



MWNNUK RESPONSE TO DEPARTMENT OF EDUCATION CONSULTATION

Out of School Education Settings

January 2016

Introduction

1. Muslim Women's Network UK (MWNNUK) is a national Muslim women's organisation in Britain (www.mwnuk.co.uk). We are a small national charity (no. 1155092) that works to improve the social justice and equality for Muslim women and girls. Our membership also includes women of other faiths / no faith and men who support our work. We find out about the experiences of Muslim women and girls through research and helpline enquiries. We identify policy and practice gaps and use this information to inform decision makers in government as well as informing our community campaigns.
2. We also develop resources and train women so they are better aware of their rights. We have a separate website for our national helpline www.mwnhelpline.co.uk that provides advice and support on a range of issues some of which include: domestic abuse, forced marriage, honour based violence, sexual abuse, divorce, discrimination and mental health etc.
3. The impact of our work is particularly felt in reducing the vulnerability of Muslim women and girls, reducing the prejudice they face, and giving them a greater access to rights and services – all of which allow them to contribute to society like any other citizen. We are also creating a critical mass of voices to influence change with more women being confident to challenge discriminatory practices within their communities and in society and to influence policy makers.

General Comments

4. This is the response of MWNNUK to the government's call for evidence following the announcement to introduce a new system for registering and inspecting out-of-school education settings that provide intensive tuition, training or instruction to children. Although this can apply to a range of settings, our response will focus on settings that teach Quran / religion within Muslim communities. Despite a few concerns, which are highlighted later, in general we are in agreement with the proposed measures. The government has a duty to safeguard and protect all children and not just those who are in schools and colleges. Children receiving tuition in other settings outside school have been over looked for too long. The absence of checks and balances of such settings poses safeguarding risks.

Concerns About Proposal

5. The government consultation appears to primarily be concerned with risk of extremism. However, all safeguarding concerns should be given equal importance including physical harm, emotional harm and other health and safety risks. Safeguarding concerns such as sexual abuse and corporal punishment in faith based educational settings have long been highlighted over the years but overlooked by subsequent governments. It is about time the law is extended to protect all children regardless of the educational setting.
6. The government states that it continues to respect the rights of parents to home educate their children whether at home or in a combination of other settings, provided a suitable full-time education is being arranged. However, there appears to be a lack of concern about the safeguarding of children who are home schooled. For example, some of these girls could be at risk of female genital mutilation, forced marriage or honour based violence. In order to perpetrate these crimes without being detected, some families may withdraw their children from school and opt for home schooling. What measures will the government put into place to ensure these children will be protected? Girls will be more vulnerable to abuses. Home schooling appears to be on the rise and anecdotal evidence suggests that there may be a gender bias in Muslim communities. Some of our members have raised this concern with us, which has also included some parents taking children out of school because they have started to adopt intolerant views of people from other faiths / no faiths and of other Muslims as well and who do not want their children mixing with them. We would therefore welcome a detailed analysis of the statistics on home schooling to determine whether there are any patterns to give cause for concern.

Inspections

7. Many of the mosques and madrassas operating such educational services will easily be identifiable. However, individuals running madrassas or small classes from their residential properties will be harder to identify for registration and inspection. Through our outreach work, concerns have been raised with MWNUK regarding such settings, which have included sexual abuse, physical abuse and also views espousing intolerance of others. It is important that there is a mechanism to ensure that these smaller madrassas, which are often run by individuals, are also identified for inspection.
8. Some schools already use consultancy services to help them pass OFSTED inspections. Sometimes such services genuinely help schools make improvements while others may use tactics to mask failures just to simply pass inspections. In the future some out of school educational settings may also use similar tactics and such loopholes should be addressed at the outset. For example, larger mosques / madrassas, are likely to already have some child protection procedures. However, the standards of these will vary considerably across the country from those who are doing an excellent job in protecting the children in their care to those who don't have any procedures at all or have them in place but don't put them into practice.
9. The inspections should be carried out by OFSTED. A separate inspection body for out of school settings should not be set up. Some faith communities may wish to set up their own inspection bodies and self regulate, this should also not be allowed, we would be concerned by the lack of impartiality. For example, Muslim communities have had long enough to come up with their own mechanisms. There have been numerous cases of sexual and physical abuses, which have not been addressed and covered up.

Many of these could have been avoided with better protocols that were also followed. Unfortunately too often honour of the institution or the accused has been prioritised over safeguarding issues or victims.

10. For inspections of faith based educational settings, if it becomes necessary to utilise inspectors that also are from the same background, it is important to ensure women are also utilised.

Size – Criteria and Thresholds

11. Out of school educational settings vary in terms of size (e.g. Numbers taught, number of hours taught and locations). For example, on average children will probably attend madrassas 1.5 to 2 hours daily 5 days / week. This amounts to 7.5 to 10 hours per week. While others may attend 4-6 classes to learn Islamic studies and Arabic on either on a Saturday or Sunday. There are also numerous classes run from residential homes or in flats above shops. We are concerned about the health and safety of such settings that cater for large groups of children e.g. sometimes there can be up to 30 or 40 children in one room. Local authority planning should be involved and must be informed about such settings and permission sought for such use. Given the range, we feel reasonable criteria could be any institution or individual teaching 10 pupils or more for 6 hours or more per week. However, there should be a mechanism in place for reporting those that fall below the threshold should there be concerns.

Transparency

12. We believe transparency is a major issue at religious institutions. Too often little information is made available about individuals who are teaching children religious studies e.g. Quran / Islamic studies etc. As good practice, these should be made available. If it is an institution with a website, details should be made available to the public. Unfortunately where there have been safeguarding concerns, such tutors are simply allowed to move on and operate elsewhere. If tutors are listed, this can make it easier to identify those who are considered a risk. Too often parents do not even know the full name of who is teaching their child.
13. It is very difficult for parents to distinguish between different out of school educational settings because their standards are not monitored. Inspections and publicly available ratings will allow parents to select the best settings for their children. This in turn can put pressure on these settings to raise their standards. Best practice can also be highlighted through inspections.

Sanctions

14. An institution could be closed down if they are failing to safeguard children. However, care needs to be taken to carefully draw up thresholds for closures to avoid over reaction to concerns (both proven and unproven), which could result in further stigmatisation of communities.
15. We agree that individuals should be barred from teaching children if safeguarding concerns have been proven. Where concerns have not been proven but there are reasonable grounds to believe that the concerns are valid, barring should also be considered in these cases. For example, a young male reported historical abuse by a Quran teacher to MWNUK. However, he did not want to report the matter to the police.

Upon making some enquiries, we found that other boys had also been abused when they had attended the madrassa (which was in a terraced house) when they were children. No one wanted to report the abuse to the police. The imam was continuing to teach young boys and posed a risk to them. MWNUK reported the matter to the police anyway. Although the police were unable to action against the imam, they visited him and informed him they had become aware of allegations and reminded him of his safeguarding duties in the hope this warning could act as a deterrent. In such instances, a mechanism needs to be put in place where such individuals can be barred from teaching if the victims can provide witness statements to the inspection body. We have also come across cases where individuals have been accused of abuses simply leaving institutions and start teaching children on a one-to-one basis through home tuition. Such individuals should also be barred from providing tuition to individual children. This could also apply to other types of safeguarding issues.

16. Even if religious institutions set codes of practice for their teachers so that they do not seek to influence children with their intolerant views, however individual rogue teachers are likely to go undetected. For example, we have come across cases where individuals at some out of school settings have been sharing their own personal intolerant ethos (in addition to what they are teaching) and seeking to influence children negatively. For example, we were made aware of 6th form Somali girls attending Saturday classes (above a shop). They were attending 6 hours classes learning Islamic studies and Arabic. Over a period of time the girls started to wear gloves and cover their faces and segregating themselves from other pupils and viewing them negatively. They no longer wanted to continue studying their A levels or remain in the 6th form because it would mean having to mix with other pupils even though it was a girls' school.

Final Comments

17. We hope that our response proves to be helpful in your considerations. We would also like to point out that with regards to responses from Muslim communities in particular, these may be mostly from male dominated Muslim organisations such as religious institutions. However, it is also important to give equal consideration to views of Muslim women who are often marginalised and lack a voice in such settings. Mothers have long been concerned about safeguarding issues in mosques and madrassas but have had little or no influence with their reports and concerns often being 'swept under the carpet,' or pressure exerted / intimidated to remain silent. We have also been made aware of institutions / individuals trying to exert influence over others to submit consultation responses to reject inspection and monitoring of out of school educational settings. For example, one member said a community meetings was called in which attendees were literally being ordered to submit responses. This should be considered should the government receive numerous responses rejecting the proposals.

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