

institute

Issue 9
Spring 2007

THE
CHRISTIAN
INSTITUTE

CHRISTIAN INFLUENCE IN A SECULAR WORLD

FREE

The UK-wide newsletter of The Christian Institute

Thank you

Our new home,
Wilberforce House,
is officially opened.
The building is paid
for thanks to our
supporters.

Free speech victory for Joe and Helen!

inside

Roberts victory

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Around the nation

Staff and Trustees from The Christian Institute have continued to travel around the nation holding meetings about our work. These meetings give supporters an opportunity to meet staff members and learn more about our work and our campaigns. Our Northern Ireland Officer, Callum Webster, has been speaking at many meetings around the Province.

We work hard to make our meetings professional, encouraging and informative. If you would like The Christian Institute to visit your area, please get in touch. We cannot guarantee to accept every invitation, but we will consider each one carefully.



Meetings held by The Christian Institute and events attended by Institute staff and trustees August 2006 to January 2007



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The intolerance of tolerance



COLIN HART

Many Christians are coming to see just how intolerant so-called tolerance has become, particularly in the hands of 'gay rights' groups. This was brought into sharp focus with January's row over religious adoption agencies facing closure because they will not place children with homosexual couples. Any number of secular adoption agencies will place children with such couples, but that was not good enough for the homosexual lobby. They demanded that religious adoption agencies should be forced to do likewise – or be put out of business.

Whenever there is a clash of rights between religious liberty and 'gay rights', it seems our three main party leaders will now choose 'gay rights'. After a period of silence David Cameron joined Tony Blair and Menzies Campbell to make clear that he too opposed an exemption for religious adoption agencies. Sadly, our political parties are becoming more secularised.

One good thing to emerge in all the recent debates on religious liberties is that Christians are waking up to the fact that they don't have to put up with being treated as second class citizens. We can use all the rights we possess as citizens to protest. We can use the law to ensure that the authorities do not exceed their powers. Christians don't have to vote for political candidates who want to restrict our religious liberty. Christian young people don't have to go to Universities which treat the Christian Union with contempt. We can boycott companies which sell products denigrating the person of Christ or which adopt what amounts to an anti-Christian corporate policy. Following complaints from Christians, Tesco and Sainsbury's quickly removed *Jerry Springer the Opera* videos from their supermarket shelves. British Airways feared a consumer backlash and so lifted its ban on staff wearing a cross.

Sometimes even 'gay rights' supporters can be embarrassed by what is done in the name of 'gay rights'. Liberal journalists and even activists such as Peter Tatchell publicly defended the right of Joe and Helen Roberts to hold to their beliefs without being quizzed by the police for criticising 'gay rights'.

The successful outcome of the Joe and Helen Roberts case led to an email of congratulations from the head of the National Secular Society. Not for one moment do I think they share Joe and Helen's views but they did share their concern at being visited by the police for expressing a point of view.

When we were in the thick of the Joe and Helen Roberts case, some Christians wondered whether it was

worth the risk. There is no doubt that launching a legal action of that size carries a substantial financial risk. In any legal action it is normally the case that if you lose you pay your own costs plus those of the other side, in this case the police and the council. If the Roberts case had gone to court, we believe we would have won. But if we had lost, we would have been looking at a bill of £160,000. Nevertheless The Christian Institute's Trustees believed it was the right thing to do. At the end of the day, an elderly Christian couple had been questioned by police in their own home for over an hour because they expressed their religious beliefs on sexual ethics to their local council. We could not let that go unchallenged. The police and the council had to know that such actions are not acceptable in a free society.

I am glad that we supported the Roberts case. The out-of-court settlement means not only justice for the Roberts but it makes Christians, everywhere, safer. Police forces and public bodies throughout Britain will have taken notice of the case. Lancashire Police and Wyre Borough Council have both changed their practices to avoid similar incidents happening again. That wouldn't have happened without the Roberts' courageous stand. So was it worth it? Absolutely.

There are clearly going to be many cases ahead raising issues of national importance for religious liberty. The Christian Institute has set up a Legal Defence Fund to help pay the legal costs on such cases.

The fund has attracted a huge response from our supporters. In early January five members of staff were involved each day in opening the post and dealing with donations. All of this is a tremendous encouragement to us. It is also humbling to know that we have the trust of our supporters and the responsibility to use this fund to protect Gospel freedom.

We praise God that our initial target of £200,000 has been raised. Of this amount £50,000 has been given for our judicial review of the Northern Ireland Sexual Orientation Regulations. Supporters in the Province will be kept informed about the case. There has already been one victory from the judicial review. The Government was considering applying the new 'harassment' law contained in the Northern Ireland regulations to the rest of the UK. This idea has now been abandoned thanks to pressure on the Government from the court case.

The Legal Defence Fund is currently helping two social workers who are in difficulties at work because of their clear Christian stand. These cases are on-going. Another case has been resolved very successfully: Carlisle City Council stopped street evangelists working with Open Air Mission from giving out tracts without the council's prior agreement. We advised the Mission that the council were acting unlawfully. The council has now backed down and been forced to apologise.

Taking a stand involves courage. It involves commitment. And the indications are that many more Christians now see the need to take such a stand.

Courageous couple win free speech

■ By Dave Greatorex

Police have apologised to a Christian couple after interrogating them for complaining about their local council's 'gay rights' policy.

In an out-of-court settlement Lancashire Police admitted they should have investigated the matter further before deciding to send two police officers to the home of Joe and Helen Roberts in December 2005.

In addition, Wyre Borough Council admitted they should not have allowed a council officer to report the matter to the police without authorisation from a senior council official.

Both the police and the council have changed their procedures to ensure such incidents cannot happen again. They have also paid £10,000 in compensation to the Roberts. The couple have donated the money to The Christian Institute.

The Institute backed a legal action launched by the Roberts against the police and the council. A trial at the High Court was just three weeks away when the out-of-court settlement was reached.

The couple's victory came just over a year after they were interrogated by the police in their own home. Two uniformed officers visited the Roberts after being informed by the council that they had expressed 'homophobic' attitudes – despite the fact that there is no law against



Joe and Helen Roberts settled out of court after the police and the council admitted they were wrong

publicly expressing the view that homosexual practice is morally wrong.

The police now acknowledge that they would probably not have sent the officers if they had made further enquiries about the incident.

In bringing this case to a conclusion, the Lancashire

Constabulary displayed a very positive attitude. The police have made it clear that the door is open for further discussion about how they can improve their policy in this important area. This goes a long way to restoring the confidence of Christians in Lancashire as to how similar incidents will be dealt with in the future.

Throughout the year-long legal action, the Roberts' sole intention has been to protect free speech and religious liberty. They did not want other Christians to suffer as they had.

Statements of apology from the police and the council are available from our website (www.christian.org.uk).

Roberts case is rare, but not an isolated incident

Although a case like the Roberts' is rare, it is not an isolated incident. In December 2005 Lynette Burrows, an author and family-values campaigner, took part in a talk show about civil partnerships for homosexuals. Mrs Burrows said she did not believe that adoption by two gay men would be best for a child.

Subsequently, a policewoman telephoned

Mrs Burrows to speak to her about her comments. The police officer said a 'homophobic incident' had been reported against her and that a record of it would be kept by police. Mrs Burrows felt that the policewoman was pressurising her even though she had committed no crime.¹

In November 2003 the Bishop of Chester, the

Rt Rev Dr Peter Forster, was investigated by Cheshire Constabulary after he told his local newspaper that some homosexuals re-orientated to heterosexuality with the help of therapy. A complaint was made to the police that his remarks were a 'hate crime'. The police passed a file to the Crown Prosecution Service, who decided not to prosecute

because the Bishop had not broken any current laws.

In September 2006 Stephen Green, a Christian campaigner, was arrested for handing out evangelistic tracts at a gay pride festival in Cardiff. Police admitted that he had not behaved in a violent or aggressive manner, but confirmed that officers arrested him because the leaflets contained biblical quotes

about homosexuality.

Mr Green was held at a police station for four hours, questioned, charged and eventually committed for trial. The case against Mr Green was subsequently dropped by the Crown Prosecution Service.

See our website (www.christian.org.uk) for more information.

¹ *Daily Mail*, 12 December 2005

battle with police and council



Wider benefits of the Roberts' victory

The Roberts are an excellent example of what can be achieved by Christians standing up to defend their freedoms. Lancashire Police have altered their policies to recognise the right to free speech and the need not to stifle public debate. Wyre Borough Council have also changed their procedures so that a council officer can no longer unilaterally report incidents like the Roberts' to the police.

In its apology to the Roberts, Lancashire Constabulary said it would welcome the couple's input into further development of their policies. Lancashire Police have recognised that it is important to consult Christians in drawing up such documents.

None of these changes would have happened without the Roberts' clear and courageous public stand. The freedom of Christians throughout Britain has

been well-served by the Roberts' willingness to contend for their faith.

The benefits of the case are not limited to Lancashire. Publicity surrounding the case has made it clear throughout the nation that stating orthodox Christian views on homosexuality is not an offence and people are still free to air such beliefs in public. Police forces everywhere will know about the case and it will put pressure on all constabularies to avoid similar episodes.

We would like to see the good changes to Lancashire Police's policy on 'hate crimes' applied to the guidance issued by the

Association of Chief Police Officers (ACPO). The ACPO guidance is used by individual forces as a basis for their own policies.

Christians want to be able to help draft policies that will see real criminals prosecuted without infringing the rights of ordinary, law-abiding people to express sincerely held religious beliefs.

It is disappointing that the new Home Office guide on 'homophobic hate crime' only deals with 'gay rights' and ignores other considerations such as religious liberty and free speech. Many critics blame the over-emphasis on 'gay rights' for causing cases like the Roberts'. However, the Roberts' victory can be used to try to redress the balance.



Huge media coverage

There was wall-to-wall coverage in the broadcast media of the Roberts' victory. Joe and Helen Roberts featured on BBC One, Sky News, BBC News 24, Radio 4, and Radio Five Live. They also spoke to a host of reporters from the national and local press. Because of their courageous year-long stand they were able to speak to millions of people about their Christian faith and the importance of Gospel liberty. The wide-spread media coverage will also have had an impact on police forces across the nation, sending out a clear message that Christians will not back down when Gospel liberty is being threatened.

BBC ONE

BBC NEWS 24

SKY NEWS

BBC RADIO FIVE LIVE

Police chiefs should revise their policy on 'hate crime'

In cases like the Roberts' the police have clearly overreacted. An underlying problem is the Association of Chief Police Officers (ACPO) guidance on hate crime.

Although the ACPO guidance has no statutory force, it heavily influences the policy of police constabularies.

Under this guidance there is a concept of 'hate incidents' not just 'hate crimes'. 'Hate incidents' are defined as being, "any incident...which is perceived by the victim or any other person, as being motivated by prejudice or hate."¹ The emphasis is upon the perception of the victim, or somebody else, that the incident was motivated by prejudice or hate – even if it wasn't.

This subjective element is what is causing so many problems. People's freedom of expression

is restricted if they cannot state what they think on an issue such as homosexuality without being accused of 'homophobia'.

A distinguished constitutional lawyer has called the ACPO guidance, "pseudo-law... promulgated by the police and a group of civil servants."² Given that there have been several cases of Christians being investigated by the police for comments they made on homosexual practice, we believe the guidance should be changed to make it clear that religious people have the right to express their moral views.

¹ *Hate Crime: Delivering A Quality Service – Good Practice and Tactical Guidance*, Home Office Police Standards Unit and ACPO, March 2005, page 9, para 2.2.1

² Bennion, F A R, *New Police Law Abolishes the Reasonable Man (and Woman)*, January 2006 see <http://www.francisbennion.com>

Australian pastor wins 'religious hatred' appeal

■ By Jonathan Johnson

An Australian Christian pastor has had his 'religious hatred' conviction overturned on appeal.

In 2004 Daniel Scot was held to have broken the State of Victoria's Racial and Religious Tolerance Act because he criticised fundamentalist Islam.

But now Victoria's Supreme Court has overturned the conviction because of errors and misrepresentation made by the original trial judge. A retrial has been ordered.

The original prosecution was brought against Daniel Scot following comments he made about Islam in a church seminar in March 2002.

Throughout the seminar Pastor Scot spoke calmly and urged his audience to love Muslims. Shortly after the seminar the Islamic Council of Victoria filed a legal action against him.¹

Pastor Scot was found guilty of 'religious vilification'.² A court in the Australian state of Victoria held that he had 'incited hatred' of Muslims.

In June 2005 the court effectively banned him from any criticism of Islam in the future. Pastor Scot was also ordered to publish, at his own expense, an apology bearing his name but



Daniel Scot (pictured here with his wife, Mariat) has been acquitted of committing 'religious vilification'

written by the Islamic Council of Victoria.

Daniel Scot said he would not comply with the court's decision because he does not believe he did anything wrong. The penalty for his refusal could have been a prison sentence.

But three Supreme Court judges have now found that the original trial judge had made errors

in interpreting the law. Justice Nettle also lists about 18 separate instances in which the original trial judge misrepresented what Daniel Scot had said in his seminar.³

The conviction has now been set aside and Daniel Scot is again officially free to teach about Islam. The Islamic Council of Victoria has been ordered to pay half of Daniel's appeal costs. But Daniel Scot now

faces a retrial with a different judge.

¹ *The Times*, 9 November 2004

² *The Age*, 23 June 2005 (Australian newspaper affiliated with the *Sydney Morning Herald*)

³ *Catch the Fire Ministries Inc & Ors v Islamic Council of Victoria Inc* [2006]VSCA 284 (14 December 2006), see <http://www.austlii.edu.au/au/cases/vic/VSCA/2006/284.html> as at 12 January 2007; *Herald Sun*, 20 December 2006

Institute helps 'gay row' fireman win back his rank and pay

■ By Alasdair Armour

In June 2006 nine firemen in Glasgow were disciplined for refusing to participate in a gay pride festival to promote homosexual rights.

The firemen, five of whom are Roman Catholic, said they felt uncomfortable about going into that kind of environment wearing their uniforms, knowing that they would be subjected to harassment, cat-calls, inappropriate comments and insults to their religious beliefs.

In previous years the gay pride march has mocked Roman Catholics for their stance on homosexual practice. In addition, a gay bar was running a 'kiss a fireman' contest at the event where homosexuals were



Picture for illustrative purposes only

encouraged to kiss as many firemen as possible.¹

Before the march the firemen's employer, Strathclyde Fire and Rescue, sent an email to all firemen asking for volunteers to attend

the event "to promote equality and diversity for lesbians, gays, bisexuals and transgender persons".

However, when not a single fireman volunteered to attend the parade, the firemen of Red Watch at Cowcaddens fire station were ordered to go.

They refused to march with the parade. Instead they parked their fire engine in a nearby street and distributed the fire safety leaflets to the public.

Strathclyde Fire Service took disciplinary action. Brian Herbert, the Watch Manager of the unit, was demoted and suffered a £5,000 reduction in his salary. In addition Mr Herbert and his colleagues were ordered to undergo intense 'diversity' training.²

The Christian Institute paid for a barrister to advise Mr Herbert who appealed using internal disciplinary procedures. As a result, Mr Herbert has been successfully restored to his original salary and rank. However he and the other eight firemen remain under a 'final warning' from their employer.

If a public body such as a fire service is allowed to force its staff to promote 'gay rights', then it makes it almost impossible for Christians to work in such jobs. Thankfully not all fire services are as extreme as Strathclyde.

¹ *Sunday Herald*, 3 September 2006

² *Daily Mail*, 9 September 2006; *The Daily Telegraph*, 1 September 2006

Legal Defence Fund

What is it?

The Christian Institute has set up a Legal Defence Fund. The aim is to fund the costs of legal action and the associated campaign work in cases of national importance for religious liberty.

There are a growing number of cases where Christian freedom is being restricted by official bodies, often acting completely outside the law. Parliament and the courts have laid down many precious rights and freedoms in the UK. These freedoms need to be used. We want to use the Legal Defence Fund to protect Christian religious freedom and restrain those who are unlawfully harassing and discriminating against Christian believers.

We also want to use the fund to intervene in strategic court cases where precedents could be set which may affect Christian religious liberty.

Legal Defence Fund: ready for action

■ By Colin Hart

The Christian Institute is aware of numerous cases where the religious liberty of a Christian individual, a church, or a Christian organisation has been threatened. There have also been legislative proposals that jeopardise religious freedom.

In response to these threats, the Institute has run a number of court

cases to defend religious liberty. We have taken the Government to court. We have also defended people like the Roberts and Brian Herbert.

Before launching legal actions it is only right that we make sure we can pay our legal bills. With most cases that we run, the loser usually pays some of the other sides' legal costs. So we not only need to be sure we

can pay our own costs but we also need to make allowances in case we lose. This is a sensible precaution.

The Legal Defence Fund allows us to have a pool of money in place. This removes one of the obstacles to deciding whether or not to launch a legal action. There are many other factors that we consider before taking on a court case. We

don't take such decisions lightly. But knowing we have the funds to pay our legal bills is a major help.

We have been overwhelmed with the generosity of support to our Legal Defence Fund. If you would like to make a donation, please see our website (www.christian.org.uk) or telephone The Christian Institute on 0191 281 5664.

Is it right for Christians to use the courts?



■ By Alasdair Armour

Some Christians question whether it is right for a Christian to use the courts and take out legal actions to defend themselves or to uphold biblical truth. They ask, didn't Paul teach in 1 Corinthians 6 that it was wrong to use the courts? Doesn't Paul say it brings disrepute upon the church?

But this misunderstands the passage. In 1 Corinthians 6 Paul says it is wrong for Christians to use the law and the courts *against each other*.

He does not issue a blanket prohibition on all

litigation. Paul's main point is that disagreements between Christians should be sorted out within the church.

Nowhere in the passage does Paul suggest it is wrong for a Christian to defend himself legally against an aggressor, or to seek justice in the courts if he has been treated illegally.

Paul himself was not slow to use the law if he had been wronged and the law was on his side. In Acts 16 we read that Paul 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 claimed his rights and insisted they escort him out publicly. Paul used his legal rights 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. In fact, the Apostle Paul was prepared both to use and not to use his rights as a Roman citizen, depending on whichever option most benefited the Gospel.

There are many sensible laws in Britain which guard free speech and religious liberty. We should not be slow to make use of them for the benefit of the Gospel.



Welcome to Wilberforce House

The Christian Institute's offices are not only significantly cheaper than our previous rented premises, they are much larger and the internal layout has been designed to our precise specification. As an organisation we are now able to do more work, better. The information on these pages will give you an insight into some of the work we do in the various areas of Wilberforce House.

Powerful Publications

Our publications have gained a worthy reputation for clear design and reliable content.



Working on The Web

Our website (www.christian.org.uk) has over 800 pages of the latest news, video, audio, publications, and other resources. The site is managed from this room.

Future in Film



Our latest creative venture has been into video. We have already broadcast pieces about our new building and our campaign against Jerry Springer the Opera. We hope to be producing helpful productions on other issues.

Reliable Research

Our researchers work with great care to provide supporters, politicians and the media with information they can trust.

Rigorous Referencing

All the evidence we cite in publications is carefully scrutinised by staff and documented in comprehensive reference files.

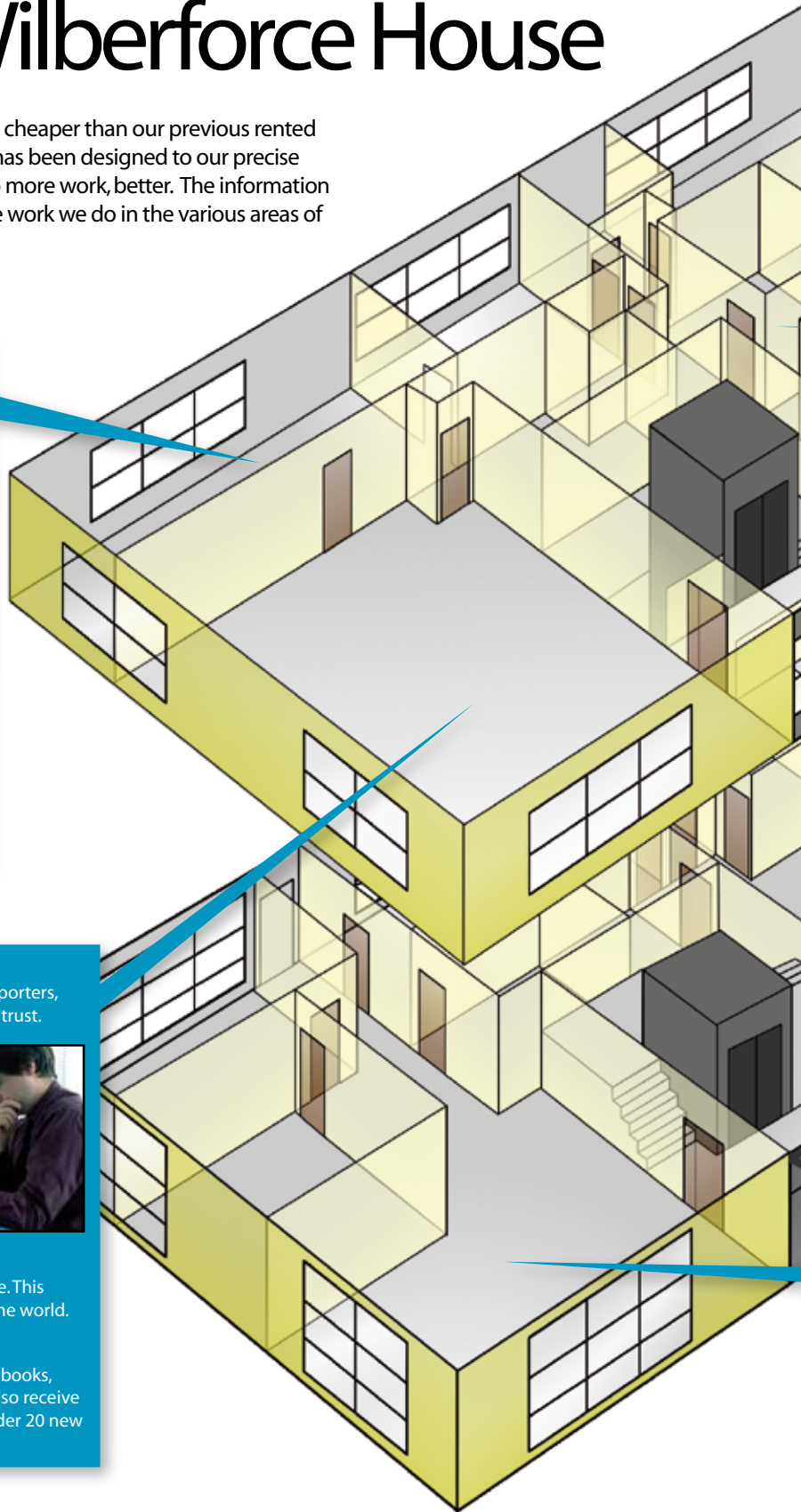


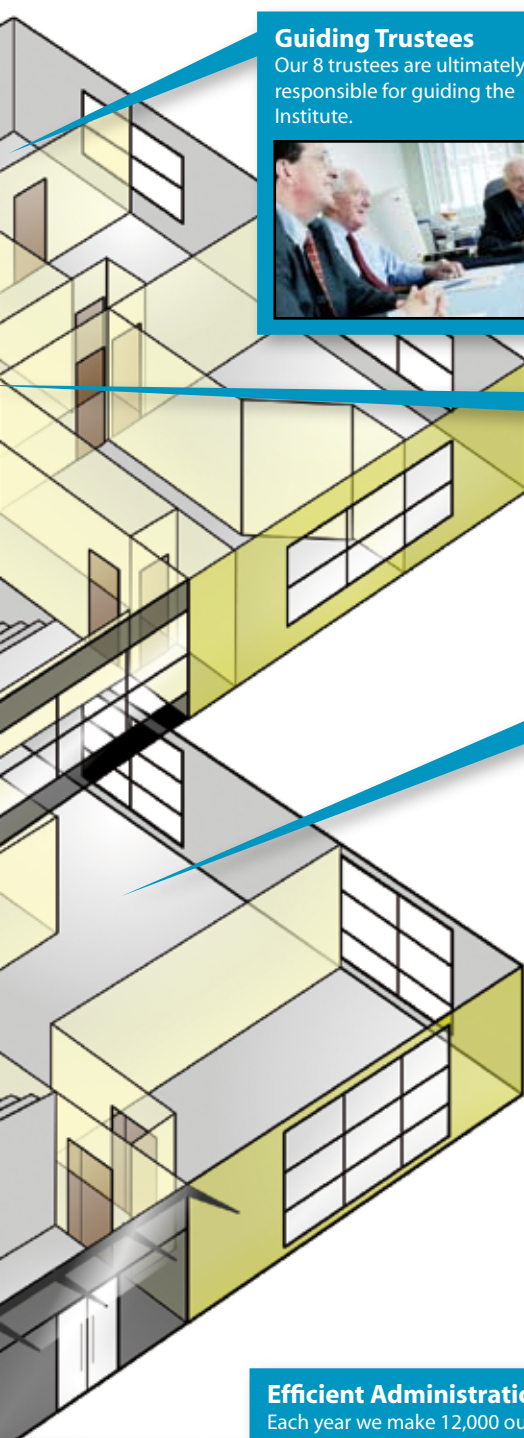
Powerful Media Database

We have access to the world's leading news database. This database covers 10,000 news sources from all over the world.

Specialist Library

Our library includes hundreds of Christian reference books, Bible commentaries and Parliamentary papers. We also receive 75-or-so regular journals and newsletters and we order 20 new research reports each month.





Guiding Trustees

Our 8 trustees are ultimately responsible for guiding the Institute.



Commenting in The Media

We are regularly asked to comment on issues by the media. We hope to equip this room with technology which will allow us to do studio-quality interviews with broadcast media without leaving the building.



Media Monitoring

We make cuttings from up to ten daily newspapers on at least 85 distinct categories resulting in some 3,500 separate files in our filing cabinets. We also monitor the news media throughout the day, every working day.



Efficient Administration

Each year we make 12,000 out-going telephone calls, process 11,000 items of incoming mail and donations and we receive over 25,000 emails. Our administration staff handle this workload, allowing other departments to focus on their various tasks.



A big thank you

■ By Colin Hart

We are very grateful indeed to our many generous supporters who have helped us to reach our target of £1.2 million for our Building Appeal.

On Saturday 14 October 2006, the day of our Thanksgiving Service for Wilberforce House, the amount raised reached this target. Our mortgage has now been repaid and this means that we now own our building outright.

God has greatly blessed The Christian Institute down the years and has done so again with an excellent new home. Our new building will greatly assist our ability to do our work.

None of this would have been possible without the generous gifts made by supporters to our Building Appeal over the course of five years.

Thousands of Christians supported the appeal. The average (mean) donation was £190. This is truly remarkable.

Wilberforce House, in God's providence, has been provided through the generosity of ordinary Christians and churches that recognise the importance of what we have done and what we will, God willing, do in the future. We are thankful to God for such people and for his wonderful provision.

Northern Ireland regulations will

Media coverage

On the evening of the House of Lords debate (9 January 2007) there was extensive media coverage of the problems caused by the Sexual Orientation Regulations. Many examples showing how the laws could interfere with religious liberty were being explained by journalists. There were live TV reports from outside parliament where 2,000 to 3,000 protestors had gathered. The Christian Institute was able to brief journalists about our judicial review of the regulations which meant that a defeat in the Lords would not be the end of the campaign. This was clearly reported by the BBC and the next morning's national press. It denied supporters of the regulations the opportunity to say that the Lords defeat was the end of the matter.

■ By Simon Calvert

New 'gay rights' laws which threaten religious liberty in Northern Ireland have been passed by Parliament. But the laws, which apply only to the Province, could yet be struck down by the High Court in March.

The Sexual Orientation Regulations came into force in Northern Ireland on 1 January. They ban discrimination against homosexuals in the provision of goods or services. Under the new laws Christians could be sued for acting according to their beliefs on sexual ethics (see page opposite).

The Government forced the regulations through Parliament. Scrutiny was limited to a single debate in each House.

The Commons debate on 17 January was relegated to a committee attended by fewer than 20 MPs. However, David Simpson MP gave a speech putting a strong case against the regulations, ably backed up by David Burrowes MP. The vote was 15 to 3 in support of the regulations.

As for the Lords, few will have missed the media coverage when they debated the regulations on 9 January. A number of Christians whose livelihoods are threatened by the new laws spoke out to explain how outlawing 'sexual orientation discrimination' in goods and services conflicts with their faith.



Over 2,000 gathered outside Parliament to oppose the regulations

The Christian Institute carefully briefed key peers in advance of the debate. Nine peers spoke against the regulations and six in favour. Lord Morrow, whose motion to annul the regulations triggered the debate, set out the issues and anticipated many of the opposing arguments. Lady O'Cathain, the Bishop of Southwell and the Earl Ferrers spoke well in support. Conservative spokesman Lord Glentoran gave a strong speech against the regulations but emphasised that Tory Peers could vote according to conscience.¹

Lord Smith of Finsbury and Lord Alli gave ill-informed speeches against Lord Morrow's motion. Labour and the Lib Dems required their Peers to vote against the motion so the vote was lost, 68 to

199. However we thank God the Christian case was well put.

Press coverage the following day highlighted that the fight is not over. The Northern Ireland regulations could be struck down by the courts. In December the High Court in Belfast granted leave to The Christian Institute and six other Christian bodies for a judicial review. This will examine whether public consultation for the regulations was inadequate and whether the regulations infringe religious liberty in breach of the Human Rights Act. We ask supporters to pray for the judicial review which is scheduled for 1 and 2 March.

¹ House of Lords, Hansard, 9 January 2007, cols 179-214

Gay adoption row shows how the regulations threaten religious liberty

■ By Humphrey Dobson

The Sexual Orientation regulations for England, Scotland and Wales have been given widespread media coverage over the impact of the laws on religious adoption agencies.

Despite the protests of the Roman Catholic Church, the Prime Minister announced that there will be no exemption for religious adoption agencies from the regulations.

Faith-based adoption agencies will be allowed to continue to refuse homosexual couples as adopters until the end of 2008, but

they will then be expected to comply with the new law.

The announcement about adoption agencies is deeply troubling. Secular values are being imposed by law against the conscientious objections of many people. It marked a very sad day for children in care. The Government has put its commitment to 'gay rights' ahead of what is best for children.

The Christian Institute believes that the general activities of a local church should be able to continue as normal, unaffected by the planned laws. But grave concerns surround the

impact of the regulations on organisations which receive state money to provide a service to the public, such as Christian old people's homes, as well as individuals in business and the school curriculum.

The Northern Ireland version of the laws not only raises these issues, but its dangers are amplified by the inclusion of a vague and far-reaching 'harassment' law. This could, for example, be used by an aggrieved pupil against a head teacher who expresses his Christian opposition to homosexual practice.

force 'gay rights' on Christians



Schools

A school could be sued if its sex education classes do not treat homosexuality as morally equivalent to heterosexuality. A legal action could be taken if a school refuses to teach in citizenship classes that homosexuality should be 'celebrated' as part of 'a diverse society'. Just the fear of such legal actions – whether or not they would succeed – is enough to make schools and education authorities back down to 'gay rights' demands.



Wedding photographers

A Christian wedding photographer could be sued if he refuses to take pictures of a civil partnership ceremony. Under the terms of the regulations he would be denying a service on grounds of sexual orientation. But to take pictures of a civil partnership would be to act against his religious beliefs. He would not be able to take advantage of exemptions which protect organised religion because his business is commercial in nature. He would be wide-open to a financially crippling lawsuit.



Conference centres

A Christian conference centre which refused a double-bed to a homosexual couple could also be sued under the regulations due to discrimination. Even if the centre restricts such rooms to married couples only, and also refuses unmarried heterosexual couples, this will still leave the problem of civil partnerships. Either the centre will be said to be indirectly discriminating because homosexuals cannot marry, or there will be demands for it to treat civil partnerships exactly like marriages. Whichever is the case, the operators of the centre will face an action for discrimination under the regulations if they stick to their principles. This argument also applies to old people's homes, hotels, guest houses and B&Bs run on a Christian basis.



Adoption agencies

Adoption agencies that refuse on principle to place children with homosexual couples will breach the discrimination provisions under the regulations. These agencies could be forced to close, particularly if an expensive legal action is mounted against them. This has already happened in Massachusetts in the United States, where at least one adoption agency that refused to put children in homes with gay couples has closed. In the UK the Roman Catholic Church, which runs several adoption agencies, fears its agencies face closure because of its refusal to place children with homosexual couples.

Scottish Parliament allows homosexual couples to adopt

■ By Mark Richardson

The demands of homosexual couples won out over the best interests of children in December when the Scottish Parliament voted to allow homosexual couples to adopt. Previously only married couples or single people could adopt.

The SNP MSP Roseanna Cunningham, who previously voted for the repeal of Section 28 and in favour of civil partnerships, tabled an amendment which would have prevented adoption by same-sex couples.

She spoke of society being poorer for the loss of the traditional family unit, declaring that all the evidence suggests that “children who grow up in an ‘intact, two-parent family’ with both biological parents do better”.¹

Sadly the debate took little account of this research, many MSPs preferring to discuss issues of ‘homophobia’ and equal rights.

Murdo Fraser, the deputy leader of the Conservatives and one of the few to support Roseanna Cunningham, said that people



Roseanna Cunningham MSP tried to stop it

who oppose homosexual adoption “are not homophobes, extremists or – as some would suggest – religious nutters. They have genuine concerns that should not be dismissed with name-calling and abuse.”²

Roseanna Cunningham’s amendment was defeated by 101 votes to 8, with one abstention.

An amendment to ensure faith-based agencies could refuse to approve homosexual

or unmarried couples for adoption was narrowly defeated by 58 to 55. An amendment which requires prospective adopters to be in ‘a stable family unit’ was passed, but it is doubted whether this will have great legal effect.

The changes to the law also mean that unmarried heterosexual couples can adopt. The Christian Institute opposed this change also.

Laws allowing homosexual couples and unmarried heterosexual couples to adopt were passed in England and Wales in 2002. It is thought the Scottish Executive delayed following suit by four years because of the Clause 28 controversy, which shows the restraining effect that Christian campaigning can have.

On 26 January the Government announced it intends to press ahead with the same change to adoption law for Northern Ireland.

¹ Scottish Parliament, Official Report, 7 December 2006, col. 30134

² Scottish Parliament, Official Report, 7 December 2006, col. 30142

Religious groups must show ‘public benefit’ to become charities

■ By Mark Richardson

Changes to charities law have caused concern that Christian organisations could find it increasingly difficult to obtain charitable status.

The new Charities Act 2006 removes the long-held presumption that religious groups are for the ‘public benefit’. In the future a religious group will have to demonstrate to the Charity Commission that it is for the ‘public benefit’.

The Government has said it does not believe Christian organisations will face difficulties. However, at the time of writing, guidance from the Charity Commission has not yet been published.

The Charity Commission has indicated that ‘public benefit’ will be assessed in the light of “modern conditions”.¹ Critics fear that Christian organisations involved in cross-cultural evangelism or those which espouse traditional Christian ethics might struggle to obtain charitable status.

Ann Widdecombe MP tabled an amendment to the Charities Bill to retain the presumption for religious charities. During the debate in the House of Commons,



Ann Widdecombe MP expressed alarm that religious groups would be judged in the light of “modern society”

Miss Widdecombe said that the presumption of the ‘public benefit’ of religious groups had served the country well, and expressed alarm at judging these groups in the light of “modern society”.²

Although a strong whip by both Labour and the Liberal Democrats defeated the amendment, the debate gave rise to some useful assurances from Government ministers which will be valuable in the pursuit of fair guidance from the Charity Commission.

In the debate the Government minister promised that the changes in charity law are “not intended to lead to a narrowing down of the range of religious activities that are considered charitable.” The minister also clearly stated that an organisation would not be rejected because of its views on sexual morality.

Andrew Selous MP also obtained assurances from the Government that an evangelising charity would remain acceptable.

Although the amendment was defeated, it was supported by 163 MPs. This impressive level of support, together with the statements made by Government ministers, will be helpful as Christian groups apply for charitable status under the new law.

¹ *Public Benefit - the Charity Commission's Approach*, Charity Commission, January 2005, paras 15 and 24

² House of Commons, Hansard, 25 October 2006, cols 1582-1615

New book on the morning-after pill

■ By Humphrey Dobson

The Christian Institute is delighted to announce the publication of its latest book – *The morning-after pill: Uncovering the truth*, written by experienced Christian medical ethicist John Ling.

John Ling surveys medicine and biology, uncovering how the morning-after pill (MAP) works. He analyses statistics, the law and political debate to reveal the MAP's influence on society. Part two of the book sets out the Bible's teaching on the sanctity of life from conception and demolishes alternative philosophical arguments.

This book comes at a crucial time. The MAP is being promoted as never before. It is a key part of the Government's strategy to reduce teenage pregnancy and the British Pregnancy Advisory Service is even urging women to keep the MAP alongside plasters and paracetamol in the bathroom.¹

But as John Ling shows the MAP has deeply harmful affects. It clearly acts to destroy human embryos and promotes promiscuity. Studies show it is linked with increasing levels of sexually transmitted infections.

This is a comprehensive but plain-speaking book. We pray that it will awaken many people and stir them to action.

A free copy of *The morning-after pill: Uncovering the truth* is available from The Christian Institute. Telephone 0191 281 5664 for more information.

¹ *The Daily Telegraph*, 14 December 2006



Sisters may lose their home to pay the tax man; if they were lesbians they could keep the house

■ By Mark Richardson

The European Court of Human Rights has rejected the appeal of two sisters to be given equal status to a civil partnership.

The decision means that if one sister dies the other will have to sell their home of 40 years to pay the inheritance tax bill. If they were lesbians there would be no problem.

Civil partners have been given equal tax status to married couples, and in particular are exempt from paying inheritance tax if one of them dies. The refusal to extend this equality to sisters who live together gives the lie to the Government's claim that the aim of the Civil Partnership Act was to remedy injustice.

The sisters' legal representatives appealed to statements made during the progress of the Civil Partnership Bill through the House of Lords to support their case.¹ Lady O'Cathain successfully amended the Bill to allow two close family members to take advantage of the scheme.



Joy and Sybil Burden have lived together in the same house for 40 years

But the Government opposed the amendment and it was stripped out in the Commons on the grounds that it was not appropriate legislation for siblings. In the final Lords debate, Lady O'Cathain attempted to amend the Bill a second time so that close family members could benefit.

When the subsequent amendment was defeated in the Lords by a Labour and Lib Dem three line whip, it was obvious that the Government's intention was to promote homosexual relationships.

Joy and Sybil Burden have lived together in their house since they designed and had it built 40 years

ago.² Although it cost only £7,000 at the time, when one of them dies the other will be liable to pay £185,000 in inheritance tax. If the Civil Partnership Act applied to them they would be exempt from paying this.

The European Court of Human Rights rejected the Burdens' appeal by the narrowest possible margin of 4 to 3.³ This ruling accepts the right of individual countries to set their own conditions for inheritance taxation.

¹ *The Daily Telegraph*, 13 September 2006

² *Newsquest Media Group Newspapers*, 19 December 2006

³ *The Times*, 19 January 2007

Ofcom relaxes rules for on-air fund raising

■ By Jonathan Johnson

The broadcasting regulator, Ofcom, has removed the ban on television channels appealing for donations to help fund programmes and services. The Christian Institute supported this proposal because the restrictions hindered good quality Christian broadcasting.

Before the change the Ofcom Broadcasting Code prohibited television channels from broadcasting "appeals for donations to make programmes or to fund their services." However, this restriction did not apply to radio broadcasters.¹ The ban has now been lifted for all television broadcasters.

Necessary safeguards are provided to ensure transparency and accountability, to protect

vulnerable viewers, and to maintain editorial independence. These rules apply equally to television and radio broadcasters.²

Other restrictions against religious broadcasting remain. Under current laws religious groups are deemed 'unfit' to hold many types of broadcasting licence. But allowing broadcasters to appeal for funds for programmes

and services will help to ease the unwarranted burden of regulation.

¹ *The Ofcom Broadcasting Code*, Office of Communications, May 2005, page 57, paras 10.15 and 10.16

² *Broadcast Appeals for Donations to Make Programmes or Fund Services: Statement Following Consultation*, Office of Communications, December 2006, page 12, para. 3.33 and pages 15-16



Smacking: constant calls for a ban must be resisted

■ By Chris Prest

Campaigners continue to press for an outright ban on smacking. The Children's Commissioner for England, Professor Sir Al Aynsley-Green, says parents must not be allowed to smack.

He has prepared a dossier to be presented to the United Nations later this year arguing that existing laws fail to protect children from harm. He maintains that parents who smack their children are abusing their human rights and that children should have the same right to protection under the law on common assault as that afforded to adults. He is supported by the Children's Commissioners for Scotland, Wales and Northern Ireland.

Supporters of a ban often claim that smacking breaches a UN convention on children's rights. A leading children's charity, NCH Scotland, is urging the Scottish Parliament to support a ban because, says the charity, smacking discriminates against children. The charity claims that under Article 2 of the UN Convention on the Rights of the Child, children's rights are to be protected against discrimination. They think it is wrong that adults can be prosecuted for assaulting adults but not for smacking their children.¹



If there was a smacking ban ordinary loving parents could face prison

However, smacking a child is not like assaulting an adult. And despite the repeated calls for a ban, the public remain opposed to such a move. The Government's own survey found that 88% of the public believed it was sometimes necessary to smack a naughty child.²

The Prime Minister, Tony Blair, admitted in an interview last year that he had smacked both his elder sons. He said, "I think everybody knows the difference between smacking a kid and abusing a child".³ The Bible teaches that parents, and not the state, have

a God-given authority over their children. Christians believe that discipline is part of love and the benefits last a life-time, and that smacking is one means which most parents choose to discipline their children.

It is important that we continue to speak out against calls to criminalise parents for loving their children enough to give them an occasional smack.

¹ BBC News Online, 26 September 2006
² Protecting Children, Supporting Parents: A Consultation Document on the Physical Punishment of Children, Department of Health, 2000, pages 20-21
³ Daily Telegraph, 28 November 2006

False arguments against smacking

■ "Hitting people is wrong – children are people too"

"Hitting" is a deliberately emotive and misleading word. Where smacking is used the intention is to train children how to behave and to equip them for adult life.

■ "Children should have the same protection as adults"

For obvious reasons children are not allowed to drive, marry or own a firearms licence. No-one claims 'inequality' on these issues and it is ridiculous to apply this argument to smacking. Smacking is specific to children as they are dependent upon their parents and need to be taught right from wrong.

■ "If smacking works, why do you have to keep doing it?"

This is like saying if school works, why do children have to keep going? The same argument could be used against any parenting technique or any law which is broken on a single occasion.

■ "Smacking escalates to child abuse"

Most parents who smack their children are not child abusers. The overwhelming proportion of parents know what is reasonable. Evidence from Sweden shows banning smacking actually increased child abuse.

■ "Smacking teaches children to be violent"

The majority of people were smacked themselves as children, and are now law-abiding citizens, not violent abusers.

What the law says:

Despite impressions given to the contrary it is perfectly legal for parents to smack their children. The current legislation is as follows:

England, Wales and Northern Ireland

Under Section 58 of the Children Act 2004 smacking is allowed as long as it does not cause visible harm such as bruising, grazes, scratches, cuts, swellings or prolonged reddening of the skin. Offending parents can be prosecuted for actual bodily harm and face up to five years in jail. The Government intends to review Section 58 during 2007. The same law was applied to Northern Ireland under The Law Reform (Miscellaneous Provisions) (Northern Ireland) Order 2006.

Scotland

Section 51 of the Criminal Justice (Scotland) Act 2003 continues to allow the defence of "reasonable chastisement". However it specifically bans all blows to the head, all shaking, and all use of implements. In respect of the incidents involving shaking or implements the Procurators Fiscal and the courts are barred from considering whether there was actually any harm or threat of harm to the child.

Scotland gets tough on prostitution while England considers legalising 'mini-brothels'

■ By Jonathan Johnson

Scotland is set to toughen its law on prostitution, the Scottish Executive has announced.

The Executive wants to introduce new offences to outlaw 'kerb-crawling'. The Prostitution (Public Places) (Scotland) Bill will also be amended to close a loophole which the police could have used to introduce 'management zones' where they would have turned a blind eye to prostitution.

These changes will go a long way to meet the criticisms levelled at the Bill when it was first introduced.

The Bill originally allowed loitering in a car – which would have allowed kerb-crawling. For general loitering and soliciting the Bill also introduced a test of being likely to cause alarm, offence or nuisance. This could have allowed the police to set up management zones in areas where it was considered this test was not met.¹

But now the loitering offence will be extended to close the kerb-crawling loophole. The alarm, offence or nuisance test will also be



First Minister, Jack McConnell. The Scottish Executive is toughening the law on prostitution.

removed from the Bill.²

Sadly the approach taken by the Westminster Government for England and Wales is much weaker.

Following a consultation in 2004, the Government has ruled out legalised 'tolerance zones' but intends to consult again on allowing 'mini-brothels'.³

Evidence shows that legalised brothels escalate rather than 'control' prostitution. In the four

years following the legalisation of brothels in Sydney, Australia, the number of brothels more than tripled.⁴ Legal brothels do not reduce the problem of street prostitution,⁵ but have been linked to high levels of child abuse through prostitution and increased trafficking of women.⁶

¹ Stage 1 Report on the Prostitution (Public Places) (Scotland) Bill, Scottish Parliament Local Government and Transport

Committee, January 2007, SP Paper 711, paras 2, 7

² Scottish Parliament, Official Report, 17 January 2007, cols 31131-31133

³ *The Guardian*, 14 December 2006; House of Commons, Hansard, 18 January 2007, col. 1289 wa

⁴ *The Sydney Morning Herald*, 31 August 1999

⁵ *The Age*, 2 March 1999 (Australian newspaper affiliated with the *Sydney Morning Herald*)

⁶ *Paying the Price: A Consultation Paper on Prostitution*, Home Office, July 2004, page 85, para. 9.19

Northern Ireland consultation on legalising teenage sex

■ By Callum Webster

The Government has unveiled plans to liberalise the sexual offences laws in Northern Ireland. A public consultation document revealed measures which include allowing 13-year-olds to have sex with older teenagers, legalising mini-brothels, and weakening the laws that ban sex in public toilets.

The document proposed to drop the age of consent for heterosexual and homosexual acts from 17 to 16, and to allow older



NI Secretary, Peter Hain

teenagers to have sex with children aged 13 or above, providing that both persons

consent and there is no more than a 3-year age gap between them.¹ This means that an 18-year-old man could have sex with a 15-year-old girl, or a 16-year-old male could commit buggery on a 13-year-old boy.

Effectively abolishing the age of consent laws between teenagers is particularly serious in view of Home Office research which shows that adolescents commit up to a third of all sex offences and that many of them will offend against children.²

The consultation recommended that 'mini-brothels' of up to 3 prostitutes be legalised.³ But this would escalate the problem of prostitution, not diminish it.

It was also proposed that sexual activity in public toilets should no longer be categorised as a sexual offence, but rather as a public order or nuisance offence.⁴ This would be a weakening of the existing law.

Sex in public toilets is particularly a homosexual phenomenon and

homosexual lobby groups have been pressing for the law to be liberalised.

¹ *Reforming the Law on Sexual Offences in Northern Ireland: A Consultative Document, Volume 2*, Northern Ireland Office, July 2006, page 39, para. 3.7.13; page 46, paras 3.7.39 and 3.7.40

² Grubin, D, *Sex Offending Against Children: Understanding the Risk*, Home Office, 1998, page v

³ *Reforming the Law on Sexual Offences in Northern Ireland: A Consultative Document, Volume 2*, Op cit, page 78, para. 8.6.16

⁴ *Ibid*, page 75, para. 8.5.11

Doctors warn of explosion in problem gambling

■ By Chris Prest

Doctors and addiction experts have warned of an explosion in problem gambling when new gaming laws come into effect in September. The planned changes include allowing casinos to advertise on television for the first time.

The British Medical Association has said the NHS should be made ready to cope with an increase in gambling addicts and that gambling should be recognised as an addiction similar to smoking and alcoholism.¹

Also Professor Jim Orford, an addiction expert at Birmingham University, believes that up to a million people could become addicted to internet gambling alone. This, he said, begins to put it on a par with drug addiction.²

According to figures compiled for a recent BBC *Panorama* programme, an average of 5.8 million people, many of them teenagers, visited online gambling sites between April and September last year. That is one in ten of the UK population, and six times higher than the Government states.³

Particular concern is being expressed for children in the light of the planned increase in 'Category D'



Culture Secretary, Tessa Jowell, is the minister responsible for the massive deregulation of gambling laws

slot machines which take 10p stakes and pay up to a £5 jackpot. These have been described by Professor Mark Griffiths of Nottingham Trent University as the first step on the road to addiction and a nightmare world of debt, drugs and crime.⁴ His research also showed that 9% of 11 to 15 year olds had gambled on the internet.

Internet gambling has now been effectively banned in the United States as a result of Congress

passing the Unlawful Internet Gambling Enforcement Act 2006. It prohibits the use of US credit cards, cheques and electronic fund transfers in foreign online gambling. An American study found that three quarters of gamblers who use internet sites were problem gamblers.⁵ Australia banned all domestic online gambling sites in 2001 to stop the spread of problem gambling.

But the Government here

wants to make Britain the centre of the internet gambling industry by allowing internet gambling companies currently operating offshore to be based in and operate from this country.

¹ *Daily Telegraph*, 16 January 2007

² *Daily Telegraph*, 24 November 2006

³ BBC, Press Release, *Panorama Reveals the UK's 5.8 Million Online Gamblers*, 23 November 2006

⁴ *Daily Mail*, 7 November 2006

⁵ *Daily Telegraph*, 24 November 2006

Magistrates slam softer cannabis laws

■ By Alasdair Armour

Magistrates have called on the Government to reverse its decision to weaken the law on cannabis. They say children as young as 12 are coming before the courts for offences committed to pay for the drug.

At its annual general meeting the Magistrates Association voted overwhelmingly in favour of the motion which says downgrading the cannabis law had sent "the wrong messages to young people and led to greater use of the drug to the detriment of young people."¹

One magistrate said, "Children – and that's what they are – as young as 12, 13 and 14 are coming before us

for offences of theft and robbery, which they admit are to raise money to feed their cannabis habit."²

Official Government figures show that cannabis crime has soared since the drug was downgraded to a 'class C' drug in January 2004.³ Critics of the Government's approach also fear that greater use of cannabis will inevitably lead to greater use of harder drugs.

The number of people killed by drug overdoses surged by almost 15% in the year following reclassification. An internal Downing Street report admitted that people using cannabis had graduated to harder drugs.⁴

Under the current policy, most

cannabis users caught by the police are not arrested. Instead they receive a verbal caution and have the drug confiscated. This has led to the widespread belief, particularly amongst young people, that cannabis use is legal.

Cannabis has also been shown to damage mental health. A comprehensive review of studies conducted over the past four decades found that using cannabis makes a person three times more likely to develop schizophrenia or a related mental illness.⁵

¹ *Daily Express*, 24 November 2006

² *The Times*, 24 November 2006

³ *Daily Mail*, 24 November 2006

⁴ *Daily Mail*, 31 August 2006

⁵ Semple D M, McIntosh A M and Lawrie S M, 'Cannabis as a Risk Factor for Psychosis: Systematic Review', *Journal of Psychopharmacology*, 19(2), 2005, pages 187-194

