

**SUMMARY
LEAFLET**

THE
CHRISTIAN
INSTITUTE

CHRISTIAN INFLUENCE IN A SECULAR WORLD

Squeezing churches into a secular mould

How planned government employment
laws threaten religious liberty



Introduction

Under government proposals it will become illegal to dismiss a member of church staff who becomes a practising homosexual or an atheist. These draconian laws restrict the right of churches to employ Christian staff. This has never happened before. These new laws squeeze churches into a secular mould.

The Government has decided to end the freedom for churches and Christian organisations to employ only Christian staff. (Church ministers will not be affected because the law does not currently regard them as employed).

In 2000 the Government agreed to an EU directive which prohibits discrimination in employment on the grounds of religion, belief or sexual orientation. The Government has decided to apply the directive to churches without the full range of protections and safeguards permitted in the EU legislation.

There are three major areas of concern where religious liberties are under threat:

- (a) Religion or belief;
- (b) Sexual orientation; and
- (c) Harassment.

Religion or belief

Currently, churches and other religious organisations have complete freedom to employ only practising believers. However, this is about to change. Under the draft regulations:

- A religious employer cannot dismiss any employee on the basis of religion or belief. There are no exceptions.
Example: A church employs a full time youth evangelist. The evangelist loses his faith and becomes an atheist. The church dismisses the evangelist who then goes to an employment tribunal alleging discrimination on the grounds of belief.
Example: A Church of England church employs a Christian to work as a verger. The verger becomes a Satanist. The Parochial Church Council (PCC) want to dismiss the verger but does not have the funds to pay a compensation claim for unfair dismissal.
Example: A Labour Party MP employs a researcher who later joins the Liberal Democrats. The MP dismisses the researcher because of his beliefs. He can do this because the government regulations make a special exception for politics.
- A religious employer can only appoint a practising believer where there is a 'legitimate requirement' to do so. For the first time churches have to justify these decisions to a secular court.
Example: A church advertises for a "committed Christian" to work as the minister's secretary. An ardent atheist or a Muslim who has many years secretarial experience would be able to take a church which refused to employ them as a secretary to an employment tribunal. If the duties of the secretary clearly included spiritual matters (such as giving Christian advice to telephone callers or preparing a prayer diary) the church could put up a defence.

Sexual orientation

Christians believe that all sexual activity outside marriage is morally wrong. To be tempted is not wrong, but immoral conduct is. However, the draft regulations make no distinction between temptation and conduct. Under the draft regulations:

- A religious employer cannot deny a person a job because of their sexual orientation. There are no exceptions.
Example: A Baptist church advertises for an administrator. A man who regularly attends a Baptist church applies, but during the interview it comes to light that he is a practising homosexual. He then takes legal action when told that his application will not be considered. He argues that he is being discriminated against because of his sexual orientation. Even though homosexual practice is incompatible with the Bible, the church loses the case.
- A religious employer cannot dismiss any employee on the basis of sexual orientation. There are no exceptions.
Example: An evangelical youth organisation recruits a full-time worker. The worker becomes a practising bisexual. The organisation knows that if it dismisses the worker it could face an expensive compensation order.

Harassment

- Under the draft regulations an employee can also sue an employer for harassment. Alarming, what constitutes ‘harassment’ is effectively defined by the employee. This will compound the problems already created in the draft regulations.
Example: A church pastoral worker becomes a practising lesbian. She keeps her job after threatening to go to an employment tribunal if the church dismisses her. Other staff quietly reason with her and encourage her to turn back to Christ. She claims the comments about her way of life “create a hostile and intimidating environment”. She sues for harassment.

In a nutshell:

The Government wants to treat churches as if they were secular organisations. Appointing Christian staff is now made much more difficult. Dismissing staff for renouncing their faith becomes illegal. It is vitally important that Christians oppose these plans.

Christian organisations would have no difficulty employing faithful *celibate* believers who may experience same-sex attraction. This has been explained to government officials, but they have failed to accept this crucial distinction. Under government plans, discriminating against *practising* homosexuals either in appointment or dismissal is made absolutely illegal.

It is outrageous that political parties *will be permitted* to protect their ethos. Political parties will be able to dismiss people for changing their political beliefs, but under government plans churches cannot dismiss staff for abandoning their Christian faith.

What you can do:

Please prepare to take action:

In January 2003 The Christian Institute will be asking Christians to oppose government plans for new employment laws.

It is vitally important that Christians understand the crucial issues involved which will profoundly restrict religious freedom.

Please pray for:

- The Christian Institute as we co-ordinate opposition to the new employment laws. Please pray that we present the issues very clearly.
- The Government and civil servants – that they will change their minds and allow churches and Christian organisations to continue to employ Christian staff.
- MPs and Peers to get a clear message that there is great opposition to the plans.
- The media (particularly the BBC) to report the issues fairly.
- The media to expose the inconsistency in the Government's approach which clamps down on churches whilst leaving political parties free to dismiss people who change their political beliefs.



Order the full booklet:

This leaflet is a summary of a fuller briefing, *Squeezing churches into a secular mould*, to be published in January 2003.

For further information please telephone
The Christian Institute **0191 281 5664**.