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HOUSE OF COMMONS
OFFICIAL REPORT
GENERAL COMMITTEES

Public Bill Committee

LOCAL GOVERNMENT (RELIGIOUS ETC. OBSERVANCES) BILL

Tuesday 6 January 2015

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CLAUSES 1 to 3 agreed to.
Bill to be reported, without amendment.

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The Committee consisted of the following Members:*Chair: MR ANDREW TURNER*

† Berry, Jake (*Rossendale and Darwen*) (Con)
 † Birtwistle, Gordon (*Burnley*) (LD)
 † Blomfield, Paul (*Sheffield Central*) (Lab)
 † Bradshaw, Mr Ben (*Exeter*) (Lab)
 † Brown, Lyn (*West Ham*) (Lab)
 † Bruce, Fiona (*Congleton*) (Con)
 † Ffello, Robert (*Stoke-on-Trent South*) (Lab)
 † Glen, John (*Salisbury*) (Con)
 † Glindon, Mrs Mary (*North Tyneside*) (Lab)
 † Hopkins, Kris (*Parliamentary Under-Secretary of
State for Communities and Local Government*)

† Howarth, Sir Gerald (*Aldershot*) (Con)
 † Jackson, Mr Stewart (*Peterborough*) (Con)
 Jones, Susan Elan (*Chwyd South*) (Lab)
 † Nuttall, Mr David (*Bury North*) (Con)
 Simpson, David (*Upper Bann*) (DUP)
 Wharton, James (*Stockton South*) (Con)

Kate Emms, *Committee Clerk*

† **attended the Committee**

Public Bill Committee

Tuesday 6 January 2015

[MR ANDREW TURNER *in the Chair*]

Local Government (*Religious etc. Observances*) Bill

Clause 1

POWERS OF COUNCILS

2 pm

Question proposed, That the clause stand part of the Bill.

The Chair: I suggest that members of the Committee make any remarks that they may have about clauses 2 and 3 during the debate on clause 1. If the Committee is content with that suggestion, I propose, at the appropriate point, to put the question that clauses 2 and 3 stand part of the Bill formally, on the basis that all parts of the Bill will already have been debated. Is that agreed?

Hon. Members: Aye.

Jake Berry (Rossendale and Darwen) (Con): Thank you, Mr Turner. I want to talk briefly about the purpose of the Bill, which will give local authorities the freedom to include prayers, other religious observances, or observances connected with a religious or philosophical belief as part of the business of that authority. The Bill will provide that local authorities in England may support, facilitate and make arrangements to be represented at religious events or an event with a religious element.

The Bill is necessary because faith is an important part of national life in Britain, necessary because it is about granting and preserving our freedom to pray, and necessary because it meets an aggressive and unwelcome secular attack on our core British values.

Robert Ffello (Stoke-on-Trent South) (Lab): I draw the Committee's attention to the line just before clause 1:

"Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual".

Faith is absolutely at the heart of the country.

Jake Berry: I thank the hon. Gentleman for that intervention. I rejoice to live in a country where we have an established faith headed by Her Majesty the Queen.

I proposed the Bill because of a recent ruling made by the High Court. A councillor in Bideford town council attempted, through the courts, to put an end to the practice of the town council having prayers on its agenda, despite the practice dating back to the reign of Elizabeth I. As part of the High Court case, on 10 February 2012 Mr Justice Ouseley ruled that the council's prayers as part of official business were not, in fact, lawful. In short, on a narrow issue of whether section 111 of the Local Government Act 1972 gave councils the power to continue with prayers, the High Court ruled that it did

not; councils therefore had no such statutory power to permit the practice to continue. At a stroke of the judge's pen, the High Court ended centuries of tradition in our country and put in doubt in the long-held practice of town hall prayers in local authorities.

I am pleased to say that my right hon. Friend the Secretary of State for Communities and Local Government, realising that the public considered the ruling wrong and recognising its wider implications, acted with admirable swiftness. Using the powers granted to him by Parliament in the Localism Act 2011, the Secretary of State fast-tracked the introduction of the general power of competence. Whereas previously councils were able to do only those things that the law enabled them to, the general power of competence enables councils to do anything that any individual could do unless it is specifically prohibited by law. The power includes the freedom to pray and to hold prayers at the start of council meetings, should that local authority wish to do so. However, the general power of competence is not available to all local authorities—some authorities, in particular smaller parish councils, are not able to exercise it—so the Bill is needed to ensure that local authorities that wish to hold prayers as part of their council business are able to.

I wish to be clear by what I mean by "prayers" in the Bill, or rather what I do not mean, because what constitutes prayers is not defined in the Bill, nor should we seek to do that. The Bill simply makes provision for councils to have the freedom to include prayers as part of their official business. It is ultimately the choice of elected members of the authority in question, who are ultimately responsible to their electorate for their own actions, to decide whether they wish to use this freedom.

The Bill makes another important provision that local authorities can facilitate and make arrangements to be represented at religious events. If left unchallenged, the High Court judgment as it relates to Bideford council could mean that no local authority could be represented at any event with a religious element. That could put at risk some of our most important traditions, such as the laying of a wreath on Remembrance Sunday on behalf of a local authority. The Bill will put it beyond doubt that local authorities can take part in events such as Remembrance Sunday that have a religious element. The Bill is necessary and I believe that it demonstrates our commitment to ensuring that faith remains at the heart of public life and that people have the freedom to take part in it if they so desire.

Mr David Nuttall (Bury North) (Con): I shall not detain the Committee long, but I want to place on record my thanks and, indeed, congratulations to my near parliamentary neighbour, my hon. Friend the Member for Rossendale and Darwen, on bringing this measure before the House and the Committee. It received what would perhaps be regarded in FA cup terms as a bye in the first round, in the sense that it received no particular scrutiny or debate on Second Reading, but a few remarks were made when the money resolution was dealt with, and I was present in the Chamber for that.

My hon. Friend's constituency neighbours mine. My Bury North constituency covers half—eight of the 17 wards, to be precise—of the borough of Bury, which I suspect is one of the most diverse in terms of its large separate and discrete blocks of religious observance groups. There are large numbers of practising Christians—I should

perhaps declare an interest in that I am a churchwarden of St Anne's in Tottington. In the borough of Bury, there is also a large—albeit a minority, obviously—Muslim community of Pakistani origin, and a large Jewish community, which I understand is the largest outside of north London. We have a diverse mixture of Christians, Muslims and Jews living together in one borough.

I do not know if it was sent to all Committee members, but the National Secular Society sent me its briefing on the Bill. Rather strangely, it seems to suggest that the Bill might in some way be seen as divisive. The society seems to be complaining that the majority would be imposing their will on the minority, as if somehow the reverse—the minority imposing their will on the majority—would be perfectly alright. It does not seem very pleased about the fact that the majority of councillors may do this if they so wish.

Let us bear in mind that there is nothing compulsory about the Bill; it is permissive legislation. It simply restores the position to what councillors and Members of Parliament have thought to be the case for generations down the centuries, which is that local authorities can, if they so wish, hold prayers before beginning the formal business of the day. When I was a councillor in Rotherham some years ago, every meeting of the full council started with prayers. In Bury today, the mayor chooses their own chaplain or representative to say prayers. Over the years we have had a Muslim mayor and Christian mayors. At the moment someone of the Jewish faith is mayor of Bury, and she has chosen someone from the local synagogue to say prayers before the start of the meeting. Should there be members of the council who are not of the faith of the current mayor or have no faith, there is no obligation for them to be in the chamber. They could be outside the chamber or sit in their place and use the time to reflect on their moral code of beliefs, if that is their wish.

Mr Stewart Jackson (Peterborough) (Con): My hon. Friend makes a strong point. Does he also agree that the case made by the secularists is incongruous, because there is no financial encumbrance on local authorities; it is just an issue of time put aside for religious observances. There is no financial pressure on the local authority. That is an argument used in the United States to divide Church and state.

Mr Nuttall: I am grateful for that point. There is no financial implication as far as I can see. I suppose the officers are kept two or three minutes more than they would otherwise be. In essence, there is no cost whatsoever to this Bill. I think that the vast majority of councillors, of all faiths, will see it as a sensible measure that simply puts the law back where we always thought it was: that it is right and proper that, just as in the House of Commons we have our prayers, before a local council begins its deliberations there is a moment of silence and reflection for prayers of any nature. As I have mentioned, in Bury they may be Muslim, Jewish or Christian, but there is time for reflection.

It has been suggested that it is in some way divisive, but I think it could be a source of unity. It is an opportunity for people to think for a moment that, regardless of sometimes stark political differences, there are some things that bind us together. That should

never be forgotten. There are some things that are greater than politics, and obviously, I believe that one such thing is religion. My own faith, for example, is in a Christian God. I appreciate that others will have a different view, but that does not mean that it is not right and proper for the Bill to receive a fair wind. I wish it well and hope and trust it will be passed by the Committee today and, in the fullness of time, pass through Report, Third Reading and the other place, so that it reaches the statute book before the end of this Parliament.

2.15 pm

Robert Ffello: It is always a pleasure to serve under your chairmanship, Mr Turner. I welcome the Bill of the hon. Member for Rossendale and Darwen. It is excellent that he has brought it forward and equally good that both Front Benches are ensuring time for it to be properly considered.

In an intervention, I have already highlighted the point that the fact that the Queen is the head of the established Church is at the heart of British society. I personally am a Roman Catholic; I look elsewhere for my spiritual leadership. Nevertheless, Britain is a country that is built on that strong Judeo-Christian tradition, and certainly that Christian tradition permeates everything we do. If we look at society around us, all the things that we take for granted these days—everything from the health service to schools and education—all started from a Christian root.

I do not want to detain the Committee for more than a few moments, but I wanted to highlight a couple of things and also agree with the hon. Member for Bury North, who noted the fact that this Bill is an opportunity to bring communities together and is not at all divisive. Indeed, in a way it almost puts local authorities, parish councils and the like in the same position that we in Parliament enjoy, whereby for parliamentarians, at the start of our business, time is made for prayer. People do not have to take part in that prayer; they can sit in the Chamber and take a moment to gather their thoughts, or just gather their papers. I remember vividly that when I was first elected in 2005 I sat next to comrades who are no longer in the House who would determinedly sit on the Front Benches, reserving their place, but not taking part in Prayers and just sitting there all the way through. But they were there; they were in the Chamber. It was not any hindrance or difficulty to them; they were there. So, there is no reason at all why somebody who perhaps has either no faith or other views cannot be there.

I wanted to make some specific points about clause 1, "Powers of councils". The proposed section 138A(1) of the Local Government Act 1972 states:

"The business at a meeting of a local authority in England may include"—

"may", not "shall", but "may". This measure is so gentle that someone would have to work hard to find any way of taking any sort of umbrage or insult from it. Then, proposed section 138A(1)(b) of the 1972 Act states:

"observance connected with a religious or philosophical belief."

That is not even saying that it has to be a "religious" belief that is considered. It is such a gentle measure that it is amazing, really.

[Robert Ffello]

One of my sadnesses when this issue blew up a couple of years ago was that Stoke-on-Trent city council nearly got rid of prayers completely. Now, that local authority has a time before the meeting begins when there are prayers, but it is not part of the business of the council itself. I very much hope that the council will change that, particularly because it flies in the face, in many ways, of what proposed section 138B of the 1972 Act is intended to do, which is to ensure, quite rightly, that there can be no question about a local authority's involvement with religious events, or indeed any event connected with a belief of whatever tradition it might be, because a local authority, quite rightly, frequently attends events that have a Christian, Muslim or some other philosophical belief at their centre, and yet the authority does not allow prayers as part of its business. Stoke-on-Trent council really needs to look carefully at that and perhaps get its act together.

I hope that this Bill will be enacted and that it will be something that we can take to local authorities, whose officials perhaps just need to think about the sense of what they are doing and incorporate it back as part of their business.

I will conclude by again thanking the hon. Member for Rossendale and Darwen for bringing this Bill forward. I hope that it receives overwhelming support and can be enacted, and that we actually get some sense.

Sir Gerald Howarth (Aldershot) (Con): I am also delighted to serve under your chairmanship, Mr Turner, and I am delighted to join the hon. Member for Stoke-on-Trent South in endorsing the campaign by my hon. Friend the Member for Rossendale and Darwen in bringing forward this Bill.

However, it is rather sad that it has been necessary to bring this Bill forward, and it results from the activities of the National Secular Society, which was responsible for bringing the case for which the late Mr Bone was the instrument, as it were, because he was a member of Bideford council. The National Secular Society was certainly instrumental in that case, and that is evidence of a rampant secularism that is beginning to grip our society and that is extremely damaging to the fabric of this nation. It betrays an intolerance that others are accused of. Like the hon. Gentleman and my hon. Friend, I too believe that faith, and the Christian faith, is an extremely important part of our national life. Everything about this place, which we inhabit and where we conduct ourselves on a daily basis, is driven by our Christian heritage. Our Christian heritage is what has given us our belief in liberty, human rights and tolerance. That is what imbues the concept of British values, but it did not come out of the ether. It came from somewhere. Where did it come from? It came from our Christian heritage.

When young people come to this place, I always challenge them and say, "What does every coin in this realm pay testament to?" I read what it says: DG—by the grace of God—and Regina FD. None of our children seem to know what FD stands for: fidei defensor, Defender of the Faith. Every coin of this land testifies to what the Prime Minister has rightly called our Christian heritage, to which he has attached such great importance.

It is unfortunate that the National Secular Society has driven the need for the Bill. As others have said, it is entirely permissive; there is no mandatory element in it. In Rushmoor borough council, which covers Aldershot and Farnborough in my constituency, all our mayors—we had a Muslim mayor—have chaplains and they are part of the fabric of our civic life. What an irony it would be if we were not to stand up and champion the rights of local authorities to do what we all thought was part of their daily activity anyway when we in this place start all our proceedings with what? With prayers. Those who feel that they do not want to be part of that are not part of it. The idea, which the National Secular Society said in its weasel words, that

"The presence of predominantly Christian prayers may be seen as alienating for some who are not Christian"

is a cop-out. The National Secular Society does not subscribe to religion anyway so what business does it have to say that others may be alienated? What does it know about it?

My experience is that those of other faiths admire the fact that this is a Christian country and that the Christian faith plays such an important part in our lives because it gives them protection for their faith. It means they are living in a society where faith counts. I remember talking to a Jewish school headmistress and she said, "If it wasn't for this country being a Christian country, I would find it very difficult to be able to run a Jewish school." Therefore, the idea that others would be alienated seems quite absurd.

I will close by referring again to that parliamentary prayer. We have, unfortunately, rather changed the language in, I suspect, a modernisation process of which, of course, I was not in any way part. I am not a moderniser, in case anyone had missed that. I will read what we used to say, which, of course, is out of sight of the public: We

"do most humbly beseech thee to send down thy Heavenly Wisdom from above, to direct and guide us in all our consultations; and grant that, we having thy fear always before our eyes, and laying aside all private interests, prejudices, and partial affections, the result of all our counsels may be to the glory of thy blessed Name, the maintenance of true Religion and Justice, the safety, honour, and happiness of the Queen, the publick wealth, peace and tranquillity of the Realm, and the uniting and knitting together of the hearts of all persons and estates within the same."

What glorious language. What wonderful, cohesive language in modern parlance. The idea that we should dispense with all that seems absolutely outrageous. I thank my hon. Friend for introducing the Bill and I hope it gets a fair wind.

Gordon Birtwistle (Burnley) (LD): It is a pleasure, Mr Turner, to again serve under your chairmanship on this important debate. I congratulate my neighbour, the hon. Member for Rossendale and Darwen, the constituency next to the great town of Burnley, on introducing the Bill. When I arrived here in 2010, I was not aware of prayers before meetings. I have been a councillor in Burnley for more than 32 years and we have never had anything like that. I think that some of our meetings would be much better if we could have something such as that before we started. People would appreciate the views of other people in the council chamber if they had a couple of minutes' reflection before the meeting started.

There is another fantastic thing here. On Wednesday mornings, we have a brief communion in the Chapel, which one or two Members attend. It is peaceful and quiet and sets people's minds up for what might happen that day, and they can view the future with a little more resolution. I therefore support the Bill and hope that we vote for it today. I hope that local authorities will pick it up and run with it. It says "may"—if they wish. I am still a councillor in Burnley after all these years. I will certainly ask the chief executive of the council to introduce prayers to council meetings—not for all the committee meetings, but certainly for the full council meeting.

When I was the mayor of Burnley in 2002, we had a chaplain, but I used the chaplain only for mayor's Sunday. What a wonderful thing it would be if we could have the mayor's chaplain conducting a brief service of prayers before the council meeting. We have only seven a year. It is not too onerous to have the mayor's chaplain coming to the council seven times for a couple of minutes on a Wednesday night before the council meeting starts. I support the measure, and I congratulate my close neighbour the hon. Member for Rossendale and Darwen on introducing the Bill. He has my full support.

Lyn Brown (West Ham) (Lab): It is a pleasure to serve under your chairmanship today, Mr Turner. I wish you and all members of the Committee the happiest new year.

I rise in support of the Bill before us today. As we have heard, it brings redress to the ruling that followed the case brought against Bideford town council five years ago, and I am glad that it has broad support from across the House. I am grateful to the hon. Member for Rossendale and Darwen for supporting its passage through the House—rather well, I think.

It is important that all councils, and the wide variety of public representative bodies listed in the Bill, are at liberty to include prayers as part of their meetings if they so wish. In the wake of the High Court decision in 2012 and the changes subsequently made under section 1 of the Localism Act, the Bill brings clarification and ensures that decisions can be taken in different types of authorities with confidence and with fairness. As hon. Members might remember, I have twice drawn attention in the House to the comments of the Equality and Human Rights Commission following the launch of the challenge in Bideford in 2010. Their message, like the Committee's, was one of regret that the situation should ever have got as far as a legal challenge in the first place: it would have been far better if a compromise had been reached long before it got to that situation. I could not agree more.

Let me be absolutely clear that such matters should be dealt with through a local settlement that takes into account the needs and circumstances of individual local communities. We need to give support and assurance to that process, and that is exactly what the Bill does. Most importantly, the Bill does not seek to provide guidance to councils and authorities. It is enabling, not prescriptive. Religious observances are a matter where local and individual choice should prevail, and we should support that though making clear the freedom of choice not only across top-tier local authorities, but in town and parish councils and a range of other public bodies, too. I am glad that the Bill seeks to do that.

To build cohesive, inclusive and sensitive communities, we need to strengthen the ties between local communities and the authorities that seek to represent them. We need to be mindful of the needs of all faith and non-faith communities when determining whether to hold prayers and what the nature of those prayers shall be. I am sure that that will be done not only by all local authorities, but by the other bodies specified in clause 2 to which the legislation would apply; as Hon. Members know, those range from fire and rescue authorities to transport bodies and economic boards.

I welcome the principle behind the Bill: that each of those communities will have the opportunity to contribute to wider community cohesion. That is not the remit of one section of the community—faith groups, non-faith groups, voluntary organisations or local businesses—but the role of each and every part of the community, not least local authority bodies.

2.30 pm

At the same time, we must ensure that the authorities maintain their inclusivity and respect the freedoms and differences of all members, religious or otherwise. I take seriously the points made by the National Secular Society, in particular its warnings that prayers can create a feeling of exclusion and that imposing prayers can alienate members who do not feel part of one tradition or another.

I would be grateful if the Minister informed the Committee about what representations the Department has received about the Bill from external organisations and interests—in particular, from the National Secular Society. What assessment has been made of its fears that the Bill could exclude and alienate some council members? Does the Minister believe that the Bill will compel anyone who does not wish to participate in prayer to do so, and might there be a need for further safeguards to ensure that that is not the case? Given the comments from the Equality and Human Rights Commission, I am minded to believe that the balance of the Bill is right in giving the power to determine the issue at a local level.

Mr Jackson: The National Secular Society's point is the opposite of the truth, is it not? Agreeing with different religious traditions to say prayers at the beginning of a meeting is a cohesive act. When I was a London borough councillor for eight years, we had people from the gurdwara, imams from the mosque, a rabbi and Christian faith leaders. People accepted that diversity.

Lyn Brown: I agree with the hon. Gentleman. I come from a multi-faith community, but it is one of the most faithful places in the country. The gurdwaras, the mosques and all types of churches are full on Fridays, Saturdays and Sundays. A tradition in our council is to have chaplains of all faiths exercising their role in the council chamber, and it is rather wonderful; they use prayer as an opportunity to bring people together—not masking differences, but highlighting similarities between faiths.

I think that faith does precisely that, but it is clear that some in our communities feel that it does not and that somehow having prayer can be alienating. I struggle to conceive of people in my council who would have felt

[Lyn Brown]

that they were being excluded, but I am prepared to hear from the National Secular Society and to attempt to understand its point of view.

Robert Ffello: I would like to turn the hon. Member for Peterborough's point a slightly different way around. A lot of the groups that I speak to come specifically and explicitly from faith communities and do a lot of work in our communities, although I appreciate that it is not only people from faith communities who do that. They run food banks, work with vulnerable individuals and so on. A lot of those people felt challenged, unwanted and unloved when local authorities started to say that they were not going to have prayers. A lot of people from faith communities who work tirelessly in their local communities suddenly thought, "Hang on, we are not wanted—we are being rejected and pushed aside."

Lyn Brown: As always, my hon. Friend makes a very good point. I am sure that those of faith can feel that their faith is not a welcome part of civic society, although I think that all of us gathered here today would say that it is a welcome part of who we are. To be honest, I am sure that the Minister would not support a Bill in which compulsion for prayers was a possibility. I would certainly hope that where decisions were taken locally to have prayers as part of a meeting, that would be on an opt-in or opt-out basis.

It is absolutely crucial that the localised decisions made on religious observances should be exercised on the basis of inclusivity and that every effort is made to avoid exclusion. Any new powers must be used sensitively and with discretion, while following a process that involves and responds to the needs of all communities. I am supporting the Bill because it is not prescriptive and does not seek to impose prayer. It merely clarifies a freedom to choose to include prayer or not, and seeks to redress the rather perverse position that followed the 2012 ruling, after which that choice was removed.

Fiona Bruce (Congleton) (Con): I commend my hon. Friend the Member for Rossendale and Darwen for bringing forward a Bill that reconfirms the importance of faith, its role in our public life and, in particular, the freedom to practise individual faith. The freedom to practise a faith, to change a faith, or, as we also accept, not to have any faith at all, are recognised as a human right under article 18 of the universal declaration of human rights. The Bill is particularly timely, as that freedom is under unprecedented attack globally and under ferocious attack in many parts of the world.

If Members will forgive me, I will remind them of the appalling persecution taking place in many countries. Hundreds of thousands of people of faith—many Christians, but those of other faiths too—have been driven from their homes in Iraq over recent years. Similarly, in Syria, displaced Christians and others are now facing a freezing winter. In Nigeria, Boko Haram are abducting young girls. In Cameroon, pastors in churches are being hauled out by Boko Haram during services. The blasphemy laws in Pakistan are resulting in individuals such as Asia Bibi, who now risks the death penalty, being held in prison or executed simply for exercising their faith.

Members might ask why I feel that I can refer to those terrible situations in this debate about the freedom to have faith observances in a council chamber such as Bideford in Devon. The reason is this: so often, persecution starts with a small amount of prohibition here or a particular piece of legislation there. Let me give the Committee an example. In the 1930s—within the lifetime of some Members now serving in this House—there was legislation in Germany that prohibited the employment of a domestic worker who was a woman of Jewish faith. No one spoke out against that or took a stand.

We know what happened as a result. Incrementally—little by little and then increasingly—pressure was put on those of the Jewish faith that resulted in their being hounded out of their businesses, herded into ghettos and transported into the gas chambers. That happened in this century on this continent. I thank my hon. Friend for speaking out; it was because people did not speak out that those things happened then. I thank him for speaking to the Government, for bringing this legislation forward and for giving us an example of the principle of reasonable accommodation in our legislation.

As has been said by so many Members, councillors in chambers may join in the prayers and the religious observances supported by the Bill if they wish, but no one is compelled to. The Bill would provide that those of faith are being reasonably accommodated alongside those who do not hold a particular faith. I hope the Bill will be supported strongly by the whole House, as it has been in this Committee. I would like to see the principle of reasonable accommodation feature more broadly in legislation, and I hope that this Bill leads the way.

The Parliamentary Under-Secretary of State for Communities and Local Government (Kris Hopkins): I welcome the opportunity to serve under your chairmanship, Mr Turner. I would like to begin by congratulating my hon. Friend the Member for Rossendale and Darwen on his work on the Bill, the aims of which are wholly supported by the Government. I also applaud the appropriate tone of the contributions today.

Before discussing what the Bill does, I should say that it is as much part of the debate to say what the Bill does not do. The Bill is about freedom: freedom to pray; freedom not to pray; freedom to make the choice collectively as a local authority to hold prayers as part of official business, or not; and freedom to make the individual decision to attend the meeting during that item of business or not.

The High Court issued a decision based on an interpretation of whether section 111 of the Local Government Act 1972 gave councils the power to hold prayers as part of official business. It ruled that councils such as Bideford town council had no statutory power to carry on a centuries-old tradition. The Bill will give back that power and freedom to pray. It does not compel anyone to pray and certainly does not seek to impose the views of some on others. It does not define what constitutes prayer or religion. Rather, it takes a practical, workable and sensible approach, giving authorities the freedom to include in their business time for prayers or other religious observance, or observance connected with a religious or philosophical belief.

The Bill also ensures that local authorities are able to support, facilitate and be represented at events with a religious element. Following the High Court ruling in

February 2012 that the saying of prayers as part of the formal meeting of a council was not lawful under the subsidiary powers contained in section 111 of the Local Government Act 1972, my right hon. Friend the Secretary of State for Communities and Local Government acted swiftly. He brought into force the general power of competence for local authorities, giving principal local authorities in England, and some parish councils, the freedom, among other things, to continue to have prayers as part of formal meetings. However, smaller parish councils do not have that power and nor do some single-purpose authorities such as fire and rescue, integrated transport and other authorities.

The Bill's aims are simple. Its provisions would give small parish councils, and other local authorities without the power of general competence, the freedom to hold town hall prayers and ensure that all local authorities can without question support activities such as the annual commemoration on Remembrance day.

The Government support the Bill because it allows authorities the freedom to pray if they wish to do so. It will make the choice a local one. I refer to the point made by the hon. Member for West Ham about representation. We have received written representations, and the National Secular Society has asserted that prayers would lead to unnecessary conflict and sectarianism at council meetings. As people have reiterated, it is not a

compulsory activity. It gives people the opportunity to participate in a process if they so wish, and the balance of the Bill is absolutely appropriate.

2.45 pm

Sir Gerald Howarth: Is my hon. Friend aware—as a Minister or in his former capacity—of any cases where people have complained about alienation or intimidation, beyond the case that the National Secular Society brought?

Kris Hopkins: I am not. To go back to the point made by the hon. Member for West Ham, if I felt that the measure was a compelling act and that a contribution had to be made, I would not support it. I have seen no evidence that such an act has created conflict or tension. As people have said over and over again, the opportunity to be respectful of somebody else's faith in the moment before a council meeting is a great opportunity to build cohesion, rather than to erect barriers.

In conclusion, the tone of the debate has been excellent. The Government fully support the Bill, and I hope the Committee agrees.

Question put and agreed to.

Clause 1 accordingly ordered to stand part of the Bill.

Clauses 2 and 3 ordered to stand part of the Bill.

Bill to be reported, without amendment.

2.47 pm

Committee rose.

