

22nd November 2017

Rt Hon Justine Greening MP
Secretary of State for Education
House of Commons,
London,
SW1A 0AA

Dear Rt Hon Justine Greening MP,

I am writing to you on behalf of Muslim Engagement and Development (MEND) in reference to HM Chief Inspector Amanda Spielman's recent recommendations regarding the questioning of Muslim girls who wear the hijab in schools.

MEND is an entirely community funded organisation that seeks to encourage political, civic and social engagement within British Muslim communities through empowering British Muslims to effectively interact with political and media institutions. Through the course of our work, we have accumulated numerous global accolades, including having our work being ranked as "best practice" in Human Rights "protection and promotion" by the World Economic Forum, and being rated as "best example for civil society organisations" by the Office for Democratic Institutions and Human Rights. We have a significant grassroots presence nationally with over 25 Working Groups in various towns and cities across the country.

Ms Spielman's comments are concerning for a number of reasons.

1. Transparency and consultation

We are concerned about the extent of the consultation in the development of this recommendation. The Sunday Times reported that "*the move came after Spielman met Muslim women and secular campaigners calling for a ban on the wearing of hijabs in primary schools*". Which 'Muslim women' and 'secular campaigners' were consulted? From our own enquiries, it appears that 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 were given the opportunity of offering their views on this issue.

2. Sexualisation and the Equality Act 2010

We note with some alarm the claim that the hijab serves to 'sexualise' young girls, but where is the evidence behind this assertion? We would expect Ofsted guidance to be based on evidence based practice and research.

The Equality Act 2010 makes it illegal to discriminate against someone on the basis of their religion or belief. Therefore, questioning children who cover their hair solely on the basis that they are Muslim would most likely be in breach of this legislation. One must ask whether Jewish boys wearing a kippah, or Sikh boys wearing a topknot or a turban, could be considered sexualised too, and whether they will be asked similar questions?

3. Fundamentalism and “British Values”

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 choose to wear the hijab must do so out of extremist tendencies. To perpetuate such insinuations is dangerous and is at odds with British values that Ofsted itself promotes such as “*individual liberties*” and “*mutual respect for and tolerance of those with different faiths and beliefs*”.

4. Human Rights Act 1998

The right to wear religious clothes is protected by the Human Rights Act 1998, which guarantees freedom of thought belief and religion. Furthermore, 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.*”

5. Parental rights and responsibilities

Naturally, the wearing of a hijab by a child falls within the remit of a parental responsibility, which dictates that it is within the parents’ rights “*to make decisions about the child’s care and upbringing and to administer the child’s property.*” 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?

What we are asking you to do

1. Please write to Ofsted and ask them to publish the names of the organisations with whom it has consulted
2. Ask Ofsted to engage in a wider consultation with representative grassroots organisations like ourselves before embarking on such a policy
3. Please afford us the opportunity to make an appointment to see yourself in order to explain our views

Thank you very much for your time, and we look forward to your response.

Yours sincerely,



Dr Shazad Amin

CEO, MEND