

## Why Christians should be concerned

### Undermining the God-given role of parents

The Scottish Government's Named Person scheme is due to come fully into force by August 2016. State officials will have the job of monitoring children's 'wellbeing', which has been described in guidance as being another word for happiness. Officials can interfere on very broad grounds.<sup>1</sup>

Using such a subjective threshold for intervention will lead to authorities getting wrongly



involved in family life. The Government is rightly concerned about child protection and, of course, the authorities have a

proper role. But a universal scheme is fatally flawed.

The Bible teaches that the family unit is precious in the sight of

God and that he grants a natural authority to parents to raise their children. Any law which threatens to undermine this is of great concern and must be strongly resisted if Christian parents are to be able to fulfil their God-given responsibilities.

This briefing seeks to set out the biblical principles at stake and consider some of the potential consequences of the scheme going ahead.

### The scope of named person data collection: Family finances and contraceptive choices

In October 2015, the Scottish Government published a handbook for health visitors, setting out the schedule for their visits to pre-school children.<sup>2</sup> This is the clearest account so far of the data which will be acquired and retained under the Named Person scheme.



The health visitor is expected to make eight visits in the first year after a child is born. Health visitors will make "routine" enquiries about domestic abuse and family finances. The health visitor handbook is also clear that detailed questions will be asked about family life, including contraceptive choices and "sun safety".

There are serious concerns about what

happens to this information once it is gathered.

Even where the questions are appropriate, it is far from clear that any consideration has been given to destroying this information when it is no longer relevant.

There is a danger that extremely private information could be on a database where it is still accessible by a child's named person years later, such as the headteacher when the child is at school.

# What is the clash with the Christian faith?

## 1 It is the job of parents to raise their children

The Bible speaks repeatedly about the special relationship between parents and their children, outlining the responsibilities of each to the other. The responsibility for the raising of children rests with parents. Parenthood is ordained by God and parents carry a God-given authority.

The fifth commandment says we are to



honour our father and mother (Exodus 20:12). This is a general principle applying to all parents and all children.

The Bible speaks of children being a gift of God to parents (Psalm 127:3). The family unit is precious in the sight of God. The profound seriousness of family responsibilities is made clear in 1 Timothy 5:8 – a believer who does not look after his immediate family has “denied the faith”. The significant influence grandparents can have is also clear in Scripture (e.g. 2 Timothy 1:5).

The Bible instructs parents to teach their children to love God (Deuteronomy 6:4-9). Weighty responsibilities are placed on Christian parents to train and raise their children (Ephesians 6:4). Children must obey their parents because “this is right” (Ephesians 6:1) and it “pleases the Lord” (Colossians 3:20). They should listen to their father’s instruction and not forsake their mother’s teaching (Proverbs 1:8).

Though Christian parents commend and model their faith to their children, ultimately they cannot make their children follow Christ.

## What is the role of parents under the scheme?

The Named Person scheme inevitably undermines the role of parents. By creating a direct relationship between a child and the State, and handing to state officials the same responsibilities that parents have, the Named Person scheme drives a coach and horses through the parent-child relationship.

This is something that unbelieving parents get alarmed about. For Christians it is completely contrary to a biblical understanding of parenthood. Christian parents will find it much more difficult to fulfil their God-given role if named persons countermand their decisions, undermine the faith of the home and keep them in the dark about their own children.

For example, the Scottish Government’s

own guidance on Conduct of Relationships, Sexual Health and Parenthood Education in Schools is abundantly clear that named persons will be given information that parents will not, and will have the power to act on the basis of this information without parental knowledge or consent. So if a child reveals they have had underage sex, teachers are told to inform the child’s named person if there is judged to be a risk to the child’s wellbeing. No reference is made to parents.

Challenged on a similar point in court, the Government’s lawyer confirmed that a named person would be informed if a young girl was found to be pregnant, but was uncertain about whether the child’s parents would be told.

## 2 The State is not a parent, but a safety net

Limiting State power to intervening only to protect vulnerable children at significant risk of harm is entirely consistent with the biblical responsibilities of parents. But the Named Person scheme permits intervention for trivial reasons.

Romans 13 and 1 Peter 2 tell us that those in authority are God's servants for our good, sent by him to punish the wrongdoer. Though the home has its own distinct sphere of authority, there is a proper point at which the State can intervene in cases of abuse or neglect.

### **Christians support the State in its proper role**

It was Christian campaigner Josephine Butler who succeeded in getting Parliament to introduce the legal power of the State to intervene where it was proved that parents were about to sell their children to sex traffickers. She also worked tirelessly over many years to raise the age of consent to 16, recognising this as an issue of child protection for the State.

The Criminal Law Amendment Act 1885, backed by Josephine, raised the age of consent to 16 and for the first time gave the State new powers to intervene in the family in Scotland and the rest of Britain. Where, for example, alcoholic parents sold or encouraged their child into



prostitution, a court was able to remove their parental responsibility and appoint a guardian.

### **The threshold should remain high**

In the Western legal tradition parents have the primary role in raising children, so historically the threshold for state intervention has been set very high. Parents are given enormous discretion in bringing up their children as they see fit.

This accords well with what Christians believe: parents, not the State, are ultimately answerable to God for the way in which they have fulfilled their responsibilities.

## What is the role of the State under the scheme?

The principle of a limited role for the State is a world away from the Named Person scheme. A Scottish Government-funded guide to the scheme originally said that state officials would "check every child has what they need to have a good life".<sup>3</sup> The job of the Named Person was clearly portrayed as making sure parents follow a Government-approved approach.

Though this leaflet was amended after being exposed in the media, it betrayed the thinking behind the Named Person scheme. Under the scheme, the State is overstepping its proper role.



### **The Easy Read GIRFEC guide stated:**

*"People who work with your child will check..."*

- *"Your child does activities they like to do";*
- *"Your child gets a say in things like how their room is decorated and what to watch on TV";*
- *"Your child can be part of a group like Scouts, Brownies or a football group if they want to".*

**References:** **1** *Scotland for Children: A Consultation on the Children and Young People Bill*, The Scottish Government, July 2012, pages 8 and 9, para. 6; **2** *Universal Health Visiting Pathway in Scotland: Pre-Birth to Pre-School*, The Scottish Government, October 2015, see <http://bit.ly/1ov4Wxj>, pages 4, 10, 22 and 41, as at 11 February 2016; **3** *An Easy Read guide to... getting it right for every child*, ENABLE Scotland, November 2014, see <http://bit.ly/1Q9N3KA> as at 11 February 2016; **4** 'Wellbeing', *The Scottish Government*, see <http://bit.ly/1Ke6lCz> as at 11 February 2016; **5** *The Scotsman online*, 16 January 2015, see <http://bit.ly/1OrDLM8> as at 12 February 2016; **6** *Express.co.uk*, 6 August 2013, see <http://bit.ly/20r3dVA> as at 12 February 2016; **7** *Express.co.uk*, 5 June 2014, see <http://bit.ly/1PPK4eH> as at 12 February 2016; **8** Scottish Parliament Education and Culture Committee, Official Report, 17 November 2015, col. 29; **9** Evangelical Alliance, Press Release, 16 February 2014, see <https://bit.ly/23ZpG0y> as at 12 February 2016; **10** *Holyrood*, 11 November 2015, see <http://bit.ly/1TV9h96> as at 12 February 2016; **11** *The Herald online*, 9 May 2015, see <http://bit.ly/1Ke7ycS> as at 12 February 2016; **12** *The Herald*, 12 February 2014; **13** The Law Society of Scotland's response to Children and Young People (Scotland) Bill, July 2013, page 3, see <http://bit.ly/1Q9OF74> as at 12 February 2016; **14** Faculty of Advocates, Submission to the Education and Culture Committee, August 2013, page 4, see <http://bit.ly/1lGocww> as at 12 February 2016; **15** *Express.co.uk*, 21 November 2015, see <http://bit.ly/1o3coiT> as at 12 February 2016

### 3 Scheme forces secular values on Christian families

The concept of 'wellbeing' is at the heart of the Named Person scheme. The eight indicators of wellbeing are: Safe, Healthy, Achieving, Nurtured, Active, Respected, Responsible and Included. There is nothing wrong with some of these indicators – who would object to children being safe or healthy? But the question is how these will be understood. Some of the indicators are so subjective and wide open to a variety of interpretations that they are effectively meaningless. A secular official's understanding of them could be very different to a Christian's.

#### Who defines what success is?

The scheme's goal for children is: "Best start in life: Ready to succeed".<sup>4</sup> This immediately begs the question: succeed against whose criteria? The Government's definition of 'success' can be at odds with the Christian faith. Christians want their children to come to know Christ,



and so they will teach them about him from the Bible. In raising them, they will seek to instil biblical values including hard work, honesty, diligence and consideration – values that are still also prized in society.

Yet under the Named Person scheme, a state official has an aim that is quite different to that of Christian parents. And to pursue that aim the state official has the power to undermine parents, such as by giving a child information against their parents' wishes. The named person is usurping the rightful, God-given parental role, and potentially taking the child in a direction completely at odds with the Christian faith.

Biblically, Christian parents are given the role to point their children to Christ. But under the Named Person scheme, an outsider is given the role of readying children for 'success' – in secular atheistic terms. Both the existence and the purpose of the interference could be directly contrary to Scripture.

### 4 Help should be prioritised for the genuinely needy

God is concerned for the vulnerable and needy. He is a "father to the fatherless, a defender of widows" (Psalm 68:5). Christians imitate their Heavenly Father in wanting to see the vulnerable protected and defended (Deuteronomy 14:29; Psalm 82:3; James 1:27). It is a clear principle in Scripture that help is to be prioritised for the genuinely needy (1 Timothy 5:3,16).

Scripture also clearly teaches that all of us will give an account of our stewardship of the resources we have been given. Governments are God's servants and are entitled to collect taxes (Romans 13:6). But there is also a responsibility for wise stewardship of resources.

#### How are resources targeted under the scheme?

Christians applying these principles should oppose the Named Person scheme. It is universal, so by definition fails to target resources at helping the vulnerable children

who need it. It will inevitably mean that resources are taken away from the needy in order to provide a service that is unnecessary for everybody else. Those genuinely in need will suffer because of this poor stewardship of resources. This has already started to happen with NHS Lothian saying it does not have the money to fund the scheme because of its other commitments.<sup>5</sup>

Police Scotland have also raised concerns about the focus not being kept on children at risk. And experience tells us that those children who are tragically abused have often long been known to the authorities. Children are not being kept safe even with the current allocation of resources, let alone spreading the resources even more thinly.



# Officials handed power to share personal data without consent

*Given the breadth of information named persons will gather – such as about family finances, contraception and suncream use – the disclosure of data that is already happening raises questions about who will be told what, and how it will be used.*

## What has already happened? *Indiscriminate data sharing*

- ▶ A child of Christian parents was referred to an educational psychologist for additional support to help with his dyslexia. The referral form completed by the named person added at the end, “Also attends Sunday school”.
- ▶ After asking for official notes on herself, a mother found that a nursery teacher and other professionals had recorded minor incidents in a way that portrayed her as an unfit parent. She feared her baby would be taken away.<sup>6</sup>
- ▶ A Christian couple were told their child’s private medical reports would be shared with their named person. They were sent a letter by NHS Forth Valley in which a paediatric consultant wrote: “We are now required to inform the named person for your child if your child fails to attend an appointment.” The letter also said: “In addition we may also send them copies of future relevant reports.”<sup>7</sup>

The Christian Institute is aware of other similar cases.

## What could happen? *Interference in the home*

The following examples were raised by The Christian Institute in the case against the Named Person scheme. Though he ruled against the judicial review, Lord Pentland agreed that these scenarios were not far-fetched:

- ▶ A talented 12-year-old boy plays football for his school team but regularly misses Sunday matches because his parents take him to church. The named person considers that this inhibits the boy’s wellbeing and speaks with the parents and the boy about it.
- ▶ The parents of a 13-year-old girl withdraw her from sex education because of concerns about the materials being used. Her named person hears about it and gives her exactly the same materials because he thinks it is necessary in order to safeguard her wellbeing.
- ▶ A 17-year-old girl is three months pregnant. She has decided that she wants to keep the baby, and her parents agree. However, her named person is concerned and advises the girl that having a child will prevent her fulfilling her academic potential.

## Find out what information is held about you: *make a Subject Access Request*

You have the right to know what personal information any public authority in Scotland holds about you. For more advice on Subject Access Requests, please see [ico.org.uk/for-the-public/personal-information](https://ico.org.uk/for-the-public/personal-information)

# Comments from national bodies

“ There is an issue with bureaucracy. The biggest issue that I hear mentioned as an absorber of headteacher time is the bureaucracy associated with the named person duties and GIRFEC **Association of Headteachers and Deputies in Scotland**<sup>8</sup>”



“ We remain unconvinced that the named person provision will make the difference intended **Scottish Association of Social Workers**<sup>11</sup>”



“ There are enormous civil liberties implications raised by these proposals that fundamentally endanger the rights of families in Scotland to a private and family life. We are deeply concerned that their approach will undermine the place of family **Evangelical Alliance Scotland**<sup>9</sup>”



“ Named person, in my view, is a red herring which will undermine trust and cause issues between families, schools or other professionals, divert resources from those families most in need, add to professionals' workload and lead to more families being drawn into the system unnecessarily **Scottish Parent Teacher Council**<sup>10</sup>”

“ The family is the fundamental unit of society. The concept of a named person diminishes the role of parents, with no obvious benefit for the most vulnerable in society **Church of Scotland's Church and Society Council**<sup>12</sup>”

“ It runs the risk of diverting services away from where they are needed most **Law Society of Scotland**<sup>13</sup>”

“ By making indiscriminate provision for possible interference in the lives of all children, rather than providing for focused intervention when the need arises, the Bill risks enshrining a structure that has the potential to be used to undermine families **Faculty of Advocates**<sup>14</sup>”

## Advisory board dismissed by Govt after raising concerns about named persons

Fears have been raised over the Scottish Government secretly shutting down an advisory body after an expression of concern about the Named Person scheme.<sup>15</sup>

The GIRFEC (Getting It Right For Every Child) Programme Board, set up to oversee the introduction of named persons, was shut down in September 2014. This was despite the

Board's paperwork indicating that it was planning to work until at least August 2016.

The minutes of the Board's May 2014 meeting show that the Police Scotland representative on the board "raised issues surrounding ensuring high-risk children remained a focus".

The Government then decided to 'wind up' the group.



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