



**FSU**  
FREE SPEECH UNION

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Helen Stephenson CBE  
CEO  
Charity Commission  
PO Box 211  
Bootle  
L20 7YX

9<sup>th</sup> March 2023

Dear Helen,

**Complaint about Jamia Masjid Swafia (charity number: 1167300)**

I am writing to you in my capacity as General Secretary of the Free Speech Union, a non-partisan, mass-membership public interest body that stands up for the speech rights of its members and campaigns for free speech more widely.

This letter sets out our concerns about Jamia Masjid Swafia, a registered charity, for its actions in connection with the widely reported events at Kettlethorpe High School in Wakefield. We are asking that you investigate the charity on the basis of the complaint set out below.

Background

As you will be aware, an autistic Year 10 pupil at Kettlethorpe High School is alleged to have caused slight damage to a copy of the Quran while at school. He and three other pupils were suspended by the school following an investigation, and the police became involved. (We have written to West Yorkshire Police to ask it to remove the 'non-crime hate incidents' attached to the children's records as a result of their behaviour.) The autistic 14 year-old at the centre of these events has received death threats and other threats of violence, and an arson threat was made against the family home. The mother reported the initial threats to the police, but later changed her mind and asked that no charges be brought, even though the danger to the boy at the height of this episode was so great he had to be moved to a secret location for his own safety.

A 'community meeting' took place at Jamia Masjid Swafia on 24 February 2023 to address the concerns of Muslims in Wakefield and the surrounding area that was supposedly prompted by this incident.<sup>1</sup> This was attended by Imam Hafiz Muhammad Mateen Anwar of the mosque, Chief Inspector Andy Thornton and Inspector Glenn Costello of West Yorkshire Police, Headteacher Tudor Griffiths, and Councillor Akef Akbar, along with an additional representative of the Jamia Masjid Swafia. The boy's mother also attended

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<sup>1</sup> The footage of this event can be found here  
<https://www.facebook.com/masjidswafia/videos/220999650384772/>

wearing a hijab, although she is not a Muslim. The comments made before, during and after this event are the reason we are making this complaint.

### The 'Community Meeting'

Before the meeting took place the Imam stated in a video posted to Facebook on 24 February "each and every one of you" watching was required to attend, including women, for whom special arrangements would be made within the mosque.

We have reviewed the video of the "community meeting" in its entirety, and we anticipate that you will share our alarm at statements made by the imam on behalf of the mosque. They include:

- There will be **no toleration whatsoever** of any person shouting out or saying anything which is of an offensive or rude nature which is not from the teachings of our beloved prophet Muhammad, peace be upon him. (Our emphasis)
- When it comes to the honour of the Quran we will stand and we will defend the honour of the Quran **no matter what it takes**. (Our emphasis)
- The slightest bit of disrespect [to the Quran] is not accepted and **it is not going to be tolerated at any point, in any city, in any country by any Muslim** and that's the fact of the matter. (Our emphasis)
- The difficulty that we have in this incident is that these are not adults that have carried out this act. **Had it been, for example, a teacher who had disrespected the holy Quran. Had it been, let's say, an adult that had thrown the holy Quran, then the matter would be different.** We probably wouldn't be sitting in the [mosque] right now, we'd probably be standing outside that school and voicing our concerns without any doubt whatsoever. (Our emphasis)

Given that the teacher in the nearby Batley Grammar School is still in hiding with his young family two years after showing a cartoon of the Prophet Mohamed to a religious studies class, an episode that also resulted in death threats, the Imam's last comment is loaded with particular malice.

It was then explained that Councillor Akbar and a member of the mosque had attended the child's home to verify that he was indeed autistic. Councillor Akbar then confirmed this to the attendees at the mosque, and proceeded to describe quizzing the boy about what he had learnt since the incident and testing his knowledge of Islam ("we tested him a little bit, what have you learnt, what have you learnt from your research").

Councillor Akbar then described what the boy had faced since news of the incident became local knowledge:

He has received a number of death threats and threats to beat him up, etc. Again, as happens with things said, **passions do flare** and sometimes we let them out in the wrong manner. Now, mother has had to inform the police and say look, my son has had x, y, z threats. However, **to her credit**, she understands the situation and has advised the police that she does not want any of these children to be prosecuted and she only asks that her son is not harmed. (Our emphasis)

It is deeply disturbing that Akbar, using the premises of a registered charity, praised the boy's mother for not pressing charges after her son's life had been threatened and excused the making of death threats as

mere “passions”. Such was the mortal threat the mother felt her son faced, and given the Imam’s insistence that “all” members of the mosque’s congregation must attend at meeting in which he emphasised how there should be “no toleration whatsoever” for anyone saying something offensive to Muslims, the mother had little choice but to attend.

Following this, the Imam continued to make additional incendiary statements:

- Let me make categorically clear and those who prayed Friday prayers here today will have heard my Friday sermon and my lecture too, that any Muslim in Wakefield, Halifax where I am from, Bradford, Dewsbury, the United Kingdom or outside the United Kingdom will never tolerate the disrespect of the holy Quran. Never. Why? Because we will sacrifice our lives for it. We will give anything in the honour of Allah and his messengers... **So there’s no element of brushing this under the carpet. There’s no element of let it pass for a few days and then it die down.** (Our emphasis)
- But **we don’t let this go.** We don’t just say... it’s nothing. No, the reason why we’ve arranged all this, the reason why I travelled early hours in the morning this morning to attend this meeting is because **the Quran is more important to us than our lives.** (Our emphasis)
- There’s no element of brushing this under the carpet and **I’m sure our esteemed guests are fully aware of that.** (Our emphasis)

Given that the charity operates, according to your records, in Afghanistan, Bangladesh and Pakistan – where blasphemy is or has been severely punished, through judicial murder, terrorism or mob violence – the threat inherent in these words could not be more explicit.

Despite the ludicrous over-reaction to this episode, including the suspension of four boys from school, the interviewing of 30 pupils, the involvement of the police and the recording of ‘non-crime hate incidents’ against the boys’ names, the headteacher, responding to the environment created at this premises by the Imam, promised “more consequences” if that was what was necessary, although “necessary” to achieve what, he did not say. To ensure the boys’ safety?

The Imam, despite stressing that Islam is a religion of peace, then stated, “When the prophet Muhammad peace be upon him announced his prophethood and he began propagating the religion of Islam one day he left his home to propagate and to invite people to the religion of Islam, the early days, and he returned home full of blood.”

Following the event, the mosque posted on Facebook: “We hope this serves as an educational learning curve for those not familiar with Islam and also serves as a means of guidance for us all.”

It was afterwards reported that the boy had been moved to a secret location for his safety.

### Charitable Objects of Jamia Masjid Swafia

The charitable objects of Jamia Masjid Swafia (“the charity” or “the mosque”) are “specifically restricted” to the following:

- 1) to advance the Islamic religion for the benefit of the public in accordance with the Sunni Hanafi Brelvi tradition, in particular but not exclusively by: a) maintaining a mosque to hold prayers, to host lectures and visits and to celebrate festivals; and b) providing Islamic funeral and other services required by the community.

- 2) to advance Islamic education for children and others.
- 3) to relieve poverty and need by providing funds for those in need in the UK or abroad
- 4) to promote religious harmony by engaging with the non-Muslim community, promoting understanding of Islam and promoting good community relations and cohesion between Muslims and non-Muslims. (Our emphasis)

The behaviour of the mosque in this episode is, we believe, in breach of the fourth of these objects.

Those objects do not include providing “guidance” for non-Muslims about how non-Muslims can: a) treat their own personal property; or b) express their views towards or about the religion of Islam. Yet the charity has sought to impose its own religious views – and in particular the taboos against treating the Quran with all due reverence – on the non-Muslim community.

The Imam of the mosque made numerous references to his view of Islam’s intrinsically peaceful nature. But these were interspersed with frequent statements about the severity of the situation and about Muslims having a sacred duty to sacrifice their lives to protect the Quran. This is not promoting “religious harmony”: it is the imposition of Islamic law through intimidation, to such an extent that a mother seemingly felt unable to press charges against those who had made death threats against her 14 year-old, autistic son.

Further, the Imam’s discussion of how much more serious the matter would be if an adult had lightly damaged the Quran gives the lie to his supposed concern for community cohesion. His purpose during this meeting seemed to be ensuring that the non-Muslim community adhere to Muslim blasphemy codes concerning the Quran. His statement, that

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exhibits a clear willingness to provoke serious unrest if the sacred taboos he believes apply to all Muslims are not observed by non-Muslims. How is that compatible with “promoting good community relations and cohesion between Muslims and non-Muslims”?

#### Failure to comply with Commission guidance

We consider it the case that the charity has breached your guidance on [Protecting charities from abuse for extremist purposes](#).

Point 6.2 of that guidance advises that trustees should be alert to:

- instances where a charity allows its premises to be used to express “extremist ideology”
- and to cases where “trustees, staff or other charity representatives promote extremist ideology or make inappropriate extremist comments”

The imam’s view that he will defend the Quran “no matter what it takes” and that “there will be **no toleration whatsoever** of any person shouting out or saying anything which is of an offensive or rude nature which is not from the teachings of our beloved prophet Muhammad, peace be upon him” (our emphasis) is, *prima facie*, an expression of extreme intolerance towards different religious and philosophical viewpoints. For instance, it is hard to see how atheists could under all circumstances comply with this dikrat and atheism is a protected belief under the Equality Act 2010.

Point 7.2 of that guidance states that trustees must ensure that “your charity’s activities do not: promote unlawful violence or hatred on the grounds of race, religion or sexual orientation; encourage or glorify terrorism; or incite criminal acts or public order offences”. The Imam, in our view, has crossed this line. His unequivocal statement that Muslims must not under any circumstances tolerate any disrespect towards the Quoran and have a religious duty to sacrifice their lives to defend its honour is tantamount to putting his audience on notice that they should commit a public order offence, or inflict “unlawful violence on the grounds of... religion”, if any disrespect is shown towards the Quran in future.

Further, 7.2 states:

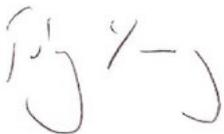
you and your co-trustees should not use your charity’s name to promote views or activities inappropriate for a charity. If you know that your charity’s name is, or is likely to be, associated with extremist activity but do nothing about it, you’ll be failing in your duty to ensure that your charity is complying with the law, in particular adequately protecting its assets and carrying out its purposes for the public benefit. This also applies if you were unaware of the risk, but ought to have known about it and taken reasonable steps to address it.

Stating that criticism of Islam is “not going to be tolerated at any point” – even if it falls well within the law – is manifestly an expression of an extreme religious ideology.

#### Further action

The public can have no confidence in Jamia Masjid Swafia to act in furtherance of its charitable objects if it tolerates its employees and representatives using such menacing and intimidating language, effectively using the threat of mob violence to enforce Sharia Law in Wakefield and elsewhere with respect to the Quran. Given the seriousness of these allegations, we ask that you open an investigation into the charity immediately.

Yours sincerely,



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Cc: Mr Orlando Fraser KC, Chair, Charity Commission