

inside

- ▶ N. Ireland Bill of Rights threatens religious liberty
- ▶ Could you be a Charity Commissioner?
- ▶ Guidance for charities published
- ▶ Ladele goes to Court of Appeal
- ▶ Street preachers protected
- ▶ Cannabis returns to class B classification
- ▶ Concern over suggested changes to EU Directive

The work in the Province grows with our new staff

The Christian Institute's work in Northern Ireland has been growing and we are delighted to announce the appointment of two new staff members to the Belfast office.

Mrs Sandra Mackay is joining the team as a Personal Assistant to the Northern Ireland Officer, Callum Webster. Sandra is married to Bobby and the couple have two grown-up sons. She is a member of Bloomfield Independent Methodist Church, where her husband is the Pastor.

Sandra studied at Bethel Bible College in Portrush and The Bible College of

Wales in Swansea. She and Bobby spent two years in London representing the Society for the Distribution of Hebrew Scriptures. Most recently Sandra has been employed as a secretary for Belfast Health & Social Care Trust.

Miss Suzanne Burke is starting the new position of Policy Analyst. Suzanne has a BA in Politics & Ancient History from Queen's University, Belfast. She has been working as a Research Assistant for the Ulster Unionist Party at Stormont.

Continued inside...

Council pulls funding on Christian care home

A Brighton care home for elderly Christians has lost thousands of pounds of funding from the local council because of its religious beliefs on homosexuality.

Brighton and Hove City Council – renowned for its political correctness – wanted the home to ask its elderly Christian residents about their sexual orientation every three months.

Residents at the Brighton home are made up of Christians aged over 80, including former

missionaries and a retired church minister.

The Council also wanted the home to use images of homosexuals in its promotional literature and show a Stonewall presentation on 'gay rights' to staff.

Managers at the care home explained that to comply with the demands would unduly distress the elderly residents and undermine the home's Christian ethos.

But Council officials accused the home of "institutionalised

homophobia" and pulled £13,000 of funding which was being used to fund a warden.

The Pilgrim Homes charity, which runs the home and others like it, has spent months seeking to resolve the matter with the local authority.

But having reached an impasse it has told the Council of its intention to take legal action for religious discrimination.

The case is being backed financially by The Christian Institute's Legal Defence Fund.

NI Bill of Rights threatens religious liberty

Homosexual rights need further protection and 'harassment' laws should be introduced to a Bill of Rights, says the Northern Ireland Human Rights Commission.

Smacking should also be banned, but not as part of the Bill of Rights, the Commission says.

The Commission stopped short of recommending a 'right' to abortion in the Province, but also refused to include a right to life for unborn babies.

The Commission's proposals come in a report outlining its recommendations for a Bill of Rights and other changes to the law. A Bill of Rights was promised in the Belfast Agreement.

But two of the Commission's members, Lady Daphne Trimble and DUP representative Jonathan Bell, have publicly distanced themselves from the report. They say the Commission has stepped well beyond its remit.

Receiving the Commission's report, Northern Ireland Minister Paul Goggins said: "I recognise that there is a diverse range of opinion on a Bill of Rights for

Northern Ireland.

"Once Government has had an opportunity to properly consider the advice we will consult publicly on this issue before deciding how to move forward." The Government has yet to launch its consultation.

The Commission's document says "significant opposition" remains in Northern Ireland to homosexual rights and civil partnerships.

It recommends that civil partnerships are given "additional protection" in a Bill of Rights to "help promote respect and equality".

The Commission says a Bill of Rights should include criminal laws on "harassment motivated by hate on any prohibited ground of discrimination". This would include sexual orientation and religion.

Civil sexual orientation 'harassment' laws were struck down by a High Court judge in Belfast in 2007, in part due to concerns that the laws would infringe free speech and religious liberty.



Chief Commissioner of the Northern Ireland Human Rights Commission Professor Monica McWilliams.

Cannabis returns to class B classification

The Government's decision to return cannabis to a stricter drug classification came into effect on 26 January.

Cannabis has been restored to class B status, reversing the downgrade to class C that took place in 2004.

Since the law was softened judges, police, parents and mental health experts have called for the move to be reversed because of the damage it has caused.

The Christian Institute warned about the dangers of downgrading cannabis as far back as 1997.

The arguments presented in our 2002 briefing, *Going Soft on Cannabis*, are now widely accepted.

A U-turn was announced in May last year by Home Secretary Jacqui Smith, who pointed to evidence of the drug's harmful effects.

Under a new penalty order timed to coincide with the return to class B, the drug will be treated on a 'three strikes and you're out' basis.

A person caught with cannabis will be given a warning on the first occasion, an £80 fine if caught a second time and will face arrest on the third offence.

More online...

To download a free copy of *Going Soft on Cannabis* go to christian.org.uk



Continued from front page

Suzanne is a member of Stranmillis Evangelical Presbyterian Church. She has also been involved in Christian service with the Girl Crusaders movement, United Beach Missions and Mission Africa.

With the growth of the Institute's work in the Province and the emergence of crucial legislation such as the Bill of Rights, the appointment of Sandra

and Suzanne has come at an important time.

During the last quarter of 2008 Callum Webster spoke at 33 meetings in churches. These events were attended by over 1,500 people. He travelled over 2,300 miles to and from these churches.

If you would like Callum to speak at a meeting in your church then please contact him on (028) 9046 1536 or email callum.webster@christian.org.uk. We cannot guarantee to accept every invitation, but each one will be carefully considered.

Concern over suggested changes to European Union 'equality' Directive

An EU Directive which threatens the religious liberty of Christians does not go far enough, an influential MEP has said.

The draft Directive aims to outlaw discrimination in the provision of goods and services, including on grounds of sexual orientation and religion.

Similar laws in the UK have interfered with the religious liberty of Christian groups and individuals.

If the Directive is passed in its current form it will hand control of important discrimination law to Brussels.

Kathalijne Buitenweg, an MEP from the Netherlands, has been examining it on behalf of the European Parliament's Committee on Civil Liberties, Justice and Home Affairs (LIBE).

As the Committee's rapporteur, Kathalijne Buitenweg recently presented an initial report which includes several key recommendations.

These include extending the scope of the Directive, potentially even to churches, by deleting sections which

limit it to 'professional or commercial' spheres.

She also wants to remove the phrase "This Directive is without prejudice to national laws on marital and family status, including on reproductive rights".

This could see the Directive used to force all EU member states to allow homosexuals to adopt and to access assisted reproduction.

However, her report does recognise that proposals on harassment – which may damage the free speech rights of Christians – are too broadly drafted.

If the Committee accepts the Buitenweg report

More online...

For the latest news and resources on the EU Directive please visit christian.org.uk

it will then be considered by the whole Parliament, which may adopt its suggested changes as the Parliament's own view.

The final power to enact or dismiss the Directive lies with the Council of the European Union.

The Council is not bound by the Parliament's view but is expected to have regard to its opinion.

Several EU states, including Germany and the Czech Republic, have indicated that they would rather deal with controversial discrimination law themselves than hand control to Brussels.

The LIBE Committee is scheduled to vote on the Buitenweg report on 17 February.



Report blind to benefits of marriage

A new Government paper, *Families in Britain*, highlights many positive outcomes enjoyed by married families but suggests that marriage itself has nothing to do with it.

The paper declares that “the quality of relationships matters most regardless of the legal form”.

The paper shows that family breakdown leads to serious problems for both adults and children.

Yet material hardship and relationship problems, rather than the break up itself, are blamed for most of these difficulties.

Relieving the financial hardship of broken families is emphasised rather than preventing such hardship by keeping couples together.

Families in Britain states that children whose parents are married have fewer behavioural and emotional problems than children of cohabiting parents.

Married couples are described as “happier” and less likely to separate.

Yet the paper labels Britain’s growing variation in family forms due to increasing cohabitation and family breakdown as “diversity not decline”.

Street preachers protected

Christian street preachers and public evangelists are increasingly having their free speech rights interfered with by over-zealous police officers and local authorities.

The Christian Institute’s Legal Defence Fund has been used to successfully resolve a number of these cases without the need to launch legal actions.

Brian Dee had been open-air preaching and handing out Christian tracts in Bury St Edmunds once a week for over ten years.

Last year council officials wrongly told Mr Dee that he was violating a local by-law aimed at reducing litter.

Our Legal Defence Fund helped Mr Dee. The council subsequently admitted that there was no problem and he has been able to continue his evangelism.

Last summer Tony Rollins was preaching in Birmingham about sin and its consequences when he mentioned homosexuality.

An onlooker took offence and two police officers arrived at the scene. Mr Rollins was arrested under Section 5 of the Public Order Act, handcuffed and held in a police cell for four hours. He was charged and was set to appear in court.

We believe this was a misapplication of the law and our Legal Defence Fund assisted Mr Rollins.

In September prosecutors decided it was not in the public interest to pursue the case.



More online...

For useful guides to the law on open-air preaching and tract distribution go to christian.org.uk



Fireman wins landmark case

A Roman Catholic fireman from Glasgow has won his legal battle against his bosses after he was punished for refusing to take part in a ‘gay pride’ march.

After failing to overturn the disciplinary findings at three internal appeals, John Mitchell took the matter to an Employment Tribunal.

Days before the hearing was due, Strathclyde Fire and

Rescue admitted they had failed to take account of his religious beliefs.

Mr Mitchell has been awarded damages and has received an apology from his employers.

Public servants should not be forced to take part in a public rally on an issue with which they disagree.

Could you be a Charity Commissioner?

A new Charity Commission for Northern Ireland is being established. This body is publicly funded with an annual budget of £800,000.

The Commission will issue guidance on the governance of charitable bodies. It will also regulate the activities of charities and enforce compliance with legislation and guidelines.

Given that churches and many religious bodies have charitable status it is vital that the Commission issues guidance which respects the Christian

ethos of these charities.

It will employ up to sixteen staff members and as many as seven Commissioners.

The Commissioners are to be appointed by Margaret Ritchie MLA, Minister for Social Development, in April.

We would encourage Christians to apply to become Charity Commissioners. The posts require a time commitment of up to 2 days per month.

The deadline for applications is 20 February. For an application pack, contact Kieran Doyle



Margaret Ritchie MLA will make the appointments.

in the Department for Social Development's Charities Implementation Team.

Telephone 028 9082 9427 or email kieran.doyle@dsdni.gov.uk

English Charity Commission improves guidance

All Northern Ireland charities are to be assessed for their 'public benefit' under the new Charities Act passed last year.

The Charities Act (Northern Ireland) 2008 requires that the public benefit test involves a comparison between the benefits and the detriments of a charity's activities.

The evaluation will be carried out by the Charity Commission for Northern Ireland, the newly introduced charity regulator. When it is established, the Commission will consult on draft public benefit guidance for charities.

The new arrangement for the Province closely parallels the situation in England and Wales. Unlike the Northern Ireland Charities Act, however, the law in England and Wales does not provide for an activities test. That has not stopped the Charity Commission based in England trying to implement one using guidance.

In the draft guidance put out for consultation in England there were sections where the Charity Commission appeared to be setting

itself up to regulate the membership criteria of churches and other religious organisations. There were also strong negative statements about the detriment that could result from evangelising those of another religion, emphasising 'one or two tenets' of a religion or misinterpreting religious doctrine. The implication was that the Commission would have the right to judge the orthodoxy of beliefs and practices of religious groups, including churches.

However, after many Christians and others around the country expressed their concerns about the draft guidance, the final version is much improved. There is express recognition that evangelism is a central part of the Christian faith. The final guidance also contains assurances that vexatious and unsubstantiated complaints to the Commission about religious charities will be dismissed.

In the light of what has happened in England, it is vital that Christians in the Province take part in the consultation on the draft guidance from the Charity Commission for Northern Ireland when it is published.



Ladele seeks Court of Appeal ruling

Threatening to fire a Christian registrar who asked to be exempt from registering homosexual civil partnerships was not an act of discrimination by Islington Council, a court has decided.

The ruling, published on the Friday before Christmas by the Employment Appeal Tribunal (EAT), overturns a previous decision that found in favour of Miss Lillian Ladele.

Lawyers acting for Miss Ladele say she was shunned by colleagues who mounted a witch hunt against her because of her Christian beliefs on marriage.

The original tribunal accepted the claims, but that decision has been reversed by the EAT, chaired by its President, Mr Justice Elias.



Lillian Ladele was discriminated against by Islington Council because of her Christian beliefs on marriage.

The EAT did accept that Islington had acted in an improper, unreasonable and extraordinary manner (paragraphs 62 and 77 of the judgment) but ruled this did not amount to religious discrimination.

The ruling states: "The council were not taking disciplinary action against Ms Ladele for holding her religious beliefs; they

did so because she was refusing to carry out civil partnership ceremonies and this involved discrimination on grounds of sexual orientation."

Miss Ladele intends to appeal the ruling to the Court of Appeal. The case is being financed by The Christian Institute's Legal Defence Fund.

New laws clamp down on sex trade

The laws in England and Wales on prostitution and lap-dancing clubs are to be tightened, but the Government has stopped short of a complete ban on buying sex.

Under the Policing and Crime Bill it will be an offence to pay for sex with a prostitute 'controlled for another person's gain', even if the purchaser is unaware that the prostitute is being controlled.

It will still be legal for men to pay for sex with a prostitute who is acting independently. But it is hoped that the

measure will deter would-be purchasers because of the uncertainty over whether a particular prostitute is actually independent.

The Government will also apply more stringent tests before issuing licences to lap-dancing clubs by designating them "sex encounter venues". The Home Secretary says the move will "give local people a far louder voice in determining whether and where those clubs can be set up". Since a relaxation of the law in 2003, lap-dancing clubs have doubled across the UK.



The Christian Institute, 378 Woodstock Road, Belfast, BT6 9DQ. Tel: 028 9046 1536 Fax: 028 9073 9784

Registered in England as a charity Charity No. 100 4774 Company No. 263 4440.

All financial and administrative correspondence to: The Christian Institute, Wilberforce House, 4 Park Road, Gosforth Business Park, Newcastle upon Tyne, NE12 8DG.

Tel: 0191 281 5664 Fax: 0191 281 4272 Email: info@christian.org.uk Internet: www.christian.org.uk