

UK Court Bans Prayers at Formal Council Meetings

The saying of prayers as a 'formal' part of local council meetings was ruled unlawful by the United Kingdom's High Court Friday in an extraordinary judgment.

The judge, The Hon. Mr. Justice Ouseley, said there is no law that gives councils the power to do so.

But critics hit back, saying the ruling also means a council has no power to formally start its meetings with the national anthem.

In December, the head of the Equality Commission, Trevor Phillips, said he 'dropped his coffee' when he heard the case was being taken to court, calling it "nonsense on stilts".

Friday's ruling only affects the formal meetings of local government, and does not stop councils from holding prayers outside of that setting if they wish to do so.

And the court rejected claims that the saying of prayers discriminates against, or breaches the human rights of, secularists.

The practice of saying prayers at Bideford Town Council meetings is understood to date back to the days of Queen Elizabeth I. The Council has recently voted twice in support of continuing with the prayers.

Individual councillors were free to not take part in the prayers if they wished, and the register of attendance was not taken until after the prayers had finished.

Nevertheless, a court case was brought by the National Secular Society and a secularist former councillor, Mr. Clive Bone, against Bideford Town Council.

The claimants' legal case rested on three arguments: that the prayers were discriminatory against atheist councillors, the prayers were a breach of human rights laws, and that the council had no lawful authority to hold prayers as part of its formal meetings.

The judge rejected the first two arguments, but ruled: "The saying of prayers as part of the formal meeting of a Council is not lawful under s111 of the Local Government Act 1972, and there is no statutory power permitting the practice to continue."

The Act does allow councils to do anything that "facilitates, or is conducive or is incidental" to a council's functions, but Ouseley ruled that the saying of prayers at formal meetings does not fall within that provision.

If councillors are not compelled to pray, the judge reasoned, then prayers cannot be an essential part of a council's functions and therefore should not be part of the formal council meeting.

The decision was criticised by The Christian Institute—a national charity that defends religious liberty and underwrote Bideford Council's legal costs.

Institute spokesman Simon Calvert said: "We welcome the finding that the saying of prayers isn't discriminatory, or a breach of equality laws, or human rights laws.

"But it is extraordinary to rule that councils have no lawful authority to choose, if they so wish, to start their formal meetings with prayers. That is simply wrong.

"The logic of the ruling is that councils would also be going beyond the law if they took a vote and decided to start each formal council meeting with the national anthem.

"There is no way that Parliament, when it passed the Local

Government Act 40 years ago, intended it to be used to outlaw prayers.

“This case was brought by a campaign group that wants to drive Christianity out of public life, and the High Court has today given them great encouragement to take matters further.

“It is high time Parliament put a stop to this assault upon our national heritage. What’s next? Will prayers at the cenotaph end up in court?

“What about local councils that wish to formally mark the Queen’s Diamond Jubilee as part of their official meeting? Is that now unlawful too?”