

Catch-up: The Sexual Orientation Regulations

The Government has imposed sweeping gay rights laws on Northern Ireland. The Sexual Orientation Regulations outlaw discrimination on grounds of sexual orientation in the provision of goods, facilities and services. The regulations also affect education.

The harassment provisions could cause great difficulties for churches and individual Christians. Problems also arise where the provision of a good or service necessarily involves endorsing homosexual activity.

For example a Christian guest house owner could be sued for refusing to provide a double bed to a homosexual couple. Likewise a Christian wedding photographer could be sued for refusing to photograph a civil partnership celebration.

1 Timothy 5:22 tells Christians not to partake in other people's sins. Renting a double bed to two homosexuals would facilitate sexual immorality.

The religious exemptions in the regulations are narrowly defined and apply only to the basic doctrines of a faith. This approach fails to appreciate that freedom of religion means the freedom to apply one's beliefs outside the confines of a church service.

Churches go to court over 'gay rights' regulations

Churches in Northern Ireland along with The Christian Institute are going to court over the Sexual Orientation Regulations. In a legal action called a 'judicial review' the High Court in Belfast will decide whether the regulations breach human rights law regarding religious freedom. It will also consider whether the Government ran a flawed consultation process. The judicial review is scheduled to take place from the 4th to 6th June. If the Government loses, it could scupper the regulations in the Province.

The Christian Institute has been joined in this legal action by the Association of Baptist Churches, the Congregational Union, the Evangelical Presbyterian Church, the Fellowship of Independent Methodist Churches, the Reformed Presbyterian Church and Christian Camping International (a charity representing holiday and conference centres). Last December permission was granted for the judicial review to go ahead. The Elim Church, the Free Presbyterian Church and the Association of Christian Teachers have since added their support to the legal action.

We believe the regulations undermine religious freedoms, contrary to the Human Rights Act. Across Northern Ireland churches are involved in caring for vulnerable people. The Elim Church, the Presbyterian Church, and the Brethren run nursing and residential homes. When facilities like these enter into contract with

the state, they are bound by the Sexual Orientation Regulations and religious exemptions no longer apply. By accepting residents whose places are funded by social services, a home can become subject to the regulations. This would allow two lesbians in a civil partnership to sue a Christian eventide home for refusing to provide them with a married couple's bedroom. The legal costs could bankrupt the home, forcing it to close.

Religious adoption agencies could be litigated against if they refuse to place children with homosexual couples. Similar laws in the USA have forced a religious adoption agency in Massachusetts to close.

We also believe the consultation process was flawed. The consultation in Northern Ireland was carried out over 8 weeks, including the holiday month of August. The consultation in Great Britain was held over a 12 week period. The Northern Ireland regulations were published only 6 weeks after the consultation closed. On the mainland the Government took over 6 months before publishing the regulations in order to address the complex legal issues involved.

The court case is attracting growing interest from non-evangelical groups. In a judicial review any organisation can apply to the court to present evidence. The Roman Catholic Bishops, the Coalition on Sexual Orientation (CoSO), the Equality Commission and the Human Rights Commission have already done so.

Meetings in Northern Ireland

The Christian Institute is committed to informing Christians of key issues within our society. Since his appointment as the Northern Ireland Officer, Callum Webster has spoken at meetings in churches across the Province. Between September 2005 and April 2007 Callum spoke at 132 meetings in Northern Ireland. These were attended by approximately 5,500 people. Callum travelled over 8,200 miles to and from these events (about the same distance as from Belfast to New York and back again).

If you would like The Christian Institute to speak at a meeting in your church, please contact Callum Webster on 028 9046 1536 or e-mail callumwebster@hotmail.com We cannot guarantee to accept every request but each one will be considered carefully.



We need your support

The Christian Institute's work is growing and developing. We are thankful to God for the many opportunities that we have been given to present the Christian case.

We have already campaigned on drugs legalisation, sex shops, civil partnerships, smacking, easy divorce plans, sex education materials, alcohol licensing, gay adoption, and the Sexual Orientation Regulations.

Employing a Northern Ireland Officer, operating a local office, campaigning on Northern Ireland issues, and holding meetings in local churches costs money.

Our work in the Province has been subsidised by general giving from Christians in other parts of the UK. We are very grateful to our existing supporters in Northern Ireland. Our aim is for our work in Northern Ireland to be funded from within the Province.

We welcome one-off donations but employing people means we need regular giving to ensure a predictable income.

If you want to support our work, please consider making a regular giving pledge.

Is it right for a Christian to use the courts?

Some Christians question whether it is right for believers to use the courts or engage in legal actions to defend themselves or uphold biblical truth. They ask, doesn't 1 Corinthians 6 teach that it was wrong to use the courts? Doesn't it say that this brings shame on the church?

But this is a misunderstanding. 1 Corinthians 6 teaches that it is wrong for Christians to go to the courts *against other Christians*. It does not forbid lawsuits in general. The main point in this passage is that disputes between believers should be resolved within the church.

1 Corinthians 6 does not imply that it is wrong for a Christian to defend himself legally, or to seek justice in the courts, if he has been treated unlawfully.

The Apostle Paul used the law on occasions when he had been unjustly treated. In Acts 16 he was thrown into prison without trial, contrary to his rights as a Roman citizen. When the magistrates realised their mistake they wanted to release him quietly, but Paul insisted that they escort him out publicly. Paul used his liberties as a Roman citizen for the benefit of the church. As a result, the magistrates would have been much more wary of arresting Christians in the future.

Attempts were made to have Paul flogged and punished unjustly



in Acts 22. But when the Roman commander heard that Paul was a Roman citizen he intervened to prevent the flogging. The commander recognised that Paul had been treated unfairly under Roman law and that he could be held accountable for it.

In Acts 25 the Roman Governor,

Festus, was considering sending Paul to Jerusalem where the Jewish leaders were planning to kill him. Here Paul appealed to Caesar – the equivalent of an appeal to the supreme court.

The Apostle Paul was prepared both to use and not to use his liberties as a Roman citizen,

depending on whether it benefited the gospel. The UK has many sensible laws that protect gospel freedoms. But some people are eager to have these liberties removed. We must be prepared to use the law to safeguard gospel freedoms.

George Dawson



The Christian Institute was saddened to learn of the death of George Dawson MLA on 7 May 2007. George Dawson was a bold and enthusiastic campaigner for family values and Christian freedom. He worked with the Institute on several occasions, most recently taking a leading role against the Sexual Orientation Regulations. We thank God for his life and our prayers are with his family at this time.

Northern Ireland politicians defend religious freedom

Many local politicians have played an active role in opposing the imposition of the Sexual Orientation Regulations on Northern Ireland.

Assembly members debated the issue on 11 December. Jeffrey Donaldson MP MLA and the late George Dawson MLA put forward a motion calling on the Government to withdraw the regulations and allow the Assembly to decide whether these controversial laws should apply in Northern Ireland. Mr Donaldson explained that his opposition to the regulations was not about hatred or fear of those who engage in homosexual practice, but rather about protecting religious freedoms. He

outlined the implications of these laws for Christian B&B owners, nursing homes, and adoption agencies.

Sinn Fein MLA Caitriona Ruane moved that the motion be rejected. She accused opponents of the regulations of homophobia and setting the context for "human rights violations".¹ Supporting her, David Ford MLA, stated "the Alliance Party supports the regulations ... those who oppose the regulations ... whatever their motivation, or whatever they claim their feelings to be, they are seen as being merely homophobic".² Mr Ford was backed by his colleague Naomi Long

MLA who stated that Christian people are "so often seen to be in the heel-dragging section of the population when it comes to issues of human rights and equality".³

The motion resulted in a tie, with 39 MLAs voting to support the motion and 39 opposing it.

Efforts were also made at Westminster to overturn the Sexual Orientation Regulations. Northern Ireland peer, Lord Morrow of Clogher Valley, tabled an annulment motion in the House of Lords appealing to the Government to withdraw the regulations. The motion was debated on 9 January and Lord Morrow was supported by Conservative peers including Lord Tebbit,

Lord Mackay of Clashfern, and Lady O'Cathain. Only one Northern Ireland peer spoke in favour of the regulations, Baroness Blood, who argued that the regulations were necessary to grant rights based on sexual orientation similar to those based on race, disability or gender.⁴ The motion was defeated by 199 votes to 68 as Labour and the Liberal Democrats applied a party whip to their peers to uphold the regulations.

¹ Northern Ireland Transitional Assembly, Official Report, 11 December 2006

² *Loc cit*

³ *Loc cit*

⁴ House of Lords, Hansard, 9 January 2007, col. 188

Government proposes Sunday gambling



The Government has consulted on plans to liberalise the gambling laws in Northern Ireland. It proposes to amend The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 to allow bookmaking offices and licensed bingo clubs to open on Sundays. Key recommendations include allowing:

- bookmaking offices to open from 10:30am to 6:30pm on Sundays.¹
- bingo and other gaming to take place in bingo clubs from 2pm to 11pm on Sundays.²

As well as breaking the fourth commandment (Exodus 20:8-11), opening these facilities seven days a week will inevitably increase the opportunity for gambling and so lead to more addicted gamblers. Gambling exploits the poor and appeals to covetousness and greed, which the Bible calls idolatry (Colossians 3:5). In honest business transactions it is the intention of both parties to benefit, but with gambling gain directly depends on others incurring financial loss. Gambling has historically been viewed as incompatible with Bible teaching and was opposed by Tertullian, Hugh Latimer, John Wesley, William Wilberforce and C H Spurgeon.

The plans undermine the significance of Sunday as a day of rest. At creation God instituted one day of rest in seven (Genesis 2:2-3). This provides benefits for all people whether they have a Christian faith or not. Jesus kept the seventh day special and described Himself as Lord of the Sabbath (Mark 2:28). From New Testament times Christians have kept Sunday as the Lord's Day (Revelation 1:10).

The consultation closed at the end of March and we await the Government's final recommendations.

¹ *Betting and Gaming Law: Proposed Changes Including Relaxation of Sunday Restrictions Consultation Paper*, Northern Ireland Department for Social Development, December 2006, paras 2.3-2.4

² *Ibid*, paras 3.2-3.4

Law Lords accept Belfast sex shop ban

Judges in the House of Lords have upheld a decision by Belfast City Council not to grant a licence to a sex shop.

The owner of the Miss Behavin' shop wanted a licence to operate in Belfast city centre. The Council refused to grant a licence on the grounds of its proximity to schools, bus stops, areas of family shopping and a library.

The Christian Institute was involved in successfully objecting to the original application in 2002 – together with five other applications for sex shop licences.

The centre of the dispute concerned whether there was a human right to promote pornography. The Court of Appeal said the sex shop owner's rights had been breached, but the UK's highest court, the House of Lords, has now overturned that decision.

Ruling in favour of the Council, Lord Hoffmann said: "The right to vend pornography is not the most important right of free expression in a

democratic society and the licensing system does not prohibit anyone from exercising it - it only prevents him from using unlicensed premises for that purpose."¹

Baroness Hale, one of the Law Lords ruling on the case, said: "There are far more important human rights in this world than the right to sell pornographic literature and images in the back streets of Belfast city centre."²

The ruling underlines the fact that councils do have legal powers to refuse to license sex shops.

Within days of the ruling two of the six sex shops in the Gresham Street area re-applied for licences. The Christian Institute is opposing these applications and urging the Council to prosecute any shops that are trading without a licence. Such shops could face fines of up to £20,000 each.³

¹ *BBC News*, 25 April 2007, see http://news.bbc.co.uk/1/hi/northern_ireland/6590155.stm as at 30 April 2007

² *Loc cit*

³ *Belfast Telegraph*, 26 April 2007

Council funds gay social events



Tax payers of North Down are paying for social events held by a local homosexual group.

The newly formed North Down & Ards Lesbian, Gay, Bisexual & Transgender Group has received public funding for a variety of social activities.

According to the Group's website, North Down Borough Council provided funding to cover the costs of catering and venue hire at the launch party in Groomsport Boat House.¹ In April the Group held a 10-pin bowling evening for its members and friends, again paid for by North Down Borough Council.²

Recent newspaper reports confirm that the group is requesting a Community Development Project Grant from North Down Council to subsidise team-building events during the summer. These include a boat trip to Portpatrick and a country walk around the north coast to facilitate networking with a lesbian, gay and transgender organisation operating in the Coleraine, Ballymoney, Limavady, and Moyle areas.³

Andrew Muir, the chairman of the Group,

said: "I cannot foresee why North Down Borough Council would not wish to fund the group as requested" and it is expected that an application for funding will be made to Ards Borough Council soon.⁴

The Group is also building links with local policing. North Down District Policing Partnership convened a meeting with the Group in Bangor in March to consult over crime and policing in the North Down area. Andrew Muir stated: "The DPP will take the information obtained from the meeting... and use it to agree policing priorities with the district commander."⁵

On the mainland homosexual activist groups have put increasing pressure on police forces to wrongly label any criticism of homosexual practice as a 'hate crime'.

¹ North Down & Ards LGBT Group, see www.ndalgbt.com as at 1 May 2007

² *Loc cit*

³ *Sunday World*, 8 April 2007

⁴ *Loc cit*

⁵ *News Letter*, 15 March 2007

Alcohol licensing laws relaxed

The Government has scaled down its plans to liberalise the alcohol licensing laws in Northern Ireland.

Following a public consultation it has decided not to extend Sunday opening hours for pubs and clubs. The opening hours for off-licences also remain unaltered.¹

The consultation document, *Liquor Licensing – The Way Forward*, attracted considerable criticism when it was published last year. The Christian Institute prepared a briefing on the issue and circulated this to our supporters in Northern Ireland. The Government received 561 responses.²

In December the Social Development Minister, David Hanson MP, published the draft Licensing and Registration of Clubs (Amendment) (NI) Order 2007. The large response to the consultation may have had a restraining effect. The proposals within the draft Order are better than the recommendations put forward in the consultation paper.

¹ Northern Ireland Department for Social Development Press Release, *Changes to Licensing Law Published*, 1 December 2006
² See http://www.dsdni.gov.uk/index/consultations/archived_consultations2/liquor_licensing_-_the_way_forward.htm as at 1 May 2007

Abortion guidelines published



The law against abortion in Northern Ireland is under continuing pressure. Those in favour of abortion would like to see the Abortion Act 1967 which applies to England, Scotland and Wales extended to the Province.

At present, the law in Northern Ireland prohibits abortion except for the purpose of preserving the life of the mother.¹ There have been misleading claims that the law is unclear, including a legal challenge by the Family Planning Association of Northern Ireland demanding that the Department of Health issue guidance on abortion. Draft guidelines have now been published as a result of that case and are being consulted on with health professionals.

Any attempt to weaken the law in Northern Ireland must be strongly resisted. The relaxation of the law in the rest of the UK has caused an explosion in the number of abortions, the vast majority of which are performed for purely social reasons. Since the 1967 Act, 5.3 million abortions have taken place in England and Wales: only 0.4% of these were because of risk to the mother's life.²

¹ Criminal Justice Act (Northern Ireland) 1945, Section 25(1); Offences Against the Person Act 1861, Sections 58 and 59; *R v. Bourne* [1939] 1 K.B. 687
² House of Commons, Hansard, 8 November 2006, col. 1792 wa

The politically-correct policies of well-known charities

Throughout history Christians have been involved in caring for the needy. Many charitable ventures were founded by Christians. But sadly some charities, which undertake commendable work, have taken up the mantle of political correctness too.

Several children's charities are active in the campaign to make it illegal for parents to smack their own children. Barnardo's, NSPCC, and Save the Children Fund are all contending for an outright ban on smacking.¹ Barnardo's and NSPCC also support changes in the law to allow homosexual couples to adopt children on the same basis as married couples.² This is particularly sad, given the evangelical faith of Dr Thomas Barnardo.



It is not only children's charities that are championing 'gay rights'. Help the Aged and Age Concern support the implementation of the Sexual Orientation Regulations.³ Both organisations, along with other agencies, urged members of the House of Lords to support the regulations in Northern Ireland.⁴ Help the Aged also welcomed the Civil Partnership Act to extend the legal rights of marriage to homosexual couples who register their partnership.⁵

The Alzheimer's Society also strongly backs 'gay rights'. It not only supports the Sexual Orientation Regulations⁶ and the Civil Partnership Act,⁷ it also operates a Lesbian & Gay Network.

¹ *The Scotsman*, 4 October 2004, and *BBC News Online*, 12 September 2006
² *The Herald*, 8 May 2002
³ *Belfast Telegraph*, 22 January 2007, and Help the Aged response to the consultation on the Sexual Orientation Regulations, 31 May 2006, and see <http://www.ageconcern.org/AgeConcern/4C6777A2EF8745D3A3C69D1EEA2DCB80.asp> as at 15 May 2007
⁴ Commission for Racial Equality, 8 January 2007, see <http://www.cre.gov.uk/Default.aspx?LocID=0hgnew00k.RefLocID=0hg00900c002.Lang=EN.htm> as at 18 April 2007
⁵ Help the Aged, Press Release, 4 December 2005
⁶ The Alzheimer's Society, *Alzheimer's Society Lesbian & Gay Network News*, August 2006, see http://www.alzheimers.org.uk/Gay_Carers/News/flaws18082006.htm as at 19 April 2007
⁷ The Alzheimer's Society, *Lesbian & Gay Network Newsletter*, February 2005