessed 12 July 2012

¹⁴ Northern Ireland Inter-Faith Forum website <http://www.niinterfaithforum.org/>, accessed 12 July 2012

As with IW and the SIFC, there is no evidence to support the claim by the Inter Faith Network that inclusion of Pagans and Druids has led to such a national interfaith body being unable to discharge its charitable purposes of the promotion of religious harmony among the different faith communities Northern Ireland.

D LOCAL INTERFAITH GROUPS IN THE UNITED KINGDOM

There are dozens of witness testimonies from local interfaith groups in the United Kingdom which are inclusive of Druidry and other Minority Religions (“New Religious Movements”) and have been able successfully to discharge their interfaith charitable objects, and which testify that far from “promoting religious harmony among the faith communities in Britain for the public benefit”, the effect of the Inter Faith Network membership policy nationally has been to increase religious disharmony and religious intolerance in Britain contrary to the public benefit toward Druid, Pagan and other lawfully-recognised and protected Minority Religions (“New Religious Movements”).

Dr Crabtree and the Inter Faith Network Executive Committee have not to date been able to provide an answer to the statement by the United Nations Human Rights Committee on this subject:

“The Committee therefore views with concern any tendency to discriminate against any religion or belief for any reason, including the fact that they are newly established, or represent religious minorities that may be the subject of hostility on the part of a predominant religious community”¹⁵

The IFN has also not to date been able to provide a response to the comment of the United Nations Special Rapporteur on Freedom of Religion or Belief:

“Examples of problematic side effects are...the exclusion of marginalized religious or belief communities from [state supported and funded interreligious] dialogue projects”¹⁶

There are a very large number of witness accounts of experiences of exclusion, prejudice and discrimination against Pagans, Druids and other Minority Religions (“New Religious Movements”) associated with their encounters with interfaith bodies which have cited as precedent the policy of the Inter Faith Network, which latter network produces various documents and guidelines for interfaith dialogue at local and national level. As one example, the Secretary of Leeds Concord Interfaith Fellowship cites correspondence to her from the Anglican Chair of Kirklees Faiths Forum:

“Unfortunately we are unable to add Pagan festivals to our E-News bulletin. Our Forum is a member of the National Interfaith Network which currently works with nine faiths which are: Christianity, Islam, Judaism, Buddhism, Hinduism, Sikhism, Zoroastrian [sic], Baha’i, Jain”.¹⁷

The Deputy Director of the Information Network Focus on New Religious Movements (INFORM) describes the IFN membership policy as **“arbitrary”¹⁸** and from her experience as academic

¹⁵ United Nations Human Rights Committee General Comment 22

¹⁶ Statement by United Nations Special Rapporteur on Freedom of Religion or Belief

¹⁷ E-mail statement from Cynthia Dickinson, Secretary of Leeds Concord Interfaith Fellowship, 30 June 2012

¹⁸ Verbal statement by Dr Amanda van Eck, Deputy Director of the Information Network Focus on New Religious Movements, 2 July 2012

researcher with Minority Religions (“New Religious Movements”) as creating a sense of injustice and injury among people of Pagan and equivalent faith communities as being the object of prejudice and intolerance.

E CONCLUSION

The above and other evidence overwhelmingly refutes any legal defence by the Inter Faith Network that exclusion of the Druid Network from membership is “a proportionate means of achieving a legitimate aim” being “the only effective way of carrying out the aim [of promotion of religious harmony among the faith communities in Britain]” and that the aim cannot “be achieved by other less discriminatory means”. Furthermore, there is evidence to suggest that, on the contrary, the effect of the Inter Faith Network’s policy toward the Druid Network and equivalent Minority Religions (“New Religious Movements”) and related conduct by the IFN has been to advance religious disharmony, exclusion and prejudice toward those faith communities in Britain, contrary to the public benefit.

6 The Inter Faith Network Cannot Rely on Schedule 23 Exemption to Defend Unlawful Religious Discrimination

Paragraph 2(3) of Schedule 23 of the Equality Act 2010 permits those organisations covered by it to apply certain restrictions to membership and participation of individuals or groups of people on grounds of “religion or belief”. The law in this respect applies to defined categories of organisations which are listed in Sub-paragraph 1. The Inter Faith Network is most likely to be covered under Paragraph 2(1)(e) below:

“This paragraph applies to an organisation the purpose of which is—

- (a) to practise a religion or belief,**
- (b) to advance a religion or belief,**
- (c) to teach the practice or principles of a religion or belief,**
- (d) to enable persons of a religion or belief to receive any benefit, or to engage in any activity, within the framework of that religion or belief, or**
- (e) to foster or maintain good relations between persons of different religions or beliefs”.**¹⁹

These categories of organisation are permitted for certain strictly defined grounds only, to apply restrictions based on “religion or belief” in relation to granting membership, participation in activities or provision of goods and services. The law states:

“The organisation does not contravene Part 3, 4 or 7 [of the Act], so far as relating to religion or belief or sexual orientation, only by restricting—

- (a) membership of the organisation;**
- (b) participation in activities undertaken by the organisation or on its behalf or under its auspices;**

¹⁹ Equality Act 2010 Schedule 23 2(1)

- (c) **the provision of goods, facilities or services in the course of activities undertaken by the organisation or on its behalf or under its auspices;**
(d) **the use or disposal of premises owned or controlled by the organisation**".²⁰

However, Sub-paragraph 6 of the Schedule states clearly that such an organisation may only impose such restrictions on membership, participation and provision of goods and services under Paragraph 2(3) for the strict and specific reasons of either "the purpose of the organisation" or "to avoid causing offence, on grounds of the religion or belief to which the organisation relates, to persons of that religion or belief". The law states:

"Sub-paragraphs (3) to (5) permit a restriction relating to religion or belief only if it is imposed—

- (a) **because of the purpose of the organisation, or**
(b) **to avoid causing offence, on grounds of the religion or belief to which the organisation relates, to persons of that religion or belief**".²¹

A BECAUSE OF THE PURPOSE OF THE ORGANISATION

The Inter Faith Network has asserted grounds "because of the purpose of the organisation", namely, the "promotion of religious harmony among the faith communities in Britain", as basis for its exclusion of the Druid Network from membership under Schedule 23(6)(a) of the Equality Act 2010.

The "purpose of the organisation", the Inter Faith Network, as aforesaid, is stated in its "charitable instrument", being its Memorandum and Articles of Association:

"The Network is established to advance public knowledge and mutual understanding of the teachings, traditions and practices of the different faith communities in Britain including an awareness of their distinctive features and their common ground and to promote good relations between persons of different faiths"²²

As aforesaid, Dr Crabtree and the IFN Executive Committee have claimed that:

"If an organisation, the purpose of which is to 'foster or maintain good relations between persons of different religions or beliefs', concludes that their work could be seriously affected by the acceptance into membership of a particular organisation (or individual) – regardless of the legal standing of that body and without judgement on its standing in other contexts – a decision not accept that membership application would be consistent with the relevant provisions in Schedule 23 [of the Equality Act 2010]. An example of this might be a decision by an inter faith organisation not to accept a membership application from a particular faith organisation if the admission to membership of that organisation could have the effect of leading to representative bodies of major faith communities withdrawing from membership of that inter faith organisation."²³

²⁰ Equality Act 2010 Schedule 23 2(3)

²¹ Equality Act 2010 Schedule 23 2(6)

²² Memorandum of the Inter Faith Network for the United Kingdom 3

²³ Inter Faith Network Annual General Meeting 2012 AGM Agenda Item 8 Annex A 4.7

As discussed at length in the foregoing sections of this document, the burden of proof in law lies at all times with the Inter Faith Network to demonstrate justification for the restriction of excluding the Druid Network from membership as being consistent and necessary to the IFN's purpose of promoting religious harmony for the public benefit among the faith communities in Britain. The IFN must back up its assertions with clear evidence in Court, which evidence relating to the functioning of equivalent national organisations working for the same charitable purpose of promoting religious harmony in Wales, Scotland and Northern Ireland has been detailed above in Section 5 of this document. As has been demonstrated, on the basis of this and other evidence, the Inter Faith Network is most unlikely to be able to justify such discrimination on grounds of "religion or belief" against the Druid Network.

B TO AVOID CAUSING OFFENCE, ON GROUNDS OF THE RELIGION OR BELIEF TO WHICH THE ORGANISATION RELATES, TO PERSONS OF THAT RELIGION OR BELIEF

The Inter Faith Network has admitted that, on the face of it, the provision given in Schedule 23(6)(b) "to avoid causing offence, on [theological] grounds of religion or belief", to followers of the religion to which an organisation relates appears to pertain to single faith organisations. Examples of this might be a Catholic adoption agency or a Muslim school which may desire to apply restrictions to membership, participation or provision of services based on "religion or belief" in order to avoid giving offence to followers of the Catholic or Islamic religions respectively. However, the Inter Faith Network has also asserted that:

"It would be likely, within the context of the Schedule to be held to apply by extension to the 'religions' or 'beliefs' represented within an inter faith organisation."²⁴

However, in all cases, for this provision to apply, the law requires the claim of the "religion or belief" for which "offence on grounds of religion or belief" would be caused by admission of the Druid Network, to be supported with evidence that such "offence" arises out of the prevailing and established doctrinal teaching of that religion or religions to which the organisation, the Inter Faith Network, relates. The burden of proof to demonstrate this lies with the organisation, the Inter Faith Network, seeking to apply the restriction.

In the case of a multi-religious organisation such as the Inter Faith Network seeking to exclude the Druid Network, it would need to be shown that it is the prevailing and established doctrinal or religious view of the nine faiths which are currently in membership of the IFN that granting membership to the Druid Network would "cause offence" arising out of theological and religious teachings pertaining to the nine traditions to which the Inter Faith Network relates. Therefore, it would need to be shown that, on this basis, exclusion of Druids is necessary "to avoid causing offence" of a doctrinal religious nature pertaining to these nine traditions to which the Inter Faith Network relates, to the followers of those nine religious traditions. In other words it would need to be demonstrated that the nine religions which are in current membership of the Inter Faith Network have an established and prevailing doctrinal teaching pertinent to this matter relating to the Druid Network's admission to the extent that it is necessary to exclude in order "to avoid causing offence on grounds of religion or belief".

²⁴ Inter Faith Network Annual General Meeting 2012 AGM Agenda Item 8 Annex A 4.7

Obviously, the mere decision by the IFN Executive Committee to exclude the Druid Network for political or pragmatic grounds clearly does not meet the legal requirement that the grounds for “offence” being given must be those of “religion or belief” – not interfaith politics.

In fact, the evidence demonstrates that there is just as strong a likelihood that the singling out and exclusion of the Druid Network from the Inter Faith Network “causes offence on grounds of religion or belief” to followers of some of the nine religious traditions, as its inclusion.

As one example, we attach a document by Islamic religious scholars indicating their opinion that it is offensive and contrary to established Islamic religious teaching and law to invent or manufacture the fictitious religious position for Muslims that the Druid Network is of any different status under traditional Islamic *shari’a* to any of the other non-Abrahamic religions (eg. Baha’i, Buddhist, Hindu, Jain, Sikh, Zoroastrian), and therefore that grant of membership to Druids in an interfaith organisation is any more or less “offensive” in the view of Islamic doctrine and theology than such membership being granted to these other religions. Rather, it is the singling out of the Druid religion for exclusion over against other religions which is “offensive”.²⁵ It is also to be noted that the IFN Executive Committee has no doctrinal or theological jurisdiction on matters of Islamic religious teaching.

The Inter Faith Network is thus unable to assert an established and prevailing theological agreement as a basis for any assertion that the admission to IFN membership of the Druid Network is likely to “cause offence on grounds of religion and belief” across the nine religions, since in various cases the reverse, namely exclusion of the Druid Network as a matter of policy, is equally likely to be cause of “offence on grounds of religion or belief”.

7 Conclusion

On the basis of clear evidence which Dr Harriet Crabtree and the Inter Faith Network Executive Committee appear to have failed to address, it is plain that the Inter Faith Network is very likely to be unable to defend its legal position in the face of the challenge that under the Equality Act 2010 and related legislation, it has acted unlawfully in its discrimination against the Druid Network.

²⁵ Islamic Statement on the Matter of the Inter Faith Network for the United Kingdom,

Islamic Statement on the Matter of the Inter Faith Network for the United Kingdom

In the name of Allah, the Compassionate, the Merciful. All praise to Allah, Lord of Creation, and blessings and peace be upon His Messenger Muhammad and upon his family and companions. Hereon:

The Inter Faith Network for the United Kingdom (IFN) in the matter of the application for membership of the Druid Network has sought to assert exemption from the Equality Act 2010 under Schedule 23, Paragraph 2(6)(b) for religious bodies: *"to avoid causing offence, on grounds of the religion or belief to which the organisation relates, to persons of that religion or belief"*.

While this stated exemption is plainly intended to relate to organisations of a single *"religion or belief"*, the Inter Faith Network has asserted that *"It would be likely, within the context of the Schedule to be held to apply by extension to the 'religions' or 'beliefs' represented within an inter faith organisation"*.

Since independent expert religious and theological authorities of the Islamic faith would be among the IFN member faiths which would be required to agree in court with any joint interfaith assertion by the IFN on religious grounds that granting membership in the Inter Faith Network to the Druid Network is likely *"to cause offence, on grounds of religion or belief" to "persons of that [Islamic] religious belief"*, whereas granting membership to Baha'i, Buddhist, Christian, Hindu, Jain, Jewish, Sikh or Zoroastrian bodies by contrast would not cause such *"offence, on grounds of religion or belief"* to Muslims, as Islamic religious *'ulama* we wish clearly to clarify the following:

- 1) There is no evidence anywhere in the Islamic shari'a to support the assertion that granting membership in interfaith dialogue bodies to the Druid Network or engaging in interfaith dialogue with the Druid Network is any more or less *"offensive on grounds of religion or belief"* to the Islamic religion than granting such membership privileges to followers or organisations of the Baha'i, Buddhist, Hindu, Jain or Zoroastrian religions which are already in membership of the IFN.
- 2) The Holy Quran and Islamic *shari'a* makes explicit mention only of Jews and Christians as having a particular status different from other religions in their proximity to Muslims by reason of their being People of Revealed Scripture. According to Islamic law, the Druid religion is no different in Islamic status to any of the other non-Abrahamic religions which are already represented in the Inter Faith Network, and there is thus no basis in Islamic religious teaching to assert that the inclusion of Druids would cause greater *"offence, on grounds of religion and belief"* to Muslims than any of these other non-Abrahamic religions.
- 3) It is however deeply offensive to the Islamic shari'a that the teachings of any other religion(s) such as the policy documents or committees of an interfaith organisation which includes non-Muslims, or the policy documents of another religion or church should in any way be allowed to influence sovereign Islamic religious teaching or practice on inter-religious dialogue and the granting of inclusion or exclusion to particular people from other religions in different organisations. Islamic religious teaching and its body of *'ulama* are at all times wholly sovereign in all matters concerning Islamic teaching on interfaith engagement with non-Muslims and the status that non-Muslims hold under Islamic law. We will not under any circumstances allow any influence or interference by interfaith organisations or other churches or religions in such sovereign matters of Islamic religious teaching, jurisprudence or engagement with others.

And Allah knows best. And peace and blessings upon His prophet.

Sheikh Professor Mohamed Elsharkawy
Dean of Al-Azhar College

Imam Zymer Salihi
Mufti of Carlton
Vale Mosque

Imam Ebu Bekir
Imam of Aziziye Mosque

Given this second day of Sha'ban, 1433, being the twelfth day of July, 2012