

THE IMPACT OF THE COVID-19 PANDEMIC ON THE EXERCISE OF RELIGION IN THE UNITED KINGDOM¹

Por

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ABSTRACT: The paper traces the history of the UK and the devolved governments' responses to the COVID-19 outbreak and, in particular, their impact on the exercise of religion and the responses of faith-communities. It discusses the legal and constitutional background and the implications for the right to manifest religion or belief under Article 9 ECHR. It looks at the impact on the practice of religion of the 'lockdown' restrictions on places of worship and personal contacts and at the attempts of government to accommodate them, at the responses of the major faith communities and at the various pieces of legislation and guidance as lockdown eased - and was tightened again in response to a second spike in infections. It concludes with some thoughts on how the situation might develop if and when the pandemic is brought to a close and suggests that there are constitutional questions to be asked, in particular, about the UK Government's use of emergency powers to legislate without prior approval of Parliament.

KEYWORDS: UK, COVID-19, religion, constitutional law, Article 9 ECHR.

1. PROLOGUE: A BRIEF OVERVIEW

The UK's experience of the COVID-19 pandemic has been a complex and sometimes confusing series of interrelated but often uncoordinated events. In what follows, we look first at the history of the outbreak and at the immediate response of faith communities. We then turn to a brief description of the legislative and administrative response, bearing in mind that COVID-19 has impacted on many areas of life in the UK for which law- and policy-making are either devolved to the four jurisdictions or shared between the Westminster Government and the devolved administrations. Next, we consider the

¹ This paper addresses the impact the COVID-19 pandemic from 31 January 2020 until 9 October 2020. We should like to thank Professor Russell Sandberg and the anonymous reviewer for their helpful comments on our draft.

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imposition of lockdown, the legislative background, the Westminster Government's attempts to ameliorate its economic and social impact, and its easing as the progress of the pandemic ebbed and flowed. We then attempt to assess what impact, if any, the various faith-communities may have had on the legislation and the associated guidance, their response to the lockdown legislation and its effects on their activities. We conclude by offering some thoughts on the reintroduction of controls in response to the second spike in infections and the effectiveness or otherwise of the policies pursued by the Westminster Government and the devolved administrations, both in relation to faith-communities and more generally.

As academic commentators on law and religion we would not normally have involved ourselves in issues related to COVID-19, but the pandemic soon began to influence all aspects of everyday life and limiting its spread began to dominate considerations of church-state relations. And because - unusually for an academic article - we compiled much of what follows literally day-by-day as the story unfolded, we have appended a timeline of events.

2. THE COVID-19 OUTBREAK

On 31 January 2020, Professor Chris Whitty, the Chief Medical Officer for England, confirmed the first cases in the United Kingdom of what was then known as '2019 novel coronavirus'²: two Chinese tourists in York, members of the same family, had tested positive for the virus.³ By 29 February, the first patient to catch the virus in the UK rather than abroad was diagnosed.⁴ Events then moved quickly, though not as quickly as some commentators would have wished.⁵ According to Sir Patrick Vallance, the UK Government's Chief Scientific Adviser, the Scientific Advisory Group for Emergencies (SAGE) had advised the Government to enter lockdown on 16 March;⁶ instead, however,

²The COVID-19 pandemic in the United Kingdom is part of the worldwide pandemic of coronavirus disease 2019 (COVID-19) caused by severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

³ *The Times*, 'Hunt for contacts of coronavirus-stricken pair in York', 31 January 2020.

⁴ *BBC News*, 'Coronavirus: Latest patient was first to be infected in UK', 29 February.

⁵ See, for example, the comments of Professor Anthony Costello, of the UCL Institute for Global Health, who told the House of Commons Health and Social Care Committee on 17 April that 'we are going to face further waves' and that a no-blame audit was needed to identify 'the system errors that led us to have probably the highest death rates in Europe. We must face the reality that we were too slow with a number of things': Health and Social Care Committee, '[Oral evidence: Preparations for Coronavirus](#)' HC 36, 17 April 2020, Q298. See also the scathing critique in the *Sunday Times* on 19 April, '[Coronavirus: 38 days when Britain sleepwalked into disaster](#)', which annoyed the Government so much that the Department of Health and Social Care published a '[Response to Sunday Times Insight article](#)' later on the same day.

⁶ *euronews*, '[UK Health Secretary criticised over coronavirus lockdown date](#)', 17 July 2020.

the Secretary of State for Health and Social Care advised people in England ‘against all unnecessary social contact with others and all unnecessary travel [*and*] to start working from home if they possibly can’⁷ - and the UK did not implement strict controls restricting movement and contact (referred to as ‘full lockdown’) until 23 March, initially for three weeks. On 16 April, the Foreign Secretary, Dominic Raab, announced at what became the daily Downing Street coronavirus press conference⁸ that the lockdown would remain in place ‘for at least the next three weeks’.⁹ By 25 April, more than 20,000 people were known to have died after having contracted the virus¹⁰ and subsequent statistics suggested that by 6 May the UK death toll had reached 30,000, by 5 June 40,000 and by 15 July 45,000. The accuracy of the English statistics was then questioned by the Westminster Government after criticism from the Oxford Centre for Evidence-Based Medicine;¹¹ and on 12 August the UK total was downgraded to 41,239 deaths *occurring within 28 days of a positive test*.¹² Towards the end of the period under consideration, however, the rate of new infections began to rise again, from a low of 367 on 12 July to 13,864 on 9 October - by which time 42,679 people had died within 28 days of testing positive for the virus and the total of deaths for which the death certificate mentioned COVID-19 as one of the causes had risen to 57,347.

Once it became known that cases of COVID-19 had been diagnosed in the UK, both the Government and faith-communities issued advice on how to respond, though at first this was fairly muted. On 10 February, the Government introduced the Health Protection (Coronavirus) Regulations 2020,¹³ which made provision - for England only - for detention for screening for the virus under certain conditions and restrictions to limit the risk of spreading the infection; however, at the same time, the Prime Minister was urging people to remain ‘confident and calm’.¹⁴

⁷ HC Deb 16 March 2020 c697.

⁸ These daily Press Conferences ended on 23 June: *BBC News*, [‘Coronavirus: Daily Downing Street press conference scrapped’](#), 23 June 2020.

⁹ For a blow-by-blow account of the developing UK response to events in the early stages, see Lawrence Freedman, [‘Strategy for a Pandemic: the UK and COVID-19’](#), *Survival* 62(3) June-July 2000 25-76.

¹⁰ *BBC News*, ‘Coronavirus: UK hospital deaths pass 20,000’, 25 April.

¹¹ Yoon K Loke and Carl Heneghan, [‘Why no-one can ever recover from COVID-19 in England - a statistical anomaly’](#), 16 July 2020.

¹² HM Government, [‘New UK-wide methodology agreed to record COVID-19 deaths’](#), 12 August 2020; HM Government, ‘Coronavirus cases in the UK: daily updated statistics’, 12 August 2020.

¹³ SI/2020/129.

¹⁴ ITV News, ‘Boris Johnson urges UK to remain “confident and calm” amid coronavirus threat’, 11 February.

The major Christian Churches responded by looking carefully at practices that might spread the infection, the reception of Holy Communion being an obvious area for concern. Within the Roman Catholic Church it provoked significant debate both in the UK and elsewhere.¹⁵ So far as the Church of England was concerned, the Bishop of Peterborough issued an *Ad Clerum*¹⁶ on [hygiene at Holy Communion](#) on 20 February in which he deprecated the practices of intinction¹⁷ and of receiving the consecrated wafer directly on the tongue, though he did not recommend the ending of communion in both kinds. Moreover, many aspects of church liturgy involve a degree of tactile contact, such as the laying-on of hands at confirmations and ordinations and the pouring-on of water at baptisms; and these, too, were addressed at an early stage.

Events then moved rapidly. On 5 March, the bishops of the (Anglican) Church in Wales decided that, until further notice, 'public administration of the chalice should cease, with only the celebrant receiving from it, and 'physical sharing of the Peace should be discontinued'.¹⁸ On 10 March, the Archbishops of Canterbury and York advised in an [Ad Clerum](#) that only the consecrated bread should be offered to communicants, and on 16 March the Secretary of State for Health and Social Care told the House of Commons that 'with the deepest regret and the heaviest of hearts', the Government was asking faith groups to suspend public worship,¹⁹ with the result that, except for funerals, normal religious services were cancelled.

Also on 16 March, the Scottish Government asked the public to stay at home as much as possible and to avoid unnecessary social contact. In response, the Church of Scotland asked its congregations 'in the strongest terms, that all gatherings for worship should cease until further notice, with effect from Tuesday 17 March 2020'²⁰ and cancelled the normal meeting of its General Assembly - the Supreme Court and governing body of the Church.²¹ In the event, the Moderator of the General Assembly for 2020-21, the Rt Revd Dr Martin Fair, was installed on 16 May at a private ceremony in the Assembly Hall broadcast live on the Church's website and Facebook page, and a very attenuated

¹⁵ Cathy Caridi, ['Can we be required to receive Communion in the hand because of the virus?'](#), *Canon Law Made Easy*, 12 March 2020: the author responded, 'Absolutely not'.

¹⁶ A formal communication from the diocesan bishop to the clergy and licensed lay ministers.

¹⁷ Dipping the consecrated bread into the wine the chalice.

¹⁸ Church in Wales: ['Coronavirus \(Covid-19\) guidance'](#), 5 March 2020.

¹⁹ HC Deb (2019-21) vol 673 c724.

²⁰ Church of Scotland, ['Cancellation of church services and other updates'](#), *News*, 17 March 2020.

²¹ Church of Scotland, ['Cancellation of the General Assembly of the Church of Scotland'](#), *News*, 17 March 2020. Subsequently, it was announced that those items of the Assembly's business that were deemed 'straightforward, non-controversial and time-sensitive' would be progressed at a virtual meeting of the (much smaller) Commission of Assembly: Church of Scotland, ['Commission to consider presbytery plan'](#), *News*, 24 April 2020.

Assembly took place largely online, with only a small number of people present in the Assembly Hall, on the evening of 2 October and the whole of the following day.²² A further casualty of the lockdown was the 2020 Lambeth Conference of the bishops of the [Anglican Communion](#) which had been due to take place in the summer; it was initially rescheduled for the summer of 2021 and is now planned for the 'British summer of 2022'.²³

3. THE LEGAL AND INSTITUTIONAL BACKGROUND

3.1. Statutory legislation in the United Kingdom

Any discussion of rights and liberties in the United Kingdom is complicated by the fact that it is not one jurisdiction but four: the United Kingdom Parliament legislates separately for England as well as for the UK generally, while the Scottish Parliament, the Northern Ireland Assembly and Senedd Cymru/the Welsh Parliament legislate within a suite of devolved powers for their respective territories. Furthermore, England and Wales, Scotland and Northern Ireland each has a distinct legal system and separate court structures, with appeals lying to the United Kingdom Supreme Court,²⁴ and the ecclesiastical courts of the Church of England are a formal part of the English judicial system. To complicate the issue even further, health policy is a devolved matter, so there are four separate National Health Services for England, Northern Ireland, Scotland and Wales. Each jurisdiction has produced its own country-specific legislation and legislative guidance, supplemented by that produced by departmental and law enforcement bodies.

Because COVID-19 has affected all areas of daily life it has necessitated a flood of [legislation](#). At the time of writing, for the UK as a whole there had been:

- three items of primary legislation;²⁵
- over 450 pieces of secondary legislation; and
- 68 legislative measures originating in the EU (by which the UK was still bound during the transition period): one Directive, 35 Regulations and 32 Decisions.

²² Church of Scotland, '[General Assembly 2020](#)', 5 October 2020.

²³ Lambeth Conference, '[The Lambeth Conference reschedules to 2022](#)'.

²⁴ Except in relation to criminal matters in Scotland, in which the decisions of the Criminal Appeal Court of the High Court of Justiciary are normally final - the exception being 'devolution issues' arising in Scottish criminal causes as 'compatibility issues' under the Scotland Act 2012: see '[The Jurisdiction of the Supreme Court of the United Kingdom in Scottish Appeals: Human rights, the Scotland Act 2012 and the Courts Reform \(Scotland\) Act 2014](#)'.

²⁵ Coronavirus Act 2020, Coronavirus (Scotland) Act 2020, Coronavirus (Scotland) (No.2) Act 2020. The Public Health (Control of Disease) Act 1984 is also relevant.

3.2. Human rights legislation

The law on human rights is not devolved. Until the Human Rights Act 1998 made most of the provisions of the European Convention on Human Rights (ECHR) justiciable in the domestic courts, the traditional position in the United Kingdom had been that individual liberty (including freedom of religion) was essentially a *negative* right to non-interference by the state in one's lawful activities, the principle being that 'every citizen has a right to do what he likes, unless restrained by the common law ... or by statute'.²⁶ The 1998 Act, however, triggered a pronounced shift in how human rights were perceived: under it, Articles 2 to 14 and 16 to 18 ECHR, Articles 1 to 3 of the First Protocol and Article 1 of the Thirteenth Protocol are recognised as 'Convention rights' and have effect in domestic law for the purposes of the Act, subject to any designated derogation or reservation.

That shift was consolidated by the Equality Act 2010. Section 4 of the Act establishes a series of 'protected characteristics': age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, sex, sexual orientation - and religion or belief. Chapter 2 prohibits discrimination, whether direct or indirect, against a person where the reason for the discrimination is that person's 'protected characteristic. So it is illegal to discriminate against someone on grounds of religion or belief; and section 10 of the Act defines them in very broad terms:

'(1) Religion means any religion and a reference to religion includes a reference to a lack of religion.

(2) Belief means any religious or philosophical belief and a reference to belief includes a reference to a lack of belief.

(3) In relation to the protected characteristic of religion or belief—

(a) a reference to a person who has a particular protected characteristic is a reference to a person of a particular religion or belief;

(b) a reference to persons who share a protected characteristic is a reference to persons who are of the same religion or belief.'

4. THE IMPOSITION OF REGULATION IN ENGLAND²⁷

4.1. The Westminster Government's lockdown legislation

²⁶ *Attorney General v Guardian Newspapers Ltd (No.2)* [1990] 1 AC 109 at 178 *per* Donaldson MR. See also M Hill, 'The Permissible Scope of Legal Limitations on the Freedom of Religion or Belief in the United Kingdom' (2005) 19 *Emory International Law Review*, 1129 at 1131-1132.

²⁷ Equivalent legislation was introduced in the other jurisdictions of the United Kingdom, although there were differences in the respective secondary legislation.

On 19 March, the Government introduced emergency legislation which was given Royal Assent on 25 March as the Coronavirus Act 2020.²⁸ The accompanying Regulations were made under the Public Health (Control of Disease) Act 1984²⁹ and the Secretary of State decided to use emergency powers to make the Regulations without them first being approved by a resolution of each House of Parliament. The Regulations were accompanied by updated Government guidance - but it was not until 26 March than the legislation underpinning the requirements of the various pieces of guidance was published and became law, when the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020³⁰ came into force - shortly *before* it was laid before Parliament. This became the pattern for the introduction of subsequent legislation and was the source of much confusion over its implementation and enforcement. On 22 April, revised Regulations³¹ came into force, ostensibly to correct errors in the earlier Regulations: however, they imposed yet further restrictions. Regulation 6(1) of the earlier Regulations was amended to read: 'During the emergency period, no person may leave *or be outside of* the place where they are living without reasonable excuse'. The accompanying Explanatory Note stated that 'Regulation 6 is amended to clarify that under Regulation 6(1), the prohibition applies both to leaving the place where a person is living without reasonable excuse, and also to staying outside that place without reasonable excuse'.

The Regulations and their amendments were then revoked and replaced by yet another revised instrument.³² They impacted extensively on a range of rights under the ECHR, principally:

- Article 8 (respect for private and family life), inasmuch as the Regulations made it impossible for people to visit even close relatives unless they shared the

²⁸ Much of the Act extended to Scotland and Northern Ireland as well as to England and Wales. Further provision was made for Scotland by the Coronavirus (Scotland) Act 2020, an Act of the Scottish Parliament which received Royal Assent on 6 April.

²⁹ S.45(3)(c) provides that Regulations under the Act may include provisions 'imposing or enabling the imposition of restrictions or requirements on or in relation to persons, things or premises in the event of, or in response to, a threat to public health'.

³⁰ SI/2020/350. Similar provision was made by the Health Protection (Coronavirus, Restrictions) Regulations

(Northern Ireland) 2020 (SR/2020/55), the Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020 (SSI/2020/103) and the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 (SI/2020/353 (W. 80)).

³¹ The Health Protection (Coronavirus, Restrictions) (England) (Amendment) Regulations 2020 (SI/2020/447).

³² The Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020 (SI/2020/684).

same accommodation;³³

- Article 9 (freedom of thought, conscience and religion) insofar as they banned public worship;

- Article 11 (freedom of assembly and of association) because assemblies were banned and association between people who were not members of the same household were heavily restricted;

- Article 12 (right to marry), inasmuch as both religious and civil weddings were suspended other than in exceptional circumstances;

- Article 1 of Protocol 1 (right to education), inasmuch as schools were closed and parents were obliged to educate their children at home - a task for which many of them were totally unequipped; and

- Article 2.1 of Protocol 4 (freedom of movement).

It could also be argued that, insofar as the amended Regulations imposed a species of 'house arrest' in the absence of 'reasonable excuse', they also engaged Article 5 (right to liberty and security) - though the Government would presumably argue that they attracted the saving in Article 5.1(e) for 'the lawful detention of persons for the prevention of the spreading of infectious diseases'.³⁴

As to religion specifically, Regulation 5(5) required that, during the emergency period, those 'responsible for a place of worship' had to ensure that it was closed except for the purposes permitted in paragraph (6): for funerals, to broadcast an act of worship whether over the internet or as part of a radio or television broadcast, or to provide 'essential voluntary services or urgent public support services (including the provision of food banks or other support for the homeless or vulnerable people, blood donation sessions or support in an emergency)'.³⁴

4.2. Introduction of legislation

The House of Commons Library's comprehensive and regularly updated review of the UK legislation, [Coronavirus - the Lockdown Laws](#), noted that some legal commentators had criticised the way in which the lockdown rules were being communicated to the public. It has been suggested that poor communication has created unnecessary

³³ For example, it became impossible to visit elderly relatives living in care-homes, because the care-homes themselves were in lockdown.

³⁴ [According to the National Police Chiefs' Council](#), 14,244 Fixed Penalty Notices for breach of the Regulations had been issued in England and Wales by 11 May.

confusion about what was currently legal and how people should help slow the spread of coronavirus. In [‘The use and misuse of guidance during the UK’s coronavirus lockdown’](#), Tom Hickman argues that the guidance on COVID-19 elided and obscured the distinction between public health advice and information about the legal prohibitions, a phenomenon he describes as ‘the creation and exploitation of normative ambiguity’:

‘This phenomenon meant that the scope of individual liberty was unclear and at times misrepresented. Whilst the coronavirus guidance was drafted to fulfil well-intentioned public health objectives, by implying, even unintentionally, that criminal law restrictions were different or more extensive than they in fact were and by failing accurately to delineate the boundary between law and advice, the coronavirus guidance failed to respect individual autonomy in a fundamental way’.

4.3. The Government’s economic measures

In tandem with the lockdown Regulations, the Government announced a series of measures to support the economy, including a £750M package to support charities affected by COVID-19; however, it was largely aimed at those charities that were actively supporting people particularly affected by COVID-19 and the lockdown, such as rough sleepers. Furthermore, many of the measures put in place by the Government that were intended to sustain businesses and charities during the COVID-19 lockdown could not easily be accessed by faith-groups and church congregations even though, under the charity law of all three jurisdictions, ‘the advancement of religion’ is a charitable purpose.³⁵

Perhaps the most helpful initiative from the point of view of faith-groups was the Coronavirus Job Retention Scheme (CJRS) announced by the Chancellor of the Exchequer on 20 March. Under it, any employer with a UK payroll and a UK bank account could place employees on any type of employment contract, including full-time, part-time, agency, flexible or zero-hour contracts on ‘furlough’, and the Government would pay 80 per cent of their wages up to £2,500 per month. Several faith-groups furloughed all but a handful of their administrative staff. To be eligible under the national scheme, however, when on furlough an employee could not undertake any work for, or on behalf, of the organisation employing them or for any linked or associated

³⁵ S.7(2) Charities and Trustee Investment (Scotland) Act 2005, s.2(2)(c) Charities Act (Northern Ireland) 2008, s.3(1)(c) Charities Act 2011 (for England and Wales). The principle that religious activity is charitable dates back to the four ‘heads of charity’ enunciated in the Statute of Charitable Uses 1601 (43 Eliz I, c.4).

organisation.³⁶ For faith organisations it meant that one could not furlough a cleric in order for him or her to continue working as a volunteer at a neighbouring place of worship.

On 12 May, the Chancellor extended the Scheme until the end of October.³⁷ It would continue in its current form until the end of July, but from the beginning of August there would be changes to allow more flexibility and the Government would explore ways in which furloughed workers who wished to undertake additional training or learn new skills could be supported. On 29 May, he announced that from 1 August the Government would continue to pay 80 per cent of furloughed employees' wages up to £2,500 per month, but employers would have to pay employees' pension contributions and employer's National Insurance Contributions (NICs). There would then be a gradual taper, with the employers' contributions rising and the Government's falling, until the end of October.³⁸

5. EASING THE LOCKDOWN IN ENGLAND

5.1. General provisions for England

On 10 May, the Prime Minister [announced in a televised address](#) - delivered in his trademark *faux*-inarticulate style - that the lockdown in England would be eased to a limited extent. Shorn of the political spin, his message was one of a phased return to normal life based on a careful evaluation of the epidemiological evidence. From henceforward, those who could not work from home would be 'actively encouraged' to go to work while avoiding public transport if at all possible; and the Government was working to establish new guidance for employers to make workplaces secure against COVID-19. He wanted people to take more 'and even unlimited' amounts of outdoor exercise, but emphasised that they should continue to obey the rules on social distancing and that, in order to enforce the rules, the Government would increase the fines for breaking them. He hoped that by 1 June it would be possible to begin the phased reopening of shops and primary schools and that by July it would be possible to reopen at least some of the hospitality industry and other public places, 'provided they are safe and enforce social distancing'.

³⁶ HM Revenue & Customs, ['Guidance: Check which employees you can put on furlough to use the Coronavirus Job Retention Scheme'](#), 14 May 2020.

³⁷ HM Treasury, ['Chancellor extends furlough scheme until October'](#), 12 May 2020.

³⁸ HM Treasury, ['Chancellor extends Self-Employment Support Scheme and confirms furlough next steps'](#), 29 May 2020.

On 11 May, the Government published updated guidance on how and when England would adjust its response to COVID-19.³⁹ The statement announced a degree of easing of the lockdown but also increased the penalties for non-compliance and, so far as public venues such as places of worship were concerned, it was unlikely that restrictions would be eased before 4 July. On 13 May, the Government [announced](#) that, following the publication of its overall strategy, it had set up five sectoral taskforces, each led by a Minister, to develop plans for how and when closed sectors could reopen safely in England and to look at the following sectors:

- bars and restaurants (led by the Department for Business, Energy and Industrial Strategy);
- non-essential retail outlets (including hair and beauty salons) (led by the Department for Business, Energy and Industrial Strategy);
- recreation and leisure, including tourism, culture and heritage, libraries, entertainment and sport (led by the Department for Culture, Media and Sport);
- places of worship, including faith, community and public buildings (led by the Ministry for Housing, Communities and Local Government); and
- international aviation (led by the Department for Transport).

The Government also changed its core message from “Stay at Home” to “Stay Alert” - a change of tone that the devolved administrations promptly rejected, and which attracted a certain amount of derision from the media.

The first meeting of the Taskforce on Reopening Places of Worship was on 15 May and was chaired by the Secretary of State for Housing, Communities and Local Government, Robert Jenrick. A subsequent press release said that members had agreed to work together to consider whether some forms of worship, such as individual prayer, might be permitted in places of worship before they reopened fully ‘where appropriate and safe to do so in line with social distancing guidelines’ and agreed to consult their faith communities on the measures being considered and to support ongoing engagement. The Secretary of State also confirmed a grant of £125,000 to Faith Action to consult community groups and places of worship to ensure that their views were represented at the Taskforce’s meetings; however, he was clear that ‘places of worship will only be

³⁹ HM Government, [‘OUR PLAN TO REBUILD: The UK Government’s COVID-19 recovery strategy’](#). It should be remembered that, regardless of the title, it was a plan for *England* because the devolved administrations had their own policies and responsibilities.

opened when the Government is confident that people can use these spaces safely and will not put themselves or others at risk'.⁴⁰

It was then claimed that the Prime Minister's principal Specialist Adviser, Dominic Cummings, had breached the lockdown rules by driving with his wife and child to visit his parents in Durham, 264 miles (425 km) from his usual residence in London, despite exhibiting coronavirus symptoms.⁴¹ The Prime Minister announced on 24 May that he was not going to ask for Cummings's resignation and on the following day, Cummings denied that he had acted in breach of the law. The details are beyond the scope of this article; however, his behaviour attracted considerable criticism, not least from a number of Conservative MPs.⁴²

As the lockdown began to ease, the Health Protection (Coronavirus, International Travel) (England) Regulations 2020⁴³ imposed a 14-day quarantine period on persons arriving in England from outside the Anglo-Irish Common Travel Area in order to prevent the spread of infection or contamination from COVID-19. The Regulations required them to provide information including contact details and details of their intended onward travel and to self-isolate for a period of 14 days following their arrival - with a possible fine of £1,000 for non-compliance.⁴⁴ On 23 June, the Prime Minister announced in a statement to the Commons that from 4 July 'places of worship will be able to reopen for prayer and services, including weddings, with a maximum of 30 people, all subject to social distancing' and that recommended social distancing would be reduced to one metre.⁴⁵ In addition to restrictions on weddings and funeral services, there were also restrictions on the subsequent reception or wake, sometimes imposing different criteria on numbers present.

5.2. Local lockdown provisions

⁴⁰ Ministry of Housing, Communities & Local Government, '[New taskforce developing plan to reopen places of worship](#)'. At a subsequent webinar of the Churches' Legislation Advisory Service in which Cranmer participated, there was a degree of criticism that the Church of England and the Roman Catholic Church were the only Christian communities represented in the task force.

⁴¹ For the precise allegations, see Archie Bland, '[Dominic Cummings timeline: what we know about his movements](#)', *The Guardian* 25 May.

⁴² Rowena Mason, '[The Conservative MPs calling for Dominic Cummings to go](#)', *The Guardian*, 28 May.

⁴³ SI/2020/568. The Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2020, the Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020 and the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020 made parallel provision for the rest of the UK.

⁴⁴ The rest of the United Kingdom, the Republic of Ireland, the Isle of Man, and the Channel Islands.

⁴⁵ HC Deb 23 June 2020 c1169.

After the initial phase of lockdown, legislation was directed towards managing the risk of coronavirus spread and responding to local outbreaks by imposing additional restrictions on gatherings and businesses and on people's free movement. For example, the Health Protection (Coronavirus, Restrictions) (Leicester) Regulations 2020 imposed a 'local lockdown' on 4 July which obliged those living and operating businesses in Leicester to follow the rules that had been in place across the whole of England on 13 June. The restrictions were reviewed on 17 July and The Health Protection (Coronavirus, Restrictions) (Leicester) (Amendment) (No. 3) Regulations 2020 limited the area to which the earlier Regulations applied to a zone surrounding Leicester city centre. In addition to the local impact of these changes to the definition of 'Leicester', there was an international dimension for anyone from that area who wished to travel to a country such as Belgium - for which Leicester became a travel-restricted area.⁴⁶ Similar provisions were introduced in relation to Greater Manchester, Luton, parts of Lancashire and West Yorkshire; and after an outbreak was traced to the premises of Greencore Food to Go Ltd, Northampton, on 28 August Regulations were introduced placing specific temporary restrictions on Greencore workers and members of their households.⁴⁷

6. LOCKDOWN IN THE REST OF THE UK

The result of the UK Government's announcement on 13 May was that approaches to easing the lockdown diverged: the devolved administrations in Wales, Scotland and Northern Ireland continued to urge their people to "Stay at Home".

6.1. Scotland

On 21 May, in ['Coronavirus \(COVID-19\): framework for decision making - Scotland's route map through and out of the crisis'](#) the Scottish Government stated its intention to move to Phase 1 of the easing of restrictions following the 28 May end-of-cycle review of the COVID-19 Regulations, but only if the evidence supported it. The first phase would include allowing people to meet outside with people from one other household and schools would reopen on 11 August, after the summer holiday. On 18 June, the First Minister, Nicola Sturgeon MSP, announced that, as part of the [gradual introduction of Phase 2](#), churches would be permitted to reopen for private prayer from 22 June and that wedding and civil partnership ceremonies would be permitted from 29 June - though only outdoors and with limited numbers present - while registration offices would reopen for 'priority tasks'. On 9 July, she announced that, from 15 July, places of worship could

⁴⁶ Anon, ['Belgium adds Leicester to travel restricted areas'](#) *The Brussels Times*, 6 August 2020.

⁴⁷ [Health Protection \(Coronavirus, Restrictions\) \(Greencore\) Regulations 2020](#) SI 2020/921.

reopen for communal prayer, congregational services and contemplation, but with a strict limitation on numbers, 2-metre physical distancing, and a requirement to collect the contact details and time of attendance of those who entered them.⁴⁸ However, the relaxation was paused in the area around Dumfries,⁴⁹ and on 5 August a spike in new cases resulted in the imposition of a local lockdown in Aberdeen.⁵⁰

6.2. Wales

The Welsh Government continued to emphasise the “Stay at Home” message. It continued to take a much more restrictive approach than the UK Government’s; for example, outdoor exercise remained limited to areas close to one’s home and national parks remained closed.

In addition to the earlier permission to open for funerals and for weddings and civil partnership ceremonies where a party was seriously ill and not expected to recover, churches were permitted to reopen for private prayer on 22 June. On 23 June, the Welsh Government issued [‘Guidance on reopening places of worship: coronavirus’](#), prepared in consultation with the Wales Faith Communities Forum and the Re-opening Places of Worship Task and Finish group and last updated on 18 August. Unlike the Westminster Government, which had advised on 14 August that [baptisms by total immersion could take place in England ‘if very carefully planned’](#), the Welsh Government stated that [‘if at all possible full immersion baptisms should be avoided’](#).

6.3. Northern Ireland

The Northern Ireland Executive permitted places of worship to open from 8 June for wedding and civil partnership ceremonies, subject to the ceremony taking place outdoors and not more than ten persons being present.⁵¹ On 18 June, the First Minister and deputy First Minister announced in the [‘Executive Daily Update’](#) that, *provided the virus remained under control*, places of worship could reopen for religious services on 29 June. A parallel [announcement](#) about the resumption of religious services on 29 June was made by the Irish Government on 19 June as Ireland entered Phase 3 of the Government’s roadmap for relaxing restrictions.

⁴⁸ Scottish Parliament Official Report, 9 July 2020.

⁴⁹ Scottish Government, [‘Coronavirus \(COVID-19\): Dumfries and Galloway’](#), 2 July 2020.

⁵⁰ Health Protection (Coronavirus, Restrictions) (Aberdeen City) Regulations 2020 SSI/2020/234.

⁵¹ In accordance with the amendments to the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020 (SI 2020/55) made by the Health Protection (Coronavirus, Restrictions) (Amendment No. 5) Regulations (Northern Ireland) 2020 (SR/2020/96).

7. DID FAITH-GROUPS HAVE ANY INFLUENCE ON THE LEGISLATION?

There is only limited information in the public domain on whether religious communities and faith-groups in any of the jurisdictions were consulted about the likely impact of the primary and secondary legislation and the associated guidance. While there is evidence of involvement by faith-groups in the development of guidance on wearing face coverings - and a [specific clause](#) concerning the General Synod of the Church of England was introduced into the Coronavirus Bill - there were also instances where faith-groups were unaware of aspects of forthcoming provisions which were important to them.

The latter appears to have been the case in relation to setting the date on which individual private prayer would be permitted. On 5 June, the Church of England indicated that the date was not then known, only to be followed by a [further statement](#) late on the evening of 6 June after the Government had announced that religious buildings could open up for supervised individual prayer from 15 June. (However, at the [coronavirus press conference](#) on 10 June, the Prime Minister said that ‘we will allow places of worship to open for individual prayer this weekend. And I hope that will be of some comfort to those of faith who have been unable to go to their place of worship’).

The Church of England is the Church ‘established by law’ in England and it has a special position in English law. Its internal legislation made by its General Synod - Measures - must be approved by Parliament but, once approved, they have the force of statute law. Its governance is regulated both by Measures and by various Acts of Parliament;⁵² and in the course of the passage of the Coronavirus Act 2020 a provision was inserted to enable the Church of England to postpone the Synod elections due to have been held in the summer of 2020.⁵³ Had that not been possible, the Church would have been in a “Catch-22” situation whereby the only means of changing the legally-determined date of Synod elections - by a Measure passed by Synod itself - would have been precluded by the lockdown legislation.

The cancellation of the residential meeting of Synod that had been due to take place in July 2020 was [announced on 5 May](#) and the scheduled meeting was undertaken by teleconference, although the Synod’s Standing Orders at the time did not permit any formal business to be conducted. The Presidents and Officers of Synod [noted](#) that the Constitution and Standing Orders did not permit Synod to meet remotely and that they

⁵² Most importantly in relation to synodical government, the Church of England Assembly (Powers) Act 1919, the Church of England Convocations Act 1966 and the Synodical Government Measure 1969.

⁵³ It became s.84 of the Act as passed: Postponement of General Synod elections. The previous elections had taken place in 2015: the Synod and Convocations were dissolved in July and the new General Synod met on 24 November of that year.

could not be amended while it was not possible to hold a physical meeting. They sought to explore with the Government ‘the possibility of Parliament passing legislation to enable the Synod to transact its business remotely when the option of a physical meeting is not available’; however, the Government was [unable to make Parliamentary time available](#) for the necessary legislation by Bill. Synod therefore undertook to legislate for it by means of the [General Synod \(Remote Meetings\) Measure](#), which was agreed at a special session in September and at the time of writing was awaiting Royal Assent.

8. REACTIONS TO THE LOCKDOWN PROVISIONS

8.1. The public reaction

The public reaction to the measures taken by the four governments was broadly one of approval and cooperation. As James Johnson, a former pollster for Theresa May’s Government, pointed out, the UK was much more accepting of restriction than people in the US, China, Italy or Russia. He attributed that to two factors: the British public’s emotional attachment to the National Health Service and its response to the Government’s constant calls to ‘protect the NHS’ by maintaining social distancing, and its general willingness to listen to reasoned argument.⁵⁴ Writing in early May 2020, Lawrence Freedman’s assessment was that ‘the levels of eventual support were high - far higher than originally anticipated by the government. One report in early April found that although the broad figures hid a variety of views, there was “near-universal support (89%) for the current measures” and that the public had “a clear view of the seriousness of the health threat from COVID-19, and large majorities understand most of the key actions required of them”’.⁵⁵

8.2. Response of the legal community

The reaction of the legal community was mixed. Francis Hoar suggested that the Regulations were ‘a disproportionate interference with the rights protected by the European Convention on Human Rights ... and that, were they challenged by judicial review, should be disapplied if necessary to avoid a breach of s.6 of the Human Rights

⁵⁴ James Johnson, [‘If Britons are the most pro-lockdown, it’s probably because we’re the most obedient’](#) *The Guardian*, 5 May 2020.

⁵⁵ Freedman, op. cit. 57. His reference is to a survey by King’s College, London, [‘Life Under Lockdown: Coronavirus in the UK’](#), 9 April 2020, which evaluated a survey of 2,250 UK adults by Ipsos MORI conducted between 1 and 3 April.

Act 1998',⁵⁶ while Leo Davidson and Dominic Ruck Keene both took the opposite view.⁵⁷ Perhaps the more pragmatic view was that of the recently-retired Justice of the United Kingdom Supreme Court, Jonathan Sumption, who suggested that a challenge on Article 5 grounds 'would require the judges to say whether the objective of the lockdown was important enough to justify it, whether some less intrusive measure would have done as well and whether the injury to liberty was disproportionate to the likely benefit. *I suspect that the courts would run a mile before tackling issues like these*'.⁵⁸

9. LEGAL CHALLENGES

Lord Sumption's view was given a degree of support by two subsequent judgments on applications for judicial review of the lockdown Regulations in England so far as they impinged on the right to freedom of thought, conscience and religion under Article 9 ECHR.

9.1. *R (Hussain) v Secretary of State for Health & Social Care*⁵⁹

The Chair of the Executive Committee of a mosque challenged the Health Protection (Coronavirus Restrictions) (England) Regulations (which by the time of the judgment had been superseded by the Health Protection (Coronavirus Restrictions) (England) (No.2) Regulations). In particular, he sought to challenge Regulations 5(5) and (6), 6 and 7 [1 & 2], which required that any person responsible for a place of worship had to keep it closed during the 'emergency period' save for permitted uses (funerals, the broadcast of acts of worship and the provision of essentially voluntary support services or urgent public support services), imposed a general prohibition on persons leaving or being outside their homes 'without reasonable excuse' and banned gatherings of more than two people in any public place, save for any of seven specified purposes - which did not include attendance at an act of worship. Further, the Regulations permitted ministers of religion and worship leaders to go *only* to their places of worship. He argued that the Secretary of State's failure to make provision for him to open the mosque for communal Friday prayers contravened his Article 9 rights [10].

⁵⁶ Francis Hoar, '[A disproportionate interference: the Coronavirus Regulations and the ECHR](#)', *United Kingdom Human Rights Blog* 21 April 2020.

⁵⁷ Leo Davidson, '[The Coronavirus lockdown does not breach human rights \(Part One\)](#)', *United Kingdom Human Rights Blog* 30 April 2020; Dominic Ruck Keene, '[Leviathan Challenged — the lockdown is compliant with human rights law \(Part Two\)](#)', *United Kingdom Human Rights Blog* 11 May 2020.

⁵⁸ Jonathan Sumption, '[Lockdown challenges face tough audience](#)', *The Times* 14 May 2020: emphasis added.

⁵⁹ [\[2020\] EWHC 1392 \(Admin\)](#): references in brackets are to paragraph numbers in the judgment.

The application for interim relief was refused [1]: there was no suggestion that Islam had been treated differently from other faiths [10], Mr Hussain's inability to attend communal Friday prayers was a significant interference with his Article 9 rights but did not make it impossible for him to manifest his religion generally [12], the duration of the interference would be finite [13], and the British Board of Scholars and Imams had concluded that the obligation on British Muslims to attend Friday prayers should be suspended during the pandemic [14-16]. In short, Swift J concluded that there was no realistic likelihood that the claim would succeed at trial, and in reaching that conclusion he had 'taken account of the requirement under section 13 of the Human Rights Act to pay particular regard to Article 9 rights' [24]. Though he refused the application for interim relief, he was satisfied that there was a sufficiently arguable case to grant permission to apply for a full judicial review [33].

9.2. Dolan & Ors v Secretary of State for Health and Social Care & Anor⁶⁰

The claimants sought permission to bring proceedings to challenge the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020, as amended, more widely. The general grounds of challenge need not concern us here; but the second claimant, Ms Monks, was a Roman Catholic who wished to attend Mass [85]. In light of *Hussain*, Lewis J was 'minded to consider that it was arguable that the restriction on the use of a Roman Catholic church for communal worship and the taking of the sacraments involves an interference with Article 9(1) of the Convention' and to permit the Article 9 issue to proceed to a full hearing [85]; however, following the hearing on 2 July it had become apparent that the Regulations made on 3 July appeared to permit places of worship to hold acts of communal worship for up to 30 people with effect from 4 July. That aspect of the claim, therefore, 'might have become academic' [87]. He adjourned consideration of the Article 9 point for further submissions but refused the application for judicial review on all the other grounds [87]. In the Court of Appeal on 4 August, Hickinbottom LJ gave the claimants permission to apply for leave to appeal at a rolled-up hearing scheduled for the week beginning 28 September which would hear both the application for leave and 'full submissions of any grounds upon which the court are minded to give either permission to appeal or permission to bring judicial review proceedings'.⁶¹

⁶⁰ [\[2020\] EWHC 1786 \(Admin\)](#): references in brackets are to paragraph numbers in the judgment.

⁶¹ A partial transcript of the judgment is available on Twitter, [here](#).

10. THE RESPONSE OF FAITH-GROUPS TO THE LEGISLATION

As noted above, before the legislation was in place, faith-groups began to respond voluntarily to requests from the four governments for social distancing and the cessation of practices - such as communion by intinction - that might help spread the virus. On 24 March, the archbishops and bishops of the Church of England [issued an *Ad Clerum*](#) requiring church buildings to be closed not only for public worship but also for private prayer, 'and this includes the priest or lay person offering prayer in church on their own' - which went further than the requirements of lockdown Regulations.

The extent to which the *Ad Clerum* was instruction rather than guidance became a source of dispute within the Church. Once the Regulations became law, however, their immediate effect on faith-groups was that churches in England were closed for Holy Week and Easter services,⁶² while Passover *sederim* and *iftars* during Ramadan could only be celebrated by groups living in the same household.

After formal restrictions entered into force, faith-groups began to assess the impact on their own operations and governance. On 1 April, the Representative Body of the Church in Wales issued guidance on the care and use of church buildings which included pastoral guidance from the Bench of Bishops directing that all church buildings should remain closed until further notice, whether for public worship or for solitary prayer. Some important events simply had to be abandoned: the Methodist Church of Great Britain, for example, announced on 2 April that it had been agreed that the annual Methodist Conference could not meet as planned in June and that it was looking at 'ways for the Conference to meet in an alternative form', while the Methodist Church of Ireland decided to defer its Conference until 7 October, subject to the latest Public Health Agency advice.

The responses of some faith-groups gave rise to considerable controversy, even within the individual faith-groups themselves. The Roman Catholic bishops in England decided to allow their clergy to use their churches to live-stream masses celebrated in the absence of a congregation, relying on the exception in Regulation 5(6) of the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 and the parallel provisions in the other three jurisdictions. The archbishops of the Church of England, however, came in for considerable criticism when, like the bishops of the Church in Wales, they decided to close the churches *completely* except for necessary maintenance work.

Writing in *The Tablet*, the former (Anglican) Bishop of Worcester, Peter Selby, suggested that

⁶² For the first time, it is thought, since 1208, when Pope Innocent III laid a local interdict on England suspending all religious services after King John had refused to accept the appointment of Stephen Langton as Archbishop of Canterbury.

'many in the [*Church of England*] feel ... let down by the official response. The Anglican bishops chose to go beyond government advice and declare church buildings closed not only for church services but for private prayer or even for clergy to live-stream worship. While Mass is being live-streamed from Catholic churches, Anglican clergy have had to do so from their homes'.⁶³

He argued that to have allowed live-streaming of services conducted by individual clergy from inside churches and cathedrals would have helped reassure the public that 'the fundamental fabric of our common life and history' had not totally succumbed to the fear of coronavirus.

In a highly-critical letter to the *Church Times*, the Revd Philip Martin, while accepting that the Archbishops had 'tough calls to make and deserve all our support' but nevertheless regretted their decisions in the matter and the tone in which they were communicated: 'They reinforce a managerial form of leadership which is undermining the competence and confidence of the clergy and chaplains who are the essential front line of the Church of England'.⁶⁴ Subsequently, over 500 signatories to a letter to *The Times* on 4 May asked the bishops to reconsider their position, which they regarded as 'a failure of the Church's responsibility to the nation' and called for open discussion of the processes and thinking which led to those decisions:

'It is widely agreed that the temporary closure of churches for public worship is necessary in the current crisis. However, the broadcast of services from a closed church is explicitly permitted by government guidelines, yet unlike almost all other Churches in these isles, the Church of England has gone beyond this advice ... Moreover, Church of England clergy have also been prevented from ministering in schools educating the children of key workers and to the sick and dying in hospitals. As the government is talking about the hope of easing the national lockdown, could the Church of England now offer similar hope to its people with this first step?'⁶⁵

In response, on 5 May the House of Bishops announced that it had decided to support a phased approach to lifting restrictions, in time and in parallel with the Government's approach: initially, very limited access to church buildings for activities such as streaming of services or private prayer by clergy in their own parishes, followed by access for further rites and ceremonies when allowed by law and, finally, worship services with limited

⁶³ Peter Selby, '[Is Anglicanism going private?](#)', *The Tablet*, 30 April 2020.

⁶⁴ Philip Martin, 'The Church's worship and ministry during the crisis', *Church Times*, 1 May 2020.

⁶⁵ Stephen Stavrou *et al*, 'Let us use our churches', *The Times*, 4 May 2020.

congregations once Government restrictions allowed them.⁶⁶ The statement included what became the invariable response to any subsequent criticism: ‘the Bishops were clear once again that this is guidance - not an instruction or law’.

Not only did the statement emphasise the weakness of episcopal authority in this area, but the rather-disingenuous *post facto* generalisation failed to acknowledge threats of possible disciplinary action for failure to comply. Bishop Richard Llewelin pointed out in a letter to *The Times* on the following day that ‘the instruction (and it was an instruction, not advice) that even our clergy should not enter their own churches for prayer was given by our bishops. That instruction went well beyond what the Government required of its citizens and sent a signal that the C of E was closing down completely’.⁶⁷

The Cardinal Archbishop of Westminster, Vincent Nichols, on the other hand, pressed for an early reopening of Roman Catholic churches for individual private prayer before the reopening of places of worship for large gatherings. Speaking on BBC Radio 4’s *Today* programme on 14 May, Cardinal Nichols stressed that, though the Church had been creative in streaming online daily Masses, Roman Catholics wanted ‘to get back to a fuller practice of their faith, as long as we can do it safely’.⁶⁸

In contrast, within the Jewish community Chief Rabbi Ephraim Mirvis counselled extreme caution in reopening synagogues even after the Prime Minister’s announcement of a gradual easing of the lockdown, arguing that the overriding guiding principle for a return to normality had to be the sanctity of human life. He went so far as to suggest that ‘The Jewish community may need, in some respects, to hold back for a time, even if guidance would permit going further - indeed we may have a religious obligation to do so’.⁶⁹ The Initiation Society, which oversees circumcisions for Orthodox families, decided that attendance at a *bris* would be restricted to the parents of the baby and the mohel, while the Association of Reform and Liberal Mohalim decided to suspend circumcisions altogether during the pandemic: ‘Such a difficult decision has not been made lightly, but we believe it is in keeping with the overriding Jewish value of *pikuach nefesh* (preserving life)’.⁷⁰

⁶⁶ Church of England Media Centre, [‘House of Bishops backs phased approach to revising access to church buildings’](#), 5 May 2020.

⁶⁷ Richard Llewelin, ‘Shifting the blame’, *The Times*, 5 May 2020. For an early academic critique, see Andrew McGowan, [‘Communion and Pandemic’](#), *Journal of Anglican Studies* (2020) 18 (1) 2-8,

⁶⁸ Catholic Bishops’ Conference of England and Wales, [‘Cardinal talks about safely re-opening churches for private prayer on Radio 4’s Today Programme’](#), 14 May 2020.

⁶⁹ Chief Rabbi Ephraim Mirvis, [‘Our greatest strength is now our weakness’](#), *The Jewish Chronicle*, 14 May 2020.

⁷⁰ Simon Roker, [‘Progressive movements suspend circumcision ceremonies while Orthodox minimises attendance’](#), *The Jewish Chronicle*, 26 March 2020.

When lockdown began to ease and places of worship in England were allowed to reopen for private prayer, the response of the Jewish and Muslim communities continued to be muted. The Secretary General of the Muslim Council of Britain, Harun Khan, was reported as saying that the Government's guidance lacked clarity for Muslim communities because mosques were intended primarily for congregational worship and that there was significant uncertainty as to how the relaxation could be implemented, while the Mosques and Imams National Advisory Board advised mosques to reopen to the public only when it was safe to do so and legally permissible to hold congregational prayers.⁷¹ On 10 June, the Muslim Council of Great Britain issued guidance for reopening mosques as the lockdown eased, under the strapline, 'Do Not Rush: New Guidelines for Safely Resuming Mosque Congregational Prayers'.⁷² Muslims were very upset, however, when local lockdowns in some areas with large Muslim populations such as Blackburn and Leicester [were announced by the Government on 2 August on the eve of *Eid al-Adha*](#) - the second major festival after *Eid al-Fitr*. The fact that the announcement was first made on Twitter only added to their unhappiness.

So far as the Jewish community was concerned, Rabbi Laura Janner-Klausner and Rabbi Jonathan Romain, of the Movement for Reform Judaism, suggested that most synagogues would not reopen for private prayer on 15 June because neither individual prayer nor buildings had the same theological status for Jews as for Christians. Rabbi Romain said that his own synagogue was planning to cancel the High Holy Day services in September and hold a videoconference instead.⁷³ Marie van der Zyl, President of the Board of Deputies of British Jews, welcomed the Government's announcement that places of worship could reopen from 4 July but urged a cautious approach to prevent a second spike in cases.⁷⁴ On 14 September, the UK Government issued [High Holy Day services and gatherings COVID-19 checklist](#) on the safe conduct of services in England during *Rosh Hashanah* and *Yom Kippur* (which included particular instructions on blowing the *shofar*).

11. THE IMPACT ON FAITH-GROUPS

11.1. Marriage law

⁷¹ Harriet Sherwood, ['Religious leaders split over reopening places of worship in England'](#), *The Observer*, 7 June 2020.

⁷² Muslim Council of Great Britain, ['9 Steps to Re-Opening Mosques Safely: 2020'](#).

⁷³ ['Religious leaders split over reopening places of worship in England'](#).

⁷⁴ Board of Deputies of British Jews, ['Board of Deputies welcomes rule change on weddings and reopening of religious buildings but urges caution'](#), 23 June 2020. And see Harriet Sherwood, ['Outdoor worship, short services: ways to mark Yom Kippur during Covid'](#), *The Observer*, 13 September 2020.

As we have seen in section 4.1, one effect of the lockdown was that both secular and religious weddings were, in effect, suspended. In [Getting Married: A Consultation Paper on Weddings Law](#), the Law Commission noted at 11.45 that the full impact of the pandemic was not yet known. ‘Thousands have died as a result ... and many people have seen their plans for the future put on hold. Weddings have also been severely affected.’ Rebecca Probert commented:

‘While the new regulations did not specifically ban weddings from taking place, the restrictions ... meant that in practice it was not possible for a wedding to take place. Places of worship were required to close except when conducting funerals or broadcasting an act of worship ... Most fundamentally of all, the restrictions on movement and on gatherings of more than two people posed an obvious obstacle to a wedding taking place, even if the number attending had been reduced to the legal minimum.’⁷⁵

Barrister Neil Addison has argued that the suspension contravened Article 12 ECHR. Briefly stated, his contention is that because the legislation authorising the suspension was subject to the Human Rights Act 1998 - which incorporates the ECHR into UK law - ‘the Government is in breach of Article 12 and it cannot justify that breach by reference to the dangers and disruption caused by the coronavirus epidemic’.⁷⁶ If his contention were correct for England, similar considerations would apply in the other three jurisdictions.

For our part, we are not so sure. Whether the suspension could be challenged successfully under Article 12 ECHR is questionable: the law did not ban weddings outright but merely suspended them for a limited period - which, it could be argued, was ‘according to the national laws governing the exercise of this right’ for the purposes of Article 12. Furthermore, in an emergency it was still possible to marry in England and Wales either on the authority of a Superintendent Registrar’s Certificate under the Marriage Act 1983 (‘An Act to enable marriages of house-bound and detained persons to be solemnized at the place where they reside; and for connected purposes’) or under a Special Licence issued by the Archbishop of Canterbury.⁷⁷ So, for example, a couple, both medical workers treating coronavirus patients who had been forced to abandon their wedding plans because their families would not be able to travel safely from Northern Ireland and Sri Lanka, were married at the end of May by Special Licence in St Thomas’s

⁷⁵ Rebecca Probert, [‘Love in a COVID-19 climate’](#) in *Law & Religion UK*, 5 May 2020.

⁷⁶ Neil Addison, [‘Is the coronavirus ban on weddings lawful?’](#), in *Law & Religion UK*, 11 May 2020.

⁷⁷ The Archbishop of Canterbury’s power to authorise a marriage in Wales by Special Licence predates the disestablishment of the Welsh dioceses of the Church of England. The Welsh Church Act 1914 did not remove that power.

Hospital chapel, with guests watching remotely.⁷⁸ The Faculty Office, which is responsible for the issue of Special Licences, issued detailed guidance: [‘Emergency Marriages in hospice, hospital or at home \(England and Wales\)’](#).⁷⁹

The period of lockdown also impacted on marriage by banns in the Church of England and in the Church in Wales: the most frequent use of the ‘ecclesiastical preliminaries’ to marriage.⁸⁰ The Marriage Act 1949 requires that the banns be read on the three Sundays preceding the solemnization of the marriage during either the principal service or both at the principal service and at another service - but the absence of public worship precluded reading the banns and other aspects of the ‘ecclesiastical preliminaries’.

As noted above, the first major relaxation of restrictions was in Northern Ireland, where outdoor weddings with up to ten people present were permitted from 8 June. That relaxation was possible because the legal framework for weddings in Northern Ireland (and in Scotland) is very different from that in England and Wales. In Northern Ireland and Scotland, individuals are licensed to celebrate marriages;⁸¹ in England and Wales, weddings must take place in approved premises as well as being conducted by authorised persons. But even so, the relaxation was not without its problems for the Church of Ireland, because its General Synod’s [Church of Ireland Marriage Regulations \(NI\) 2004](#) state categorically at paragraph 3(iii) (Solemnisation of Marriage) that ‘Marriages shall NOT be solemnised at any place other than a church or chapel of the Church of Ireland duly consecrated for public worship unless the circumstances are wholly exceptional and the prior approval of the relevant bishop has been obtained.’

If nothing else, the suspension highlighted the unsatisfactory state of the current law in England and Wales, which was never designed to deal with such an emergency. Rebecca Probert, for example, has argued that

‘it should be possible for weddings to be authorised speedily, by notice being given online, for the ceremony itself to take place with the couple and any other persons whose presence is required communicating by video link, for the number of persons whose presence is required to be limited as far as possible, and for a document to be signed electronically as evidence that the wedding has taken place. The issue here is not whether English law should make permanent provision

⁷⁸ Gabriella Swerling, [‘Doctor and nurse marry in hospital chapel after cancelling summer wedding due to coronavirus’](#), *The Telegraph*, 26 May 2020.

⁷⁹ For an example, see Chloe Kerr, [‘Vicar gets special permission from Archbishop of Canterbury to wed couple in garden’](#), *The Sun*, 14 May 2020.

⁸⁰ Marriage by banns and Common Marriage Licence, marriage by Archbishop’s Special Licence, and marriage by Superintendent Registrar’s Certificate. It should be noted that reading the banns as a preliminary to church weddings has been abolished in Scotland and Northern Ireland.

⁸¹ Art.9, Marriage (Northern Ireland) Order 2003, s.8 Marriage (Scotland) Act 1977.

for weddings to be conducted by video link, but whether it should do so to deal with a specific, unprecedented, hopefully time-limited, but possibly recurring situation'.⁸²

The Law Commission of England and Wales is currently undertaking [a major review of weddings law](#); we shall be very surprised indeed if it concludes that the existing law on emergency weddings should be left untouched.

11.2. Loss of income

A major issue for many places of worship was the immediate loss of income. Casual donations from visitors - and in some cathedrals and major churches, admission fees - are an important source of funding for many churches and the COVID-19 lockdown meant that their visitor income disappeared.⁸³ Further, some of the places of worship of all faiths offer conference facilities for hire, while for smaller churches, chapels and meeting houses lettings for non-church purposes - for conferences, nursery schools, rehearsal space for drama groups and suchlike - is a critical source of income, all of which evaporated as a result of the COVID-19 lockdown.

The UK Government brought forward various grant schemes to assist charities and small businesses; unfortunately, however, they were of little assistance to faith-communities. For example, because places of worship are exempt from business rates⁸⁴ they would not be eligible for payments from the Retail Hospitality and Leisure Grant Fund. Action with Communities in Rural England (ACRE) produced guidance confirming its understanding that charity-run village halls were eligible for the grant but suggesting that church halls were ineligible because of the business rates exemption.

The Government also announced a separate Local Authority Discretionary Grant Fund, to which small charities that were unable to access the Retail Hospitality and Leisure Grant Fund could apply if they met the Small Business Rates Relief tests and did not receive charity reliefs - but, again, it was thought unlikely to apply to buildings exempt from rates. In brief, liability for local property taxes was a convenient filter mechanism to enable local authorities to make payments as quickly as possible and to exclude potentially fraudulent claims - but the fact that places of worship are normally exempt from local property taxes tended to defeated attempts to assist them.

11.3. The Listed Places of Worship Grant Scheme

⁸² ['Love in a COVID-19 climate'](#).

⁸³ See, for example, Paul Wilkinson, ['Cathedrals face sharp drop in income'](#), *Church Times*, 15 May 2020.

⁸⁴ Local property taxes.

Under the Listed Places of Worship Grant Scheme (LPWGS), places of worship that are 'listed' by Historic England, Historic Scotland, the Department of the Environment for Northern Ireland or Cadw (the historic environment service of the Welsh Government) as being of particular architectural or historic interest, of which there are some 21,000 in total across the UK,⁸⁵ are eligible for grants to reimburse the VAT incurred in making repairs. The Scheme, which was established in 2001, covers repairs to the fabric of the building, along with associated professional fees, and repairs to turret clocks, pews, bells and pipe organs. At the time of writing, the Scheme was due to end on 31 March 2021; given that it has refunded some £300M since its inception and given their drop in income as a result of COVID-19, faith communities were very anxious that it should continue beyond that date.

11.4. Gift Aid and the Gift Aid Small Donations Scheme

Charitable donations made by a taxpayer are eligible for Gift Aid if the taxpayer makes the necessary declaration. The charity is then able to claim the tax paid at the standard rate - in effect, increasing the value to the charity of the donation by 25 per cent - and if the donor is a higher-rate taxpayer he or she may claim back the higher-rate element of the tax paid. In a debate in the House of Lords on 30 April, the Bishop of St Albans pointed out that many charities were themselves major employers - 'our Anglican cathedrals employ over 3,000 people: some full time, some part time' - and suggested that HM Treasury should consider raising the amount of Gift Aid that charities could reclaim.⁸⁶ The proposal was likely to fall on deaf ears, however, because increasing the amount that HM Revenue & Customs (HMRC) refunds against a donation under Gift Aid would break the crucial link between Gift Aid and the tax actually paid on the donation by the donor.

Where HMRC did show helpful flexibility, however, was over the operation of the separate Gift Aid Small Donations Scheme. Because not all donors are taxpayers and because casual donors often fail to complete a Gift Aid declaration, in April 2013 the Government introduced the Gift Aid Small Donations Scheme: initially for cash donations only, it was later extended to include contactless payments. Currently, it allows eligible charities and Community Amateur Sports Clubs to claim back tax at the standard rate on individual donations up to a maximum of £30 - for example, cash collected in tins or

⁸⁵ Estimate by the Historic Religious Buildings Alliance, for which we should like thank its Chair, Trevor Cooper.

⁸⁶ HL Deb (2019-2020) vol 803 c 291.

buckets via street collections, or at religious services - with an annual limit on total claims of £8,000.

With the suspension of religious services, the question arose as to whether, if a regular cash donor put £200 cash in an envelope and marked it as 10 weeks' worth of £20 weekly donations for the occasions on which he or she had been unable to make a regular cash offering in person, HMRC would be prepared to allow the faith-group concerned to regard those payments as a series of eligible small donations for the purposes of the Scheme. When a group of charities led by the Charity Tax Group raised the point with HMRC, officials responded helpfully:

'In respect of [the Scheme], guidance on the eligibility for donations for inclusion ... is clear in stating that claims can only be made on cash donations of £30 or less; and contactless card donations of £30 or less collected on or after 6 April 2019. The decision over what constitutes an eligible donation is one for the church/charity to make for themselves, rather than for HMRC, but the conditions for something to be considered a "small donation" are clearly set out in legislation. Where it is the case, for example, of separate donations being given in a single envelope, then if the church/charity official is happy these are clearly separate "small donations" (and clearly stated as such) then they will be eligible for GASDS...'.⁸⁷

11.5. Furloughing staff

Many faith-groups took advantage of the Government's Coronavirus Job Retention Scheme by furloughing some of their administrative staff. The Church of England Diocese of Liverpool, however, decided to go further, not only by furloughing staff at its diocesan office but also by offering voluntary furlough to curates in its parishes. The [press release](#) on 24 April announcing the decision emphasised that it was only one part of a package of cost savings of about £0.5 million over the next three months and that the curates were volunteers for the scheme and had been chosen because of the technical, legal status of their ministry - and stressed that it was not 'a value judgment on the ministry of individuals or of curacy in general'. One (perhaps unintended) consequence of furloughing professional organists and directors of music, however, was that though it

⁸⁷ Charity Tax Group, ['Operation of the Gift Aid Small Donations Scheme \(GASDS\) during the COVID-19 crisis'](#), 13 May 2020.

was permissible to play the organ for maintenance purposes,⁸⁸ furloughed musicians were debarred from doing so.

11.6. Reopening places of worship

The reopening of places of worship in England was a gradual, staged process. On 15 May, the first Taskforce on Reopening Places of Worship was held with faith leaders to plan reopening for individual prayer and public worship, including weddings and funerals.⁸⁹ Earlier in the month, the House of Bishops of the Church of England had agreed to a phased approach to revising access to church buildings in line with the Government's lifting of restrictions.⁹⁰ Places of worship were allowed to reopen for individual prayer from 15 June but communally-led prayer, worship and devotions were not allowed.⁹¹ Public worship was permitted from 4 July - but only under [strict social distancing](#). Public worship was resumed in Scotland from 15 July, subject to a risk assessment and that physical distancing and good hand hygiene should be observed. As we have seen, the Welsh Government took a rather more cautious approach than the English one to the resumption of public worship - particularly in relation to baptisms.⁹² Moreover, even by mid-October 2020 not all places of worship were yet open and the conduct of worship services, weddings and funerals remained restricted - and as the UK experienced a second spike in infections there was a serious possibility that places of worship would close once more.

12. PUTTING ON THE BRAKES

On 8 September, the Westminster Government, fearing a second spike, announced tighter restrictions on social gatherings in England: the Archbishop of Canterbury subsequently assured his flock that the six-person limit would not apply to religious services - [and did so in a Tweet](#). The Prime Minister [confirmed](#) on 9 September that from 14 September social gatherings in England would be restricted to six persons, with exceptions for weddings and funerals - though places of worship could remain open for

⁸⁸ House of Bishops Covid-19 Recovery Group, '[Access to church buildings during lockdown: general advice for incumbents, churchwardens and PCC members, v1](#)', 22 May 2020.

⁸⁹ Ministry of Housing, Communities & Local Government, '[New taskforce developing plan to reopen places of worship](#)', 15 May 2020.

⁹⁰ Church of England Media Centre, '[House of Bishops backs phased approach to revising access to church buildings](#)', 5 May 2020.

⁹¹ Ministry of Housing, Communities & Local Government, '[Places of worship to re-open for individual prayer](#)', 7 June 2020.

⁹² Maddy Fry, '[Baptism by immersion stops at the Welsh border](#)', *Church Times*, 28 August 2020.

communal prayer and services for more than six persons with existing COVID-19 secure requirements continuing to apply, and the limit for weddings, wedding receptions, funerals and religious 'life-cycle events' would remain at 30. On 10 September, the Scottish and Welsh Governments followed suit - though with slightly different exceptions from those in England.

On 22 September, however, the Prime Minister [announced](#) that the restrictions in England would be tightened even further from 24 September - with greater penalties for contravention - as the UK's COVID alert level was raised from 3 to 4, and he suggested that the new restrictions might have to remain in place for six months. The limit for attendance at funerals remained at 30 but it was reduced to 15 for weddings and wedding receptions. The devolved administrations also imposed new restrictions: the First Minister of Scotland announced [even tougher measures](#) from 23 September, banning indoor household visits altogether except for those who were part of an extended household.

At the very end of the period under review, on 12 October 2020, the Prime Minister told the House of Commons that on 14 October England as a whole would move to a three-tier system under which the medium level of alert, covering most of the country, would consist of a continuation of the current measures, the high level would prevent all mixing between households indoors and the highest level would totally prohibit social mixing on private property, whether indoors or outdoors.

13. A TENTATIVE CONCLUSION

Whether or not the UK Government and the devolved administrations handled the COVID-19 outbreak correctly is emphatically not for us to judge. Specifically in relation to the exercise of religion, however, we would argue that some of the decisions in relation to places of worship appeared, at the very least, to have lacked clarity, even though in some areas this was further exacerbated by the decisions of faith communities themselves. Allowing the reopening of places of worship in England on 4 July without any limit on numbers, while imposing a thirty-person limit on attendance at weddings, was a case in point. In the event, faith communities responded responsibly by making their own risk assessments and imposing their own limits on numbers: but what was so different about a wedding that warranted such a distinction? Thirty people can easily be too many for a small chapel or meeting-house if proper social distancing is to be observed: the same thirty people would be lost inside the vastness of a cathedral. Inevitably, there was a negative impact on Article 9 rights - an impact felt most acutely by bereaved families obliged to hold very attenuated funerals for their loved ones. There also appeared to be an unfortunate lack of consultation with the Islamic community in particular: we have

already noted the unhappy timing of the announcement of local lockdowns [on the eve of Eid al-Adha](#).

Whether or not the degree of interference in religious observance was justified is not a question that can be answered at the time of writing, when the UK is undergoing a second spike in infections, but we would hope that it is one of the issues that will be scrutinised by the promised independent inquiry into the handling of the pandemic.

More generally, in liberal democracies there has been widespread recognition that the measures taken to combat the spread of COVID-19 impacted negatively on human rights overall - not excluding the right to freedom of religion and belief. On 18 June, Rita French, the UK's International Ambassador for Human Rights and Deputy Permanent Representative to the UN, [tweeted](#) the following joint statement by the Human Rights Ambassadors of Finland, France, Germany, Luxembourg, the Netherlands, Spain, Sweden and the UK in the context of the resumed 43rd session of the UN Human Rights Council:

'COVID-19 impacts the safety and community life of members of religious and belief communities. We are concerned about the increasing discrimination and intolerance targeting persons belonging to religious and belief minorities as exemplified in measures to address COVID-19, i.e. selective release of prisoners and unequal access to health care and relief assistance. We are equally worried about growing disinformation, hate speech and violence. The right to freedom of thought, conscience and religion is protected by international law. Individuals have the right to make their own choice regarding religion or belief, at any time, and without any limitation and coercion. People must also have the choice not to believe at all, or change their beliefs.'⁹³

All of which is entirely unexceptionable; however, the problem is, as always, how to balance conflicting rights. As Ahmed Shaheed, the UN Special Rapporteur on Freedom of Religion or Belief points out, 'when the exercise of various freedoms results in a clash of rights, every effort must be made to ensure that all rights are protected as human rights are indivisible, interrelated and interdependent, and without a hierarchy ... [O]ne right should not be traded off against another, but balanced on a case-by-case basis'.⁹⁴ Or as Christopher McCrudden rightly observes,

'Seeing issues arising from Covid-19 through a human rights lens should,

⁹³ At a webinar on 2 July in which Cranmer participated, Ms French confirmed that no more formal document had been issued.

⁹⁴ Ahmed Shaheed, '[A Conversation with UN Special Rapporteur Ahmed Shaheed: COVID-19 and Freedom of Belief](#)', *Just Security*, 18 June 2020.

instead of focusing on one right to the exclusion of others, take in the full range of human rights protections, including the right to life and to health, the right to an adequate standard of living, and the right to work, *with the consequence that we locate human rights appropriately, often on both sides of major political disputes.*⁹⁵

In that regard, it is worth noting the concurring judgment of Roberts CJ in the majority decision of the Supreme Court of the United States to dismiss an application for an interim injunction against the Governor of California's Executive Order temporarily restricting attendance at places of worship to 25 per cent of the building's capacity or a maximum of 100 worshippers. He did so partly on the grounds that similar or more severe restrictions applied to comparable secular gatherings and only dissimilar activities were treated more leniently. But furthermore:

'The precise question of when restrictions on particular social activities should be lifted during the pandemic is a dynamic and fact-intensive matter subject to reasonable disagreement. Our Constitution principally entrusts "[t]he safety and the health of the people" to the politically accountable officials of the States "to guard and protect" ... Where those broad limits are not exceeded, *they should not be subject to second-guessing by an "unelected federal judiciary," which lacks the background, competence, and expertise to assess public health and is not accountable to the people* ... That is especially true where ... local officials are actively shaping their response to changing facts on the ground. The notion that it is "indisputably clear" that the Government's limitations are unconstitutional seems quite improbable.'⁹⁶

We should be very surprised indeed if our own Supreme Court were to take a different view. The brutal reality is this: *once you're dead from COVID-19, your Article 9 rights count for precisely nothing.*

More generally, however, the COVID-19 saga raises much wider constitutional issues about the relationship between Government and Parliament. As Hickman points out, the apparent fusion of 'law' and 'guidance' tended to centralise power in the hands of the UK Government: power that would otherwise be more widely dispersed,⁹⁷ and reluctant though one might be to criticise the actions of Government in a public health crisis for

⁹⁵ Christopher McCrudden, ['Democracy, protests, and Covid-19: the challenge of \(and for\) human rights'](#), United Kingdom Constitutional Law Association, 19 June 2022: emphasis added.

⁹⁶ [South Bay United Pentecostal Church v Gavin Newsom, Governor of California 590 U. S. \(2020\)](#): emphasis added. See also [Calvary Chapel Dayton Valley v. Steve Sisolak, Governor of Nevada 591 U. S. \(2020\)](#).

⁹⁷ Tom Hickman, ['The use and misuse of guidance during the UK's coronavirus lockdown'](#), 25.

which there has been no recent precedent, hard questions need to be asked about the constitutional propriety of Regulations *backed by criminal sanctions* being brought into effect before being laid before Parliament. The most blatant example was [The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(England\) \(Amendment\) \(No. 4\) Regulations 2020](#), which were published on 13 September *thirty minutes before they were due to come into force*. On 21 September, the Westminster Parliament's Joint Committee on Human Rights published [The Government's response to COVID-19: human rights implications](#),⁹⁸ in which it was highly critical of the tendency to elide 'advice', 'guidance' and 'law', of the fact that the various Regulations were not clearly accessible online - 'particularly as the law has changed, on average, once a week' - and of the absence of any mechanism for appeal against fines for breaches of the Regulations.⁹⁹

14. AND FOR THE FUTURE?

In a thoughtful piece in *The Tablet*, Peter Hennessy - one of the most respected UK scholars of contemporary British history - characterised COVID-19 and its impact on society and the economy as a watershed in British life and culture:

'Of one thing I am sure. Henceforth, those who write the history of Britain post 1945 will divide it into BC, Before Corona, and AC, After Corona. Ours is an experience laced with sorrow, loss and widespread anxiety. Never before have we been both collectivised - the huge surge of extra state power requiring us to be the "Corona state" itself embodying the liberties we have temporarily lent to the government - and atomised at the same time'.¹⁰⁰

Brexit, he suggested, 'wore us out - three-and-a-half scouring, souring years in which the worst characteristics of our politics were on display' and he expressed the hope that 'the road to 2050 can be the remaking of us' and bring the people of the UK together again.

If the trauma of the COVID-19 pandemic does indeed prove to be a unifying factor, then at least some good will have come of the experience: but whether the deep divisions caused by Brexit can, in fact, be alleviated by the public's response to a totally random, unconnected disaster, only time will tell.

⁹⁸ Seventh Report of Session 2019-21, HC 265, HL Paper 125.

⁹⁹ Ibid. p 70. There is an appeals procedure for a £30 parking fixed-penalty notice but there is no such appeal against a £10,000 COVID-19 fixed-penalty notice. The only way to challenge it is to not pay and risk prosecution.

¹⁰⁰ Peter Hennessy, '[The corona experience, though suffused in tragedy, has shown us the very best of ourselves](#)', *The Tablet*, 22 April 2020.

APPENDIX: COVID-19 - A UK TIMELINE

Wikipedia hosts a comprehensive general [Timeline of the COVID-19 pandemic in the United Kingdom](#). The following relates largely to the specific impact of the pandemic on religious observance.

- 31 January: first confirmed cases of COVID-19 in the United Kingdom.
- 10 February: UK Government introduces the Health Protection (Coronavirus) Regulations 2020 for England (subsequently revoked by the Coronavirus Act 2020).
- 29 February: first case of COVID-19 confirmed in which the virus had been contracted in the UK
- 5 March: Church in Wales suspends public administration of the chalice at Holy Communion
- 10 March: Archbishops of Canterbury and York advise that public administration of the chalice at Holy Communion be suspended.
- 16 March: people in England advised against all unnecessary social contact and travel and to work from home if possible.
- 16 March: Scottish Government asks the general public to stay at home so far as possible.
- 23 March: lockdown across the UK imposed for three weeks.
- 23 March: Archbishop of Canterbury announces postponement of 2020 Lambeth Conference
- 24 March: Church of England closes churches both for public worship and for private prayer
- 25 March: Coronavirus Act 2020.
- 31 March: Church in Wales closes churches both for public worship and for private prayer.
- 1 April: Church in Wales issues guidance on care and use of church buildings during lockdown.
- 2 April: Methodist Church of Great Britain announces that the annual Methodist Conference cannot meet as planned: Methodist Church of Ireland defers its Conference until 7 October.
- 6 April: Coronavirus (Scotland) Act 2020.
- 9 April: bishops of the Church in Wales issue further pastoral guidance.
- 16 April: lockdown in England extended for a further three weeks.
- 24 April: Church of England Diocese of Liverpool announces furlough scheme for curates under the Coronavirus Job Retention Scheme.

- 5 May: Church of England House of Bishops supports a phased approach to lifting restrictions.
- 6 May: deaths from COVID-19 exceed 30,000.
- 10 May: Prime Minister announces limited easing of lockdown in England.
- 11 May: UK Government publishes updated guidance on how and when England would adjust its response to COVID-19.
- 12 May: Northern Ireland Executive publishes plan for staged easing of the lockdown.
- 13 May: UK Government announces five sectoral taskforces to develop plans for safe reopening of closed sectors in England.
- 15 May: first meeting of the sectoral Taskforce on Reopening Places of Worship.- 16 May: new Moderator of the General Assembly of the Church of Scotland installed at a private ceremony livestreamed from the Assembly Hall.
- 19 May: places of worship in Northern Ireland begin to reopen for private prayer only.
- 21 May: Scottish Government publishes 'route map' for gradual four-phase lifting of lockdown.
- 1 June: first easing of lockdown restrictions in Wales.
- 4 June: deaths from COVID-19 exceed 40,000.
- 6 June: UK Government announces that places of worship in England can reopen for private individual prayer from 15 June.
- 8 June: outdoor weddings with up to ten people present permitted in Northern Ireland.
- 13 June: places of worship in England permitted to reopen for private prayer.
- 18 June: Northern Ireland Executive announces that, provided the virus remains under control, places of worship may reopen for services on 29 June.
- 19 June: Chief Medical Officers for England, Scotland, Wales and Northern Ireland agree that the COVID-19 alert level should be reduced from Level 4 to Level 3.
- 22 June: places of worship in Scotland and Wales permitted to reopen for private prayer.
- 22 June: Welsh Government removes limitations on marriage and civil partnership ceremonies.
- 23 June: Prime Minister announces that from 4 July places of worship will be able to reopen for prayer and services with no limit on numbers except for a maximum of 30 people at weddings.
- 29 June: Welsh Government publishes [Guidance on reopening places of worship: coronavirus](#) with updated guidance on weddings.

- 29 June: marriages and civil partnerships allowed to take place outdoors in Scotland with limited numbers present; registration offices reopen for essential business.
- 4 July: places of worship in England reopen for public worship under strict social distancing guidelines.
- 10 July: marriage and civil partnership ceremonies resume indoors in Northern Ireland, with numbers attending to be determined by the venue on after a risk assessment.
- 15 July: Prime Minister confirms that there will be an independent inquiry into the handling of the pandemic.
- 15 July: places of worship in Scotland permitted to reopen for congregational services, weddings and civil partnership registrations and 'religious life event ceremonies'.
- 17 July: Prime Minister announces further easing of lockdown restrictions for England, with plans for a 'significant return to normality' by Christmas.
- 31 July: Prime Minister announces that face-coverings will be obligatory in places of worship (*inter alia*) in England from 8 August.
- 12 August: following a review of the way in which COVID-19 deaths are recorded by [Public Health England](#), the cumulative number for the UK is reduced by 5,377 from 46,706 to 41,329.
- 14 August: UK Government updates [COVID-19: guidance for the safe use of places of worship during the pandemic](#), including the advice that 'Where full immersion in water is necessary as part of a ritual or ceremony, this should be very carefully planned'.
- 18 August: Welsh Government updates [Guidance on reopening places of worship: coronavirus](#), including the advice that 'if at all possible full immersion baptisms should be avoided'.
- 9 September: Prime Minister announces that, from 14 September, social gatherings in England would be restricted to six persons - though places of worship could hold communal prayer and services for more than six persons and weddings, wedding receptions, funerals and religious 'life-cycle events' remained limited to 30 people.
- 10 September: Scottish and Welsh Governments announce that, from 14 September, social gatherings would be limited to six persons from two households, whether indoors or outdoors - though with slightly different exceptions from those in England.
- 14 September: UK Government issues COVID-19 guidance for Jewish High Holy Day services in England.
- 22 September: UK Government announces that from 28 September, wedding ceremonies and receptions would be limited to a maximum of 15 people.

- 2-3 October: General Assembly of the Church of Scotland held largely online.
- 4 October: Public Health England admits that, because of the limit on the number of columns in an Excel spreadsheet, 15,841 cases had been left out from the daily figures between 25 September and 2 October and would be added to the figures for 3 and 4 October.
- 12 October: UK Government announces tightening of restrictions in England from 14 October as the infection rate increases.