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THE BULLETIN

News and Reports from the Social issues Team

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The Old Bank House, 17 Malpas Road, Newport, South Wales, NP20 5PA
Editor: Rod Badams (Tel: 01536 483440 Email: rodbadams@btinternet.com)

Why the family matters

Until relatively recently, it was taken for granted that the family matters. It was self-evident that children need both a mother and a father. It was generally accepted that marriage is much more than a piece of paper and that children fare better overall when they are brought up by parents who are committed to each other for life, as well as to their offspring. Very few people would have questioned the importance of marriage and stable family life for children, parents and communities.

However, this has all been called into question and challenged over the past four decades, as we have witnessed tremendous changes in the definition and structure of 'family':

- Marriage rates have declined rapidly over recent decades;[1]
- Until the 1960s, the proportion of births outside marriage hovered around five per cent. Since then it has risen steadily and in 2012 stood at 47.5 per cent;[2]
- 24 per cent of children are now being brought up by a lone parent, compared with just seven per cent in 1972;[3]
- Divorce rates are six times higher than they were in the early 1960s, but couples who cohabit are far more likely to break up than couples who are married, with one in five cohabiting parents splitting up before their child's third birthday compared with one in 17 married parents;[4]
- It has been estimated that family breakdown costs British taxpayers £46 billion per year.[5]

Yet according to the Shadow Deputy Prime Minister, Harriet Harman, higher rates of separation are a positive development, because it means couples have 'greater choice.' Although she accepts the research evidence which shows that having two parents produces the best outcomes for children, she still maintains that there is no 'ideal' parenting scenario.[6]

Writing in the *Independent* newspaper, the children's author Terence Blacker regarded low marriage rates and high divorce rates as 'a rare indication that we are growing up as a society and taking more care with our personal decisions.' He went on to suggest that 'It is time to admit that some marriages – most marriages, probably – have a natural life span' and proposed the introduction of marriage licences which are renewable every 10 years or so.[7]

An article published in the *Sunday Times* described the current situation in the following terms:

> *There are so many non-'normal' families, there is no normal any more… Family is now an elastic term, applicable to any number of permutations… Now there might be a mum and dad, two mums, two dads, no mum, no dad or multiple combinations of all the above. And what's more, they might all get together for Sunday lunch… Because just as old ties are being broken, new ones are being formed. For many, the old family model does not fit. But that does not mean that they're opting out of it entirely, they're merely reinventing it.*[8]

[1] Office for National Statistics, *Marriages in England and Wales (Provisional), 2012*, released 11 June 2014.
[2] Office for National Statistics, *Birth Summary Tables, England and Wales, 2012*, released 10 July 2013.
[3] Office for National Statistics, *Social Trends*, various years.
[4] Centre for Social Justice, *The state of the nation report: Fractured families*, December 2006.
[5] Relationships Foundation, *Counting the Cost of Family Failure: 2014 Update*, February 2014.
[6] Interview with Harriet Harman, in Anastasia de Waal, *Second Thoughts on the Family*, Civitas 2008.
[7] Terence Blacker, 'Is it so terrible that marriage is in decline?', *Independent*, 28 March 2008.
[8] Gemma Soames, 'It's all change on the traditional 2.4 kids front', *Sunday Times*, 12 October 2008.

Among many politicians and opinion formers, there has been a tendency to celebrate the diversity of family forms and a reluctance to suggest that any one is better than any other. One report from a government advisory group stated that:

> *It is essential that recognition is given to the rich diversity of family forms and patterns now found in the United Kingdom. Members of families, of whatever shape and size, need their own experience of family life to be both validated and enriched.*[9]

So reasons the fallible mind of mortal man.

But when we turn to the infallible word of the immortal God, we find something quite different.

1 The family was instituted by God

First and foremost, the family is a divine institution. On the very day that God made the first man from the dust of the ground and formed the first woman from one of his ribs, he also laid the foundations for the first family – a family which was firmly rooted in the union of that one man and one woman.

From the outset, God made it plain that the marriage of Adam and Eve was not a one-off event to get the ball rolling. Rather, it provided the pattern for future generations: *Therefore a man shall leave his father and mother and be joined to his wife, and they shall become one flesh* (Genesis 2:24).

The family, founded on marriage, was to be an enduring institution – a provision of God for every age. Contrary to the claims of many historical revisionists, it is not a social phenomenon which has evolved over time. Neither is it a living arrangement that people stumbled upon after centuries of experimentation and which seemed to work well at a particular point in history.

Right from the beginning, the family was central to God's plan for mankind. In the Garden of Eden, God did not establish a tribe, a nation, or even a church, but he formed the first family. The family is not an accident of history, but was created by God to be the basic unit of society. It is for that reason that family relationships specifically receive divine protection in at least two of the 10 Commandments. The fifth commandment protects the parent-child relationship, and the seventh commandment protects the husband-wife relationship. In addition, the 10th commandment places a further hedge around the marriage relationship when it prohibits coveting another man's wife.

2 The family can make or break a nation

There is a lot of truth in the old saying – 'As goes the family, so goes the nation.' When the family is in good shape overall in a nation, society will prosper, but when there is widespread disarray in families, there will be damaging consequences that will be felt throughout the land.

In Ephesians 6:1-3, the apostle Paul highlights the promise attached to the commandment that children should honour their parents – *that it may be well with you and you may live long on the earth.* Clearly, this promise is not a guarantee that each and every child who honours his or her parents will reach a ripe old age; neither does it necessarily imply a deficiency in filial regard on the part of anyone who dies relatively young.

[9] National Advisory Group for Continuing Education and Lifelong Learning, *Learning for the 21st Century*, November 1997. part 4, section 11.

It does, however, establish the principle that if children learn to obey their parents when they are young, they will develop self-discipline and self-control which will stand them in good stead in later life and may, indeed, prolong their lives.

There can be no doubt that communities and societies where families are functioning well are much better places to live. If children have not learned to respect their parents in the home, there is little hope that they will respect teachers, police officers, or any other authority figure.

As Brian Edwards has put it:

> *Long before a child thinks about murder, contemplates the passing pleasure of adultery, understands the apparent advantage of stealing, learns to lie or yearns for the possessions of others, it struggles to break free from parental discipline. That is always the first relationship to be trampled upon, and therefore the first one that a child must learn to value. From this commandment flows an attitude to a thousand people.*[10]

This is why the children's rights agenda is so pernicious and why the youth-oriented culture in which we live is so dangerous. In God's world, the voice of the child does not carry more weight than the voice of the parent. The family is not the smallest democracy, in which everyone has an equal say. God's world is a world of order in which there are authority structures.

The reason that children should obey their parents is not because parents are older, bigger, or more knowledgeable, but because it is right and pleasing to God. God has established parents as authority figures in the lives of their children and where family authority is respected as it should be, God has promised to grant his blessing.

3 The family is the primary means by which God's truth is passed down from generation to generation

The Bible is clear that it is the responsibility of believing parents to bring up their children in the ways of the Lord:

> *"Hear, O Israel: The LORD our God, the LORD is one! You shall love the LORD your God with all your heart, with all your soul, and with all your might. And these words which I command you today shall be in your heart; you shall teach them diligently to your children, and shall talk of them when you sit in your house, when you walk by the way, when you lie down, and when you rise up"* (Deuteronomy 6:4-7).

The responsibility of parents for the godly instruction of their children is emphasised by Moses again and again, right to the end of his life. Among his last recorded words before he died, is the following instruction: *Set your hearts on all the words which I testify among you today, which you shall command your children to be careful to observe – all the words of this law.* (Deuteronomy 32:46)

The book of Proverbs furnishes us with an extended application of what it means to teach children – *when you sit in your house, when you walk by the way, when you lie down and when you rise up.* One of the stated purposes of Proverbs is to give *to the young man knowledge and discretion* (1:4). Large sections of the book are framed in terms of a father's instruction of his children. For example:

> *My son, if sinners entice you, do not consent* (1:10).
> *My son, do not walk in the way with them, keep your foot from their path* (1:15).

[10] Brian H Edwards, *The Ten Commandments for Today*, Day One, 2002, p.166.

Hear, my children, the instruction of a father (4:1).
My son, pay attention to my wisdom; lend your ear to my understanding (5:1).
My son, keep my words, and treasure my commands within you (7:1).

The range of subjects covered is staggering: humility and pride, mercy and cruelty, truth and falsehood, wealth and poverty, love and hatred, anger, alcohol, the use of the tongue, revenge, youth and old age, industry and laziness, courage, tact, parents and children, friendship and worship, to name but a few. At the heart of it all is the fear of God – *The fear of the Lord is the beginning of knowledge* (1:7).

One of the main messages of the book of Proverbs is that the wise parent will provide a broad, comprehensive and practical training in righteousness. Christian parents and, in particular, Christian fathers are called to be a source of godly wisdom and instruction for their children.

The New Testament places the same stress on the responsibility of parents for the godly upbringing of their children, with a particular emphasis on the responsibility of the father:

> *And you, fathers, do not provoke your children to wrath, but bring them up in the training and admonition of the Lord* (Ephesians 6:4).

The reference to the father is not to downgrade the mother's role. Mothers are to be equally honoured and respected by their children (Exodus 20:12; Proverbs 1:8), and where the father is absent or an unbeliever, it falls to the mother to teach God's word to her children (cf 2 Timothy 1:5; 3:15). Nevertheless, as the head of the home under God, the godly father carries a particular burden of responsibility for the nurture of his children.

The church, too, has an important part to play in the instruction of the children of God's people. In the Old Testament we read of the public reading and exposition of the law with the 'little ones' present, the annual festivals, and the priesthood with its teaching function, and in the New Testament the apostle Paul anticipates that children will be present in meetings of the church (Ephesians 6:1ff; Colossians 3:20). However, the regular day-to-day instruction of children was the responsibility of parents.

Our children are made in the image of God. They belong to God. He has a claim upon them. They do not belong to the State, nor to the church, nor even to their parents, but to God. God has entrusted them to their parents as his stewards to bring them up in accordance with his standards and truth. The upbringing, training and instruction of children is primarily the responsibility of their parents.

4 The family is the primary welfare institution

Similarly, the Bible teaches that the primary responsibility for providing for the needs of both the young and the old rests with the family, rather than with the State or with the church. Writing to Timothy about the ministry of the church to widows, Paul insists that priority must be given to those who have no other means of support:

> *Honour widows who are really widows. But if any widow has children or grandchildren, let them first learn to show piety at home and to repay their parents; for this is good and acceptable before God* (1 Timothy 5:3-4).

The Bible is clear from cover to cover that God's people are to treat widows with compassion and provide for their needs. God himself is *a defender of widows* (Psalm 68:5) and James tells us that *pure and undefiled religion before God and the Father is this: to visit orphans and widows in their*

trouble, and to keep oneself unspotted from the world (James 1:27). However, the resources of the church are limited. With the best will in the world, the church cannot provide for every need, and it is not meant to. That is what the family is for. If a widow has children and grandchildren, it is their responsibility to ensure that she is properly cared for and that all her needs are met. The apostle puts it very strongly:

> *But if anyone does not provide for his own, and especially for those of his household, he has denied the faith and is worse than an unbeliever* (1 Timothy 5:8).

Paul is very anxious that the church should not assume responsibility for the care of the young or the old that properly lies within the family. The church must not compete with the family and the family must not compete with the church. They are both divine institutions and it is God's plan that they should operate in harmony with each other and not intrude upon each other's spheres.

The church must therefore encourage family members to fulfil their God-given responsibilities towards each other without taking over, and the family must allow the church to pursue its own God-given task without placing burdens on it which should be shouldered within the family:

> *If any believing man or woman has widows, let them relieve them, and do not let the church be burdened, that it may relieve those who are really widows* (1 Timothy 5: 16).

Someone may object - 'But what if caring for my elderly relatives will interfere with my Christian service? Surely I must put God first!'

Of course, you must; but the Lord Jesus Christ says that the way you put God first is by obeying his commandments – and that includes the fifth commandment to honour your father and mother. In Mark 7, Jesus spoke very directly to some people who said that they were giving so generously to the work of God that they simply did not have sufficient resources to care for their parents:

> *And he said to them, "All too well you reject the commandment of God, that you may keep your tradition. For Moses said, 'Honour your father and your mother'; and, 'He who curses father or mother, let him be put to death.' But you say, 'If a man says to his father or mother, "Whatever profit you might have received from me is Corban" —' (that is, dedicated to the temple); you no longer let him do anything for his father or his mother, making the word of God of no effect through your tradition which you have handed down"* (Mark 7:9-13).

There have always been people who have used their 'spirituality' as an excuse for not fulfilling their family responsibilities, but here Jesus exposes it as a false spirituality. Providing for the needs of our nearest and dearest does not get in the way of our Christian service: rather, it is a vital part of our Christian service.

5 The family has an important role to play in serving the Lord

Towards the end of his life, Joshua summoned all the elders, judges and leaders of Israel together. He reminded them of all that God had done for them and called on them to make a clean break from any trace of idolatry. From now on, they must be wholly devoted to the Lord – they must be committed to him without compromise. In some of the most memorable words recorded in the Old Testament, he exhorted them to *choose for yourselves this day whom you will serve,* adding, *as for me and my house, we will serve the Lord* (Joshua 24:14-15).

It is striking that Joshua does not say: 'As for *me, I* will serve the Lord,' but 'As for me *and my house*, *we* will serve the Lord.' As head of his household, Joshua is not only committing himself to serve the Lord, but he commits his whole family to serve the Lord with him. He is saying that his home will be a place where the Lord alone is worshipped – 'we will worship and serve him together – not just as individuals, but as a family.'

This is an example of family solidarity in the service of the Lord, and Joshua is not an isolated example. The Lord said of Abraham: *For I have known him, in order that he may command his children and his household after him, that they keep the way of the LORD, to do righteousness and justice, that the LORD may bring to Abraham what he has spoken to him* (Genesis 18:19).

God never intended that families should consist of autonomous individuals who live under the same roof but live separate lives. It has always been his plan and desire that family members should be united in their devotion to the Lord and his ways under the head of the household. At the very beginning, Eve was made to be a 'helpmeet' for her husband – a suitable helper to support him in the work God had given him to do. And as God blessed them with children, so they were to be brought up to share the family vision.

Time and again in Scripture we find the Lord working with and through families. When the Flood came, it was not a group of isolated individuals who found refuge in the ark, but a family – Noah and his wife, and his sons and their wives. We see God at work in the families of Abraham, Isaac and Jacob. It was in the family that the Passover was celebrated. When the Lord appointed priests to serve at the tabernacle, he set apart Aaron and his sons – men from the same family. Following the return of the Jews from captivity, there are some further striking examples of family groups serving the Lord together in the rebuilding of the temple (Ezra 3:9; 8:18-20).

Sometimes the family has been viewed as a distraction from Christian service, but that should not be the case at all. The family is better understood as a sphere of Christian service. Family members can serve the Lord together. A family that is united in its devotion to the Lord Jesus Christ and which worships and serves him together can be a powerful testimony in a world where harmony within the home is rare.

The family is also a training ground for future Christian service. In Psalm 127, the psalmist likens children raised in a godly home to arrows: *Like arrows in the hand of a warrior, so are the children of one's youth* (v4). An arrow is an offensive weapon, designed to inflict damage on an enemy. The Psalm therefore presents a picture of believing parents preparing their children for battle. It is the task of fathers and mothers so to raise their children that when their time comes to take their place on the front line, they will be prepared and equipped to fly straight and true in order to inflict maximum damage on the enemy. It is the privilege and responsibility of parents to train their children in such a way that they are equipped to defend and advance God's kingdom.

6 The family is central to God's plan of redemption

When God created the human race, he could have created hundreds and thousands of people in one go. But instead of creating a whole host of isolated and unrelated individuals, he created one man and one woman, and from them he established a family.

Such was the solidarity that God established between the first man and his descendants that the consequences of Adam's sin have fallen on the entire human race. However, on the very day that our first father fell, God announced the coming of a Saviour – one who would defeat the devil and provide deliverance from sin. He is described as the seed of the woman, signifying that the Saviour

would not suddenly appear out of heaven, but he would enter the world as a real human being, possessing the same human flesh and blood which Adam had. He would be born of a woman, into a human family.

As time went on, God identified the particular family line into which the Saviour would be born. He would be a descendant of Abram, but the blessings he would bring would not be limited to Abram's family, but extend to all the families of the earth (Genesis 12:2-3). From this point on, there is a special focus on the family line from which the promised Saviour would come, through Isaac, Jacob, Judah, and then several generations later through Ruth and Boaz and then on through the royal line of David and Solomon.

At various points in its history, it was far from an exemplary family. The human ancestors of the Lord Jesus were guilty of just about every sin imaginable. Matthew's genealogy brings to mind a number of particularly unsavoury episodes.

Yet the fact that God chose this family, and from this family brought blessing to all the families of the earth, not only shows the great humility of the Lord Jesus Christ, but it also shows how God can take the most twisted and mixed-up of families and use them for his own glory.

7 Family relationships are intended to reflect something of the character of God

In Ephesians 5, the apostle Paul likens marriage to the relationship between Christ and his church. He says: *the husband is head of the wife, as also Christ is head of the church; and he is the Saviour of the body* (v23). By the manner in which he relates to his wife, the husband is to reflect the way that the Lord Jesus Christ relates to his bride, the church.

John Bunyan once exhorted husbands to be 'such a husband to thy believing wife that she may say: "God hath not only given me a husband, but such a husband as preacheth to me every day the carriage [attitude] of Christ to his church."'[11]

It is God's plan that when the watching world sees into the heart of the Christian home and observes the relationship between a Christian husband and his wife, it should see a reflection – a pale reflection, but a reflection nonetheless – of the love of Christ for his church.

The relationship between a father and his children is also intended to reflect the relationship between God and his children. The overwhelming majority of fathers – no matter how imperfect – want the best for their children, and in that, they are reflecting the love that God has for his children.

In Matthew 7:9-11, the Lord Jesus reasons from the lesser to the greater: if sinful fathers here on earth do good and not harm to their children, how much more can we be sure that our heavenly Father will do good to us. After all, these earthly fathers are created in his image and it is his fatherhood that they dimly reflect.

It is no accident that God uses family language when he speaks of his relationship to his people. In 2 Corinthians 6:18, he declares: *I will be a Father to you, and you shall be my sons and daughters, says the Lord Almighty.* Our entrance into the kingdom of God is described in terms of a new birth (John 3:3-8); when we believe in the Lord Jesus Christ, God gives us the right to become his children (John 1:12-13), and we receive the Spirit of adoption, by whom we cry out *Abba, Father* (Romans 8:15).

[11] John Bunyan, *Christian Behaviour*, in *The Works of John Bunyan*, Vol 2, Blackie & Son, 1854, p.558.

What does God the Father do for us? He provides for all our needs, he gives to us generously and without resentment again and again; he teaches us, he guides us, he disciplines and corrects us; he is merciful and kind to us, he forgives us; he is always there for us – he never leaves us. I do not have the infinite resources that our heavenly Father does, but within the limitations of my humanity, I must seek to be like him in the way I relate to my children.

8 Conclusion

If the family is as important as the word of God tells us that it is, then we need to devote time to it. Over the past 40-50 years, the family has become a much lower priority in people's lives. Parents are having fewer children, and are spending less time with the children they do have. In the relative affluence of the Western world, parents are able to give their children many things, but all too often the one thing they don't give them is *time*. Strong families do not arise automatically. They have to be built – and that takes time.

Some time ago, a Christian mother told me that her husband hardly ever saw their children because he was so involved in the work of the Lord. She viewed this as a positive thing. They belonged to a very busy church with a full programme of activities and her husband was out nearly every evening.

But as fathers, we need to be very careful that the demands of work and even our church commitments do not squeeze out the time we are able to spend with our wives and children. We need to jealously guard the time we are able to devote to our families. Family times for Bible reading and prayer must be a priority and we must make sure we do not provoke our children to wrath by failing to take time to bring them up in the nurture and admonition of the Lord.

While the Bible is clear about the responsibility of the father to take the lead in giving their children a godly upbringing, it is equally clear that mothers have a vital role to play as well in the establishing of a Christian home.

Paul writes to Timothy: *Therefore I desire that the younger widows marry, bear children, manage the house, give no opportunity to the adversary to speak reproachfully* (1 Timothy 5:14). In Titus 2:4-5, he explains that it is the responsibility of older women to admonish the young women *to love their husbands, to love their children, to be discreet, chaste, homemakers, good, obedient to their own husbands, that the word of God may not be blasphemed.*

According to the New Testament, the work of wives and mothers is to be based on the home. Not *confined* to the home, but certainly *based* there. Their role is to *manage the house* and to be homemakers, devoted to the needs of their husbands and children.

The world may scorn the woman who is devoted to her family and may try to persuade her that she is wasting her life and that true fulfilment is to be found in pursuing a career outside the home; but the truth is, as Elisabeth Elliot put it: 'There is no greater service to humanity than the rearing of a Christian family.'[12]

No family is perfect. As Jay Adams has remarked, the Christian home is not 'an idyllic place where peace and quiet, tranquility and joy continuously reign…; sinners live there.'[13] That is perfectly true. Families are made up of sinners – sinful wives, sinful husbands, sinful children and sinful parents. Yet, what a blessing it is to visit a family where there is a beauty, a harmony, an attractiveness that pervades the home! It will not be perfect, but the aroma of Christ is there. It makes us long to see

[12] Elisabeth Elliot, *The Mark of a Man*, in *Men, Women and Families*, Alpha, 1999, p.165.
[13] Jay Adams, *Christian Living in the Home*, Presbyterian and Reformed, 1972, p.10.

more of that in our own homes. We should be hungry to see more of the difference that Christ can make in our families.

So let us pray for Christian families:

- pray that we would all have a clear understanding of God's plan for the family;
- pray that parents will have wisdom and courage to order their homes and bring up their children in God's way;
- pray that we may be able to live a quiet and godly life in our families without State interference;
- pray that our families would be a source of great blessing to the church and that they would shine as lights in a dark world.

Norman Wells

Marriage statistics, England and Wales, 1960-2012

As the following table shows, the annual number of marriages in England and Wales steadily declined between 1970 and 2009. In fact the heyday for marriage was the period between 1968 and 1973, when in five of those six years, the number of marriages exceeded 400,000. The highest being the 426,241 recorded in 1972.

Year	*Number of marriages*	*Year*	*Number of marriages*
2012	262,240	1990	331,150
2011	249,133	1985	346,389
2010	243,808	1980	370,022
2009	232,443	1975	380,620
2008	235,794	1970	415,487
2005	247,805	1965	371,127
2000	267,961	1960	343,614
1995	283,012		

Figures above, courtesy of Office for National Statistics (ONS): On ONS web site, go to *Marriages in England and Wales (Provisional), 2011; Reference Tables [6]; Number of marriages, marriage rates and period of occurrence; Table 3 Historic marriage numbers and rates, 1862-2010.*

The increasing popularity of marriage... but for how long?

Figures just published show that in 2012 the number of marriages taking place in England and Wales increased for the fourth successive year.

The 262,240 marriages in 2012 represented a significant 5.3% increase over the 249,133 which took place in 2011, lifting the total well clear of the all-time low of 232,443 recorded in 2009.

Marriages of UK residents which take place abroad are not included in the published figures, and so the real total could be considerably higher, as marriages in exotic overseas locations have become quite popular in recent years.

Although the figures for 2012 indicate the continuance of an encouraging trend, they need to be contrasted with the figure for 1972, the highest post-war total, when there were 426,241 marriages. It also needs to be remembered that in 1972 the population of England and Wales was much lower.

The recently-published figures, released by the Office for National Statistics (ONS) on 11 June 2014, show that both men and women are now marrying on average about eight years later than they did in 1972. The figures also show a continuing increase in the proportion of marriages which are taking place in a civil, rather than a religious, ceremony. The proportion of marriages which are civil ceremonies has now risen to 70%, compared with 66% in 2002.

Another trend in recent years has been the steady increase in the number of couples being married who were already cohabiting. A close study of the 2011 figures shows that 85.1% of couples marrying were already cohabiting. This was made up of 87.6% of the 174,681 couples being married in civil ceremonies. More surprisingly, however, it also included 77.4% of the 74,452 couples being married in religious ceremonies. The comparable figures for 20 years ago (1994) were 75% for those marrying in civil ceremonies, and 41% for those being married in religious ceremonies.

The vast majority of religious marriage ceremonies take place within the various branches of Christianity, and it will concern many of them that the number of couples cohabiting before being married in a religious ceremony has nearly doubled (from 41% to 77.4%) over the past 20 years.

The rising number of cohabitants demonstrates the extent to which British society has changed in 50-60 years. In the 1950s cohabitation was rare and, wherever it did occur, carried a social stigma. Now, 17 out of every 20 couples are cohabiting, without this breaching any kind of social expectation.

A closer study of the 249,133 marriages in 2011 reveals that the brides consisted of 190,643 single women, 54,067 divorced women, and 4,423 widows. The bridegrooms were 187,716 single men, 56,796 divorced men and 4,621 widowers. Only 165,467 (66.4%) of the 2011 marriages were between single men and single women – i.e. were marriages in which both parties were being married for the first time.

It has been speculated that the rise in the number of marriages in 2011 and 2012 has been greatly influenced by the high profile marriage of Prince William and Kate Middleton in April 2011. While the public nature of this wedding, and its attendant spectacular display of pageantry, will undoubtedly have had a positive effect, it cannot be the whole story, since the figures were already beginning to show an upward trend before the royal engagement.

Many of the marriages taking place in 2012 will have been arranged by the couples concerned before it was known that the government intended to rush through a Bill to redefine marriage.

There is no reason to suppose therefore that the imminent introduction of same-sex marriage from 2014 will have influenced any couple in 2012 either to get married or not to get married.

However, that will not be true of couples contemplating marriage in the years immediately ahead. Under the Marriage (Same Sex Couples) Act, marriage has had its clear unique definition taken away and is now merely a rag-bag of different relationships.

The Registrar-General's new definition states: "Marriage in this country means the union of two people, voluntarily entered into for life, to the exclusion of all others." This replaces the well-known definition of marriage which was adapted from a legal precedent established in a court case of 1866: "Marriage, according to the law of this country, is the voluntary union for life of one man and one woman to the exclusion of all others."

Even though the Registrar-General has sought to keep as closely as possible to the former wording, it is evident that the new definition lacks definiteness. As a consequence, the status, place and esteem of marriage within society has been seriously eroded. Once enjoying the highest possible significance within the nation – as implied by the expression *births, marriages and deaths* – marriage is now little more than an optional certificated legal status, with a much reduced meaning and social importance.

Concern has been expressed that this loss of definition, and of social importance, will lead to a serious reduction in the number of marriages taking place over the next few years. In Spain the redefinition of marriage to include same-sex marriages in 2005 led by 2011 to a 23% reduction in the annual number of mixed-sex marriages taking place. It is feared that the same could happen in the UK, as young people see less and less meaning and significance in marriage, and more of them disregard the idea of marriage, content to be cohabitees.

The impact of the changed definition of marriage on the number of marriages taking place will not be known until March or April 2016, when the ONS is due to publish the figures for the number of marriages in 2014 – the year in which the first same-sex marriages have taken place.

The ONS has promised to publish statistics separately for mixed-sex and same-sex marriages. It will also provide many other marriage-related statistics, such as the age of the parties, the district in which marriages take place, the type of ceremony, whether the parties have been previously married, and whether they are currently cohabiting. Similar statistics will be published for civil partnerships, as will the number of civil partnerships being converted into marriages.

There were 118,140 divorces in 2012, a slight increase over the 117,558 in 2011. Of the 2012 divorces, 73,911 (62.6%) ended marriages which had lasted less than 15 years. More than one in seven of them – 18,528 (15.7%) – had existed for less than five years. These figures show that marriage has become a significantly less durable relationship than once it was. Of marriages taking place in 1972, only 22% had ended in divorce by their 15th anniversary.

Along with marriages, the number of civil partnerships contracted in England and Wales also increased in 2012 – up by 3.6% from 6,795 in 2011 to 7,037 in 2012. However, in the same year, dissolutions increased by 19.8%, from 663 to 794.

Since they were introduced in Britain in 2005, there have been 55,292 civil partnerships in England and Wales – 30,277 between men and 25,015 between women. Of these, 2,477 had been dissolved by the end of 2012 – 955 of them involving male partnerships (3.2%) and 1,522 female (6.1%).

Rod Badams

Controversy in the academies

Comments in a leaked report by the Education Funding Agency (EFA), an executive agency of the Department for Education, obtained by BBC's *Newsnight,* have caused a national controversy over the running of academies.

Park View Educational Trust in Birmingham runs three schools – Park View, Golden Hillock and Nansen. The EFA report said that some parts of the school curriculum are "restricted to a conservative Islamic perspective", "had taken the Islamic focus too far". The EFA had also found that boys and girls had been segregated in some classes.

Newsnight revealed how some teachers at Park View School had – contrary to school policy – taught creationism as science and that wives had no right to refuse sex to their husbands.

It was also later reported that the government had sent in auditors following allegations that funds had been used for personal gain, including hotel accommodation and expenses for senior staff.

While the role of Islam in education has come in for scrutiny, the BBC has also reported that across the UK many students are following a strict 'fundamentalist' Christian curriculum. It has broadcast details (http://www.bbc.co.uk/news/uk-england-27681560) of Accelerated Christian Education (ACE), a curriculum imported from the USA, which is taught in about 50 independent schools across the UK.

While the usual subjects are taught – English, Maths, Science, History and Geography, among others – each is approached from a biblical perspective. The two most controversial elements are the view that homosexuality is a "learned behaviour" and the teaching of creationism instead of evolution. "The evolutionist needs some kind of a god with rules to explain what exists today, or he cannot explain it; and yet, he rejects such a god", one science text book states.

As one of its features relating to the controversy, *Newsnight* ran an interview between an ex-Maranatha Christian School pupil and Professor Alice Roberts, Professor of Public Engagement in Science at Birmingham University. Professor Roberts takes the view that teaching pupils about creationism in science lessons is 'indoctrination' and has called for new laws banning all schools, including those in the private sector, from teaching the topic alongside evolution.

Chris Cook, Policy editor of BBC's *Newsnight* (http://www.bbc.co.uk/news/uk-27188055) noted that, "The events in Birmingham highlight a dilemma for school choice advocates. Setting aside the more extreme stuff, the atmosphere at some of these schools is what some parents are after. There is strong demand for a traditional moral core to local schools."

This controversy again reminds us that while we still have opportunities to commend and teach Christian viewpoints and values within many of our schools, these are continually under threat. However, we should be encouraged by the widespread demand for moral direction and do all that we can to ensure that our Christian perspectives are clearly and wisely articulated and lived out in our educational establishments and that we are giving the maximum possible support to all those who are seeking to deliver them.

Peter Fearnley

Update on press regulation

In the March 2014 edition of *The Bulletin* it was explained that in the UK the press is to be regulated under its own voluntary system, rather than by a system established by Parliament under a royal charter. This was not what the government wanted but it has no choice since the royal charter arrangements were not imposed by law, but were offered to the press on a voluntary basis.

Overwhelmingly, the British press was adamant that it would not adopt the royal charter scheme, which, while possessing a considerable degree of independence and self-regulation, contained an element of government control and involvement.

Instead, the press has set up its own regulatory framework, under which a body has been put in place known as the Independent Press Standards Organisation (IPSO). On 29 April 2014 it was announced that IPSO's chairman would be Sir Alan Moses, aged 68, a High Court judge. The post carries a salary of £150,000 per annum.

The remaining members of the 12-strong IPSO board were appointed on 28 May and include people from business and a range of public services. Only two have a background in the newspaper industry.

Politicians and Hacked Off – the latter being the campaign group set up on behalf of victims of press mistreatment, have continued to express fears that IPSO will not be sufficiently independent or rigorous. It remains to be seen whether these fears are justified, as IPSO has not yet begun to hear cases.

However, new chairman Sir Alan Moses addressed this point head-on just after his appointment was announced: "I have spent over 40 years pursuing the profession of barrister and judge whose hallmarks are independent action and independent judgment. I do not intend to do away with that independence now.

"The Press are entitled to a successful system of independent regulation. I recognise it is a big responsibility to achieve this. I believe that such a system should be designed to protect the public against a repetition of the breakdown in standards in some parts of the newspaper industry in recent times. At the same time it should affirm and encourage the vital role of a free and fearless Press."

In the meantime, the structure of the royal charter arrangements is being put in place as though it has a meaningful role to play. A Queen's Counsel, Dr David Wolfe QC, has been appointed chair of the recognition panel which will work with an Appointments Committee to appoint the board which will vet the self-regulatory arrangements which any bodies which sign up to the royal charter arrangements want to put in place.

When his appointment was announced in June 2014, Dr Wolfe commented: "I am delighted to have been appointed to help establish independent oversight of an effective system of self-regulation that will help secure the public interest in a free and vibrant press which acts in accordance with the lessons learned through the Leveson inquiry."

However, as the British Press is implacably opposed on principle to the royal charter arrangements, it looks as though the appointed board will have a fairly quiet life. As one press title commented following Dr Wolfe's appointment: "IPSO is the only show in town".

LIFE ISSUES

Abortion

Abortion statistics for England and Wales 2013

The gloomy facts and figures for 2013 were published by the Department of Health on 12 June 2014. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/319460/Abortion_Statistics__England_and_Wales_2013.pdf contains the full set of data. A short summary of it paints a continuingly miserable picture. (NB: Copy the link into your browser if the hyperlink does not work.)

The number of abortions for residents was slightly up to 185,331 compared with the previous year (185,122 in 2012), though the total for residents plus non-residents was slightly down to 190,800 (compared with 190,972 in 2012). Basically, fewer women (3,679, compared with 3,982 in 2012) travelled from the Irish Republic to be aborted during 2013. There were 11,777 abortions in Scotland, bringing the total for Great Britain to 202,577.

As ever, the vast majority of abortions were performed under Ground C, the notorious 'social clause' of the Abortion Act 1967. This means that 97.5% of the total abortions were performed because of a perceived risk to the mother's mental health – that most flexible and infamously hard-to-define criterion.

Ground E abortions – unborn children with suspected disability – also increased. During 2013, a total of 2,732 unborn children (1.5% of the total) were not allowed to live simply because they were deemed to be unacceptably handicapped. While we strive to avoid discrimination against the born disabled, we do not extend such equality to the unborn disabled.

'Selective reductions' – where foetuses are destroyed to limit or prevent multiple births – accounted for 125 abortions. These were typically the result of over-zealous IVF practices.

Repeat abortions continue to rise. Some 37% of women accessing abortion in 2013 had had at least one previously – in 2003 the figure was 32%. A total of 49 women had had eight or more repeats. Multiple abortions on this scale lead to the accusation that many women, and their doctors, are using abortion as a means of birth control.

Two age-related trends continue. First, fewer teenagers are having abortions. The under-18s had 11,679 abortions compared with 12,873 in 2012. It is impossible to say whether this is the result of wholesome sex education, more sexual restraint, or greater use of the morning-after pill. Second, this downward trend is not applicable to older women. Women in the over-30 age bracket had 58,704 abortions compared with 57,302 the previous year. The precise causes are unknowable – career prospects, mortgage repayments and brief sexual encounters probably all played a part.

If an attempt is made to represent the typical 2013 woman having an abortion, she would be white, aged between 20 and 24, single with a partner, having no children and no previous abortions. She would have a vacuum aspiration abortion at less than nine weeks' gestation, under Ground C, performed at a private abortion clinic funded by the NHS.

We have lost our way with abortion. Government and health authorities have no idea how to address this tragic issue. The recycled mantra of a woman's 'choice' is now too simplistic. Too many women say that they have no choice because counselling, positive alternatives and practical support are lacking. When killing the unborn is the unremarkable response to a crisis pregnancy we have indeed lost our way – in the words of Isaiah 59:14, '… *truth has stumbled in the streets*'.

Disregard for the Abortion Act 1967

If the Abortion Act 1967 is the most shameful piece of legislation on the Statute Book, its implementation has become outrageously shocking. Surely abortion demands to be regulated with the utmost administrative rigour and insistence upon scrupulous compliance with the law. After all, the removal and disposal of a human foetus is a serious matter.

Yet in recent months there has been the scandal of doctors caught approving sex-selection abortions – customarily killing unborn girls – and pre-signing HSA1 abortion authorisation forms. The 1967 Act permits an abortion only 'if two registered medical practitioners are of the opinion, formed in good faith' that it meets the terms of the Act.

This two doctor/good faith arrangement was originally regarded as a protective device, a safeguard against an incorrect assessment by one doctor and a too hasty decision by a pregnant woman – now it is generally regarded as little more than a rubber-stamping exercise. How often do two doctors ever see, let alone carefully interview and examine, the abortion-requesting woman to enable them to come to their mutually agreed verdict 'in good faith'?

The Act nowhere sanctions 'abortion-on-demand', yet if a woman asks for an abortion, her wish is evidently and easily granted – doctors assented at least 190,000 times last year. Yet, how often do doctors refuse a woman's request? Ever? The original sponsors of the Act thought that doctors should, and would – even routinely – say 'No'.

Meanwhile other doctors are known to have returned the abortion notification form HAS4 to the Chief Medical Officer, as required by law, only partially completed. Such contempt for the stipulations of the Act means that all these terminations are outside its provisions and are therefore strictly illegal in the UK.

As a result of investigations by the Care Quality Commission, prompted by undercover reporting during 2013 by *The Daily Telegraph*, nearly 70 of these law-breaking doctors were referred to the General Medical Council (GMC), yet none of them was brought before a Fitness to Practise Panel to face disciplinary proceedings. Niall Dickson, Chief Executive of the GMC, said that 67 physicians were acting 'against the law' but insisted that, because no patients had come to harm as a result, no sanctions were to be imposed on the offenders. In addition, the Crown Prosecution Service (CPS) refused to act. It maintained that prosecuting those who had pre-signed would not be in the 'public interest' and that the law did not prohibit gender-specific abortions.

Unprecedented outrage among the public and Parliament was building. The Department of Health was under increasing pressure to respond for tolerating such disregard for the Act. The CPS wriggled, specifically complaining that "there is no guidance on how a doctor should go about assessing the risk to physical or mental health, no guidance on where the threshold of risk lies and no guidance on a proper process for recording the assessment carried out". So, on 23 May, the Department issued *Guidance in Relation to Requirements of the Abortion Act 1967*, a 14-page document containing new guidelines.

The document is a mixed bag. For example, it spells out clearly that "Abortion on the grounds of gender alone is illegal" and that the "DH [the Department of Health] considers pre-signing of forms… to be incompatible with the requirements of the Abortion Act". On the other hand, it fudges the two-doctor signature issue. On the one hand the guidance states: "Although there is no legal requirement for at least one of the certifying doctors to have seen the pregnant woman before reaching a decision about a termination, the Department's view is that it is good practice for this to be the case." However, this seemingly firm stance is then weakened: "It is recognised however that, with technological advances, this may well mean that a doctor does not physically see the woman, e.g. there could be a discussion by phone or over a webcam." So, the guidance is a sort of 'yes', but also 'no'.

Every decent doctor knows the content and meaning of the 1967 Act. 'Two registered medical practitioners' and 'in good faith' are demanding prerequisites to abortion approval. As the new guidelines state: "The clear intention of the Act is for *each* doctor to consider the woman's circumstances in forming a good faith opinion." The trouble is that abortion has become such an everyday procedure that its approval has become decidedly slapdash. The application of the 1967 Act needs meticulous oversight. Maybe issuing these new guidelines will put the wind up some careless, law-breaking doctors. But for many abortion providers it will be business as usual. As Ann Furedi, the CEO of the British Pregnancy Advisory Service, stated: "This guidance endorses our practice at bpas."

Incineration ban

A recent investigation, by the Channel 4 TV programme *Dispatches*, found that the bodies of thousands of aborted and miscarried babies have been incinerated as clinical waste, some even having been used to heat hospitals. Apparently at least 15,500 foetal remains were incinerated by 27 NHS trusts over the last two years alone. The March 2014 programme reported that parents who lost children in early pregnancy had often been treated without compassion and were not consulted about what they wanted to happen to their child's remains.

The Department of Health issued an instant ban on the burning practice, which health minister, Dr Dan Poulter, described as 'totally unacceptable'. The medical director of the NHS, Professor Sir Bruce Keogh, has written to all hospital trusts in England reminding them that it is illegal to dispose of aborted foetuses by burning them as clinical waste.

IVF and assisted reproductive technologies

IVF statistics for the UK 2012

The Human Fertilisation and Embryology Authority (HFEA) released these data on 24 March. The details are available at http://www.hfea.gov.uk/104.html Basically they show that during 2012, at the 77 IVF (in vitro fertilisation) clinics throughout the UK, 47,422 women underwent 62,155 treatment cycles of IVF or ICSI (intra-cytoplasmic sperm injection). The outcomes were 15,538 'live birth events' which amounted to 17,041 'take home' babies.

The overall success rate was up slightly to 25% and the multiple birth rate was down slightly to 18.8%. In other words, IVF still has a 75% failure rate and still has a medically dangerous high multiple pregnancy rate – about six times the natural rate.

Somewhat surprisingly the popularity of IVF seems to be slowing down as the number of women using it actually decreased during 2012. Another recent trend was the increasing number of same-

sex female couples receiving IVF treatment. A total of 766 cycles of IVF were performed in women who registered with a female partner – a 36.5% increase on the previous year.

During 2012, preimplantation genetic diagnosis (PGD) was carried out in conjunction with IVF in 17 UK clinics. Its purpose is to seek out early embryos with specific genetic disorders and destroy any found to be affected. A total of 523 PGD-IVF cycles were conducted during 2012, a 27% increase compared with the previous year – a eugenic and increasingly sinister trend.

One of Us petition rejected

This petition gathered a total of 1.8 million signatures from across Europe. Under the European Citizens' Initiative any such petition with more than a million signatories can be brought before the European Parliament.

The *One of Us* petition objected to some aspects of the European Union's science funding programme known as Horizon 2020. In particular, the petition wanted research which destroyed human embryos to be banned, or at least, to be unfunded. The case was presented on 10 April, but the European Commission rejected the plea.

The petitioners cited the 2011 landmark ruling by the European Court of Justice in the case of Brüstle v. Greenpeace, which stated that "… human dignity excludes the patenting of any procedure that involves or supposes the destruction of a human embryo". However, the European Commission rejected this argument, saying it was irrelevant because it dealt with patentability of biotechnological inventions and not whether such research should be carried out or whether it should be funded.

As a result, hundreds of millions of euros will finance further human embryo destruction. The use of adult or induced pluripotent stem cells would do a much better job, with no such bioethical dilemmas. What a disappointment. Nevertheless, the *One of Us* Citizens' Committee said the European Commission's decision is likely to be appealed before Luxembourg's Court of Justice, where the law recognises respect for human life from conception.

Three-parent IVF

Affinity responded to the latest Consultation on so-called three-parent IVF which closed on 21 May. The whole submission can be read at www.affinity.org.uk and appears elsewhere in this issue of *The Bulletin*. It opened with the following statement: "We responded to the previous public Consultation on Mitochondrial Donation (MD) in December 2012. We began that submission by affirming four basic facts. **We do so again because the legitimacy of every innovative medical practice and legal authorisation must be judged by the most stringent bioethical foundations** – [1] Human life begins at fertilisation; [2] All human life is precious and therefore deserves to be protected; [3] IVF and PGD procedures always destroy human embryos; [4] Because IVF and PGD are integral to maternal spindle transfer (MST) and pronuclear transfer (PNT), we are opposed to the legalisation and use of these two novel procedures."

While the results of the Consultation are awaited, the HFEA set up an expert panel which has reported that the creation of embryos with three genetic parents is 'not unsafe'; and, in a charade of restraint, the HFEA has asked for more safety and efficiency testing of the techniques involved. Yet this is all part of the HFEA's itch to change the law, move the experimental procedure to clinical trials and ensure that the UK is at the global frontier of mitochondrial donation research. It is proof, yet again, that governments tend to ban bioethically-dubious procedures only while they are

experimentally impossible. Once they become achievable, the law is changed. In this case, it is the Human Fertilisation and Embryology Act 2008 that will need amending.

Stem-cell technologies

Stimulus-triggered acquisition of pluripotency (STAP) cells – a retraction

The controversy surrounding the apparent ease with which these stem cells were created – just dipping them in weak acid or subjecting them to pressure – has rumbled on since the two papers by Haruko Obokata and her colleagues were published in *Nature* on 30 January 2014. These findings startled the scientific community and it was not long before the work was discredited amid accusations of duplicated and manipulated images and instances of plagiarism.

By April, Obokata had agreed to retract one of the papers because of errors – caused, she insisted, by her inexperience, not by fraud. She continued to maintain that STAP cells really do exist. However, *Nature News* (3 June) reported that Teruhiko Wakayama of Yamanashi University, one of her co-authors, had tested 20 stem-cell lines created with the STAP method. He found that none of them matched the mouse strains from which they were originally taken. This suggested that Obakata's STAP cell lines had been contaminated and that this new type of pluripotent cell may never have existed.

The seemingly-inevitable occurred on the 3 July, when *Nature* published a retraction of both of Obokata's papers. What does this shambles say about the process of scientific publication? It is a serious indictment of the peer-review system when a 30-year-old scientist can pass the scrutiny of reviewers in the world's foremost scientific journal *Nature* with such a fabrication. Stem-cell technologies are among the most exciting advances in current biological research, and it is disheartening to learn of yet another example of their hype and hoax.

Eye cells in a dish

Forget the STAP hullabaloo and consider the following. Perhaps nothing epitomises the wonders of stem-cell technologies as much as this sort of experimental protocol. First, take some ordinary human skin cells – we've all got lots of those; next, add some transcription factors so that the cells become induced pluripotent stem (iPS) cells; and then, activate certain genes so that the cells redirect themselves and *voilà*, in this case, you have human retina cells. Eye cells in a dish – remarkable! What is more, these tiny retinal cells will grow and develop spontaneously into functioning photoreceptor cells.

This work was reported online in *Nature Communications* (10 June) under the title of *Generation of Three-dimensional Retinal Tissue with Functional Photoreceptors from Human iPSCs*. Valeria Canto-Soler, the lead author at the Johns Hopkins University School of Medicine, said: "We knew that a 3-D cellular structure was necessary if we wanted to reproduce functional characteristics of the retina, but when we began this work, we didn't think stem cells would be able to build up a retina almost on their own. In our system, somehow the cells knew what to do." She added that this type of experiment "may ultimately lead to technologies that restore vision in people with retinal diseases".

Of course, there is a long way to go before the blind are made to see, but this non-embryonic approach is undoubtedly on the right road to creating custom-tailored organs, in the lab, in a bioethically-acceptable way.

Human cloning advance?

Though Dolly the sheep was created by somatic cell nuclear transfer (SCNT) in 1996, the cloning technique has always proved problematic with human DNA – all past attempts had resulted in either failure or fraud.

Then in 2013, Shoukhrat Mitalipov and his team at the Oregon Health & Science University, who had previously succeeded with mice and monkeys, finally achieved it with humans. The article entitled *Human Embryonic Stem Cells Derived by Somatic Cell nuclear Transfer* was published in the journal *Cell* (6 June 2013). However, the results were criticised because they were obtained using foetal and infant DNA, a protocol which is not suitable for studying diseases like diabetes and Alzheimer's that typically occur in older patients.

Then on April 17 2014, researchers, led by Dong Ryul Lee of the Institute for Stem Cell Research in Los Angeles and Robert Lanza of the Massachusetts-based Advanced Cell Technology (ACT), published in *Cell Stem Cell* details of their own SCNT methodology. In the article *Human Somatic Cell Nuclear Transfer Using Adult Cells* they demonstrated the production of embryonic stem cells using skin cells derived from two adult cell donors – a 75-year-old man and a 35-year-old man.

They used skin from each man, extracted the DNA from the skin cells, inserted it into the ova of female donors and finally tweaked them to develop into blastocysts. Embryonic stem cells were then harvested by destroying these embryos – the resulting cells closely matched the men and could, in theory, be used therapeutically to make them tissues, blood or organ transplants.

More recently, other researchers have reported the production of human embryonic stem cells from adult cells. On 28 April, in *Nature*, Dieter Egli of the New York Stem Cell Foundation Research Institute and Mark V Sauer of Columbia University Medical Center described how they created the first disease-specific diploid-state human embryonic stem cell line from an adult donor with type-1 diabetes and a healthy control. Their article was entitled *Human oocytes reprogram adult somatic nuclei of a type 1 diabetic to diploid pluripotent stem cells.*

These Lanza-Lee and Egli-Sauer techniques will probably revive interest in using SCNT as an alternative to the relatively simple and bioethically-neutral method used to generate induced pluripotent stem (iPS) cells. In addition, they are likely to reopen the debate over the ethics of human cloning, both therapeutic and reproductive. This is dangerous stuff.

Euthanasia and Assisted Suicide

The UK Supreme Court pronounces

On 25 June, campaigners for the right to die lost their appeals at the UK Supreme Court. The entire judgment http://www.supremecourt.uk/decided-cases/docs/UKSC_2013_0235_Judgment.pdf is 131 pages in length. The judges ruled against Paul Lamb and the family of Tony Nicklinson by seven to two. In other words, the Suicide Act 1961 remains intact and doctors are still not allowed to assist in suicide.

The two dissenting justices – Lady Hale and Lord Kerr – maintained that the 1961 Suicide Act's prohibition on assisted suicide was incompatible with Article 8 of the European Convention on Human Rights, namely, the right to respect for private and family life. Five judges concluded the Court had the 'constitutional authority' to make such a declaration, and two of the five said they would have done so.

In addition, all nine judges ruled against the appeal of a third man, Martin. He lost his attempt to have the current guidance issued by the Director of Public Prosecution (DPP) on assisted suicide clarified; thus, health professionals are still not allowed to assist him to travel to Dignitas to end his life there.

A majority of the justices said that the questions they were being asked involved moral judgments rather than points of law and the matter should therefore be addressed by a democratically-elected Parliament, rather than by the courts. Lord Neuberger, president of the Court, warned that if Parliament failed to consider the issue in the near future, there was a 'real prospect' of a successful future legal challenge.

Those who like to give their brains a workout might like to read the most astute judgment of Lord Sumption – regarded by some as 'the Brains of Britain' or 'a man with a brain the size of a planet' – on pages 73 to 99. After rehearsing the present state of the law on euthanasia and assisted suicide he closed with his paragraph 256: "This state of English law and criminal practice does not of course resolve all of the problems arising from the pain and indignity of the death which was endured by Tony Nicklinson and is now faced by Mr Lamb and Martin. But it is worth reiterating these well-established propositions, because it is clear that many medical professionals are frightened by the law and take an unduly narrow view of what can lawfully be done to relieve the suffering of the terminally ill under the law as it presently stands. Much needless suffering may be occurring as a result. It is right to add that there is a tendency for those who would like to see the existing law changed, to overstate its difficulties. This was particularly evident in the submissions of Dignity and Choice in Dying. It would be unfortunate if this were to narrow yet further the options open to those approaching death, by leading them to believe that the current law and practice is less humane and flexible than it really is." In other words, Lord Sumption says, leave the Suicide Act 1961 as it is. It is 'a law with a stern face but an understanding heart'.

All in all, the Supreme Court's pronouncements are good news for the many vulnerable people who would have been at risk if these attempts to weaken the law on euthanasia and assisted suicide had been allowed.

Lord Falconer's Assisted Dying Bill

Legalising assisted suicide has become a dread threat. Lord Falconer's much-vaunted Assisted Dying Bill is expected to arrive for its Second Reading in the House of Lords on Friday 18 July. For many months its proponents have been flexing their lobbying muscles and honing their emotional appeals. These advocates have included newspapers like *The Times*, singers like Cilla Black, TV presenters like Richard Madeley and Judy Finnegan, politicians like Joel Joffe, actors like Patrick Stewart, authors like Terry Pratchett, doctors like Raymond Tallis and comedians like Ricky Gervais, plus various vicars, assorted atheists and a host of other media-friendly individuals.

The outcome of the Bill is unpredictable. Will it be seriously debated in the Lords? Will it reach the Commons? If it does, David Cameron has stated his position. He has warned that people could feel 'unfairly pressurised' into ending their lives if the law against assisted suicide is relaxed. He has indicated that he would oppose a move to legalise allowing terminally-ill adults with less than six months to live to choose to be helped to kill themselves. The Prime Minister's comments came after the Liberal Democrat Care Minister, Norman Lamb, spoke out in favour of Lord Falconer's Bill, which he claimed had 'quite widespread public support'.

Margo McDonald's Assisted Suicide (Scotland) Bill

Meanwhile, up in Scotland, Margo McDonald had long been preparing for her second attempt to introduce a Bill permitting assisted suicide – her first attempt in 2010, with her End of Life Assistance (Scotland) Bill, having been roundly rejected by the Scottish Parliament by 85 to 16 votes.

For many years, the 70-year-old had been suffering from Parkinson's disease and on 4 April 2014 she died. Her Bill has now been taken on by Green MSP Patrick Harvie.

At her death, her husband Jim Sillars, a former SNP deputy leader, said: "Today the brightest light in the Scottish political firmament has gone out. My wife Margo MacDonald died peacefully at home surrounded by her family today at 1.10pm." One thing seems clear – Margo MacDonald did not need to avail herself of the assisted suicide for which she had campaigned so vigorously.

Euthanasia elsewhere – Washington State, Belgium and Québec

There is never good news with regard to euthanasia practice. In Washington State, for example, the latest government figures show that during 2013, a total of 173 people asked for, and received, drugs sufficient to induce death. This represents a 43% increase from 2012. Though 159 of these patients died, it is estimated that 119 died as a direct result of taking these lethal doses.

The 2009 Washington State law allows terminally-ill patients, who are expected to die six months or sooner after a diagnosis, to be prescribed drugs to end their lives. Two witnesses, including a non-relative, must be present when the drugs are used. The reality is that a doctor does not have to be present at the attempted suicide, and therefore nothing prevents a family member from taking individual action that may or may not be voluntary on the part of the patient. The whole scheme is open to abuse. There is good evidence that many end their lives not because of actual pain but because of the fear of pain.

Meanwhile, Belgium has gone almost the whole hog by allowing children of all ages to be euthanised. On 2 March, the king of Belgium signed into law a controversial Bill making the nation the first country in the world to allow euthanasia for terminally-ill children. The Bill became law despite widespread opposition, including a 200,000-strong Europe-wide petition, which was delivered to King Philippe urging him not to sign.

It was in 2002 that Belgium became only the second country in the world to sanction adult euthanasia. Some 10 years later, in December 2013, this child euthanasia Bill was approved by the Belgium Senate and by the House of Representatives on 13 February 2014 by a massive majority of 86 votes to 44 with 12 abstentions. Belgium has gone euthanasia mad. The very idea of euthanasia for children is considered morally repugnant in most European countries. For many it evokes memories of the Nazi child euthanasia programme, which eventually led to the Holocaust.

Now Québec has attempted to join the euthanasia gang. On 5 June, Bill 52, known also as An Act Respecting End-of-Life Care, was passed by the National Assembly with an overwhelming majority of 94 votes to 22 with no abstentions. Québec thus joins the Netherlands, Belgium, and Luxembourg as the fourth jurisdiction in the world to legalise full-blown euthanasia, as opposed to assisted suicide.

However, the deal is not yet done – a legal battle has broken out. Under the Canadian constitution, the criminal code is a Federal responsibility and it bans euthanasia. In fact the Ottawa Parliament rejected similar legislation in 2010. To circumvent this hurdle, Québec's rebel legislators have lexically engineered 'euthanasia' to become 'medical aid in dying' and they describe it as a health

issue, not a criminal issue. Already a group opposing the new law has launched an appeal to Canada's Supreme Court.

USA and elsewhere

Hobby Lobby and ObamaCare

There has been a continuing trickle of exemptions from the ObamaCare (Affordable Care Act) insistence that employers must pay for abortifacient 'contraceptives', such as the morning-after pill, for their employees.

For example, in May, a federal court halted enforcement of the mandate for two Christian universities – Cornerstone College in Michigan and Dordt College in Iowa. Their lawsuit stated: "The Schools hold, as a matter of religious conviction, that it would be sinful and immoral for them intentionally to participate in, pay for, facilitate, enable, or otherwise support access to abortion, which destroys human life."

Then on 1 July, the US Supreme Court pronounced on the two leading lawsuits, which involved the craft store Hobby Lobby and its associated bookstore Mardel, plus the wood company Conestoga, both owned by evangelical Christian families. It decided by five to four in their favour. It was a huge win for religious liberty in the US. Sadly, it also exposed a deeply-divided Supreme Court. The Obama administration could have handled these matters so much better. Its heavy-handed and unconstitutional approach has sought to trample over the affections and consciences of Christians. However, this long-awaited and positive verdict is not the end. There are dozens of similar lawsuits in the pipeline ranging from religious non-profit ministries, evangelical colleges and universities to the Little Sisters of the Poor – a Roman Catholic charity. The good news is that this landmark Hobby Lobby decision makes the victory of these groups much more likely.

Abortion in Florida

The Sunshine State is about to tighten up its law that currently allows abortion up to 24-weeks – the same as in the UK. From July, Floridian doctors will be required to evaluate foetal survival – if the baby is deemed able to live outside the womb, then abortion is prohibited. Speaking on behalf of Governor Rick Scott, an aide confirmed that Scott is, "pro-life and was glad to sign this Bill that protects the lives of children".

Abortion in North Dakota

Any restriction on access to abortion is always going to be hotly contested in the USA, and anywhere else. North Dakota is just one example. In 2013, abortions were banned after it was established that a foetal heartbeat could be detected as early as six weeks into a pregnancy. Last July, the state's only abortion clinic, the Red River Clinic in Fargo, filed a lawsuit against the heartbeat law. In April this year, District Judge Daniel Hovland declared that the new law was 'invalid and unconstitutional'. The legal battle continues.

Abortion in Oklahoma

During April, a Bill was approved by the state House of Representatives that would require the Board of Health to establish health and safety standards for abortion clinics. Such stipulations have recently become quite common and have resulted in the closure of many abortion facilities across the nation. The original Bill was then amended to limit human embryo research. It would ban any person from knowingly conducting 'non-therapeutic research that destroys a human embryo or subjects a human

embryo to substantial risk of injury or death'. The ensuing debate was described as 'passionate'. Eventually the amended Bill passed the House by 75 votes to 15 and will now return to the Senate for approval.

Abortion in Louisiana

Also during April, the Louisiana House of Representatives overwhelmingly passed – 82 to nine with 14 abstentions – a Bill that would require abortion facilities to hand out pamphlets about the mental health risks of abortion. The leaflets must be given at least 24 hours before an abortion takes place. They must include information, phone numbers, and links to Internet websites of non-profit organisations, that have free and confidential information about the harm caused to women before and after having an abortion. This Bill has now gone to the state Senate.

A different pro-life tactic

How do you get rid of your local abortion clinic? You buy it! Earlier this year, Susan Cahill, the owner of the All Families Healthcare abortion centre was told that she had 90 days to move her business off the premises. Why? Because the new owners of the building were Michelle Reimer, executive director of the pro-life pregnancy organisation, Hope Pregnancy Ministries, and her husband.

This tactic is not new. Back in 2000, in Dayton, Ohio, Elizabeth's New Life Center purchased property where an abortion clinic was operating. After the clinic was forced to leave the building, the Center asked the city to change the building's purpose from 'business' to 'residential'. Once the city had done this, the Center sold the building as a home. Perhaps most famously, in 2006, the pro-life organisation, Operation Rescue, purchased the building that housed Wichita Family Planning in Wichita, Kansas. Operation Rescue turned that location into its national headquarters, which also includes a memorial to the pre-born.

Abortion in Spain

Perhaps it really was too good to be true. In December 2013, the Spanish government approved a radical Bill that would repeal its current liberal law, which allows abortion-on-demand up to 14 weeks. Now the government has reportedly watered down that reform after it sparked a fierce backlash from pro-choice groups. The Bill will now allow women to terminate pregnancies if the unborn child has some form of disability. The reform is expected to be debated later this year. This sort of policy swing demonstrates the tension and conflict that exists between the pro-life and pro-choice camps in Spain and in other countries; but it also shows how resolute pro-life advocates can be – they have mettle in their backbones and fire in their bellies.

John R Ling

Dr John R Ling's latest book, ***Bioethical issues: Understanding and responding to the culture of death,*** was published by Day One in March this year. The book is a much more thorough and comprehensive successor to his previous book, *Responding to the culture of death: A primer of bioethical issues*, published in 2001. One measure of the increased thoroughness of the latest publication is that it runs to 312 pages, compared with the 128 pages of the 2001 edition. The new book will be reviewed in the next issue of *The Bulletin*, due out in November 2014.

Bioethical issues: Understanding and responding to the culture of death, John R Ling, Day One, *March 2014, 312pp, paperback,* £10.00. *ISBN:* 978-1-84625-427-7

A change in social care: a review of the Care Act 2014

The Care Act, after proceeding through Parliament for nearly nine months, received the Royal Assent on 14 May 2014. Its passage both through the Commons and the Lords has been remarkable in that there has been a general consensus by the political parties to see the Act pass into law. The debate on the Bill has therefore been about detail and a great deal of expertise has been shown by members of both Houses in refining and modifying the legislation.

The Act has been treated in this way because it signals the first major change to the legislative framework for social care in England and Wales for nearly 40 years. When it comes into force in 2015 it will consolidate more than a dozen different laws into a single modern framework. The official summary of the Act describes it in this way:

> A Bill to reform the law relating to care and support for adults and the law relating to support for carers; to make provision about safeguarding adults from abuse and neglect; to make provision for care standards; to establish and make provision about Health Education England; to establish and make provision about the Health Research Authority; and for connected purposes.

These represent an ambitious set of goals.

Care and Support Minister Norman Lamb describes the Act as "the biggest reform of care and support in more than 60 years, putting people and their carers in control of their care and support". He claims that: "The Care Act has created a single, modern law that makes it clear what kind of care people should expect."

The leading provisions can be set out briefly:

- **A minimum eligibility threshold across the country**

No longer will each local authority be able to set its own criteria for providing and funding services. With tighter budgets, many authorities have raised the threshold at which they will start to provide. There will now be one set of criteria which will apply across the whole country.

- **Well-being will be the primary criteria**

First and foremost, local councils will now have a duty to consider the physical, mental and emotional well-being of the individual needing care. The local authority will also have to guarantee preventative services which could help to reduce or delay the development of care and support needs. The safeguarding of vulnerable adults will also be a statutory responsibility.

- **Moving Areas**

Someone who receives services and support from one local authority, and who then relocates will be able to expect their new local authority to provide the same services.

- **Empowering the individual with personal budgets**

In the past the focus has been on what disability someone had or what services the local authority could provide, rather than on the individual and his well-being. That will change. The individual will be given the power to spend money on care that is appropriate to his particular needs.

- **Cap on amount people spend on care**

This much-vaunted provision is the result of the report produced for the government by the economist, Andrew Dilnot. There will be a limit of £72,000 on the amount which people will be required to spend from their own resources on the cost of their care. After that, the State will pay the costs. The system will come into force in April 2016 and will affect 35,000 people. The government estimates that by 2024 to 2025 up to 100,000 more people will benefit. The care covered by the £72,000 will not include the costs of food, energy and accommodation. These costs will still need to be paid for separately by people receiving care. Initially these so-called "hotel costs" have been set at £12,000 per annum. No matter what assets a person has or does not have, he or she will continue to pay the "hotel costs".

- **Information and advice**

Local Authorities will be required to offer information and advice enabling everyone to understand what support they will need. Councils will be obliged to give everyone requiring any kind of care access to independent financial advice to help steer them through the complexities of care funding.

- **Advocacy and appeals**

Advocacy services must be available where necessary. For the first time, there will be a system by which people may appeal against council decisions with regard to eligibility and the funding or non-funding of care and support.

- **Deferred payment scheme**

Local authorities will also have to offer a deferred payment scheme so that those needing residential care will not have to sell their homes during their lifetime in order to pay for it. This provision will only apply to those who have capital of less than £23,250, excluding the value of their home.

- **NHS choices website**

This new website will not only give information about providers of care but will also allow potential users of services to compare providers and to comment on them. It is suggested that such an open system will help to drive standards up.

- **Carers Assessment**

A new right to have an assessment will be given to all carers along with the right to support to meet their needs. This is one of the most valuable of the changes proposed.

- **Stronger regulatory powers**

The Chief Inspector of Social Care will be able to hold providers of care to account, including the bringing of prosecutions, where they provide poor care.

- **Human Rights**

People receiving care and support from a regulated provider and which is arranged by the local authority will now be covered by the Human Rights Act. This will apply both to people living in their own homes or in a residential care setting. This provision will not apply to people who pay for their own care, although the government has agreed to review that particular exemption.

All the above new provisions will be phased in over the next few years. There will be an initial consultation on the draft regulations and guidance needed for implementing Part I of the Care Act.

It may seem to many that these changes will have little impact on the life and responsibilities of churches, but that is far from being the case. It is vital that churches and individual Christians are aware that the way social care is assessed and delivered in future will be different, and will have inescapable implications.

There are several things which churches should now be considering:

[1] Most local authorities will be making preparations for the initial implementation of the Act in April 2015. Information and advice will, no doubt, be made available during the Autumn of 2014. Churches should seek to find out what their own local authority is planning.

[2] The principle of well-being and the assessment of carers will inevitably require changes to the way in which social workers go about their work. There is also a new emphasis on safeguarding people in connection with protection from abuse. The role of social workers is already demanding and stressful. The envisaged changes will, initially at least, put extra pressure on them. Churches which have social workers in their membership should recognise what they will be facing and be ready to support them.

[3] In the past, many churches have not been good at supporting older people and people with disabilities in their seeking to obtain services and support from local authorities. There is a need for the church to be involved in this if the family is not able or willing to be involved. There will be an increasing need for churches to respond to this challenge. Given that carers will soon be able to be assessed and to access services, there will be a greater number of church and congregation members engaging with the new structures for the provision of social care and support. The need for understanding and sympathetic co-operation from the local church is vital.

A particular responsibility of churches lies in the moral and spiritual support which they will need to give. The Act makes no significant reference to spiritual care, but the local church should be looking to ensure that spiritual issues are included in the assessments which the public services make on behalf of care recipients and carers.

Some churches are considering the possibility of becoming a care provider, especially for people in their own congregation. This is not an easy option, and there are many legal hoops to jump through, but there are genuine opportunities.

Another possible role which churches may like to consider is to set up an advocacy service to support Christians who are seeking to access services and who are challenging decisions that have been made. The existence of a church-based advocacy service is a way of ensuring that all the information and advice which becomes publicly available can be made accessible to all those in the church to whom it is relevant.

In many ways the “new era” envisaged by the Care Act is an opportunity for churches to respond more positively to the needs of older people, people with disabilities, and carers. These groups are among the neediest and most deprived in our society, and often in our churches. Yet the Scriptures make them a priority to receive the care and attention of all God’s people. Perhaps as the provisions of the Act begin to take effect, there will be a greater, deliberate and effective involvement by the church in the provision of support and care to all its needy people, and that churches will recognise this role as a core and God-glorifying duty and priority.

Roger Hitchings

The relationship between Christianity and the British Nation: letter to the Prime Minister

The Prime Minister's Office
10 Downing Street
LONDON SW1A 2AA

7 October 2013

Dear Sirs,

Affinity is a fellowship of churches in the United Kingdom which represents more than 1,200 local churches. Our Social Issues Team monitors all areas of public policy and administration, and informs and advises the churches within our fellowship.

I read with interest the statement below which was released by the Prime Minister's Office shortly after an article appeared in the Daily Mail on 30 March 2013, containing comments critical of the Prime Minister:

"The government strongly backs faith and Christianity in particular, including backing the rights of people wanting to wear crosses at work and hold prayers at council meetings. The Prime Minister values the profound contribution that Christianity has made, and continues to make, to the country, which is why he strongly backs it."

I have a number of questions arising from this statement to which I would be glad to receive a response.

1. In a speech on 16 December 2011 at Oxford, to mark the 400th anniversary of the King James Bible, Mr Cameron said: "We are a Christian country and should not be afraid to say so." That December 2011 statement linked Christianity inseparably with the definition of what characterises Britain. The more recent statement, however, seems to describe the relationship between Christianity and the British nation in more vague and much less foundational terms. It refers to Christianity as only having made "a profound contribution" rather than describing something which has been essential to our national identity. We would be grateful to know whether this difference was intentional, and whether the government now views Christianity as only a "contributor" to Britain's historical and present national experience rather than something essential to the nation's identity.

2. If Christianity is only a "contributor," who and what are the other "contributors" which Downing Street had in mind when making this statement? In what ways have these "contributors" fulfilled a profound role in our forming our national identity? Are any of them in any way comparable to the part played by Christians and churches in the history of our nation?

3. If Christianity is only a "contributor," however profound its contribution, who or what occupies a more fundamental position at the heart of our national identity and essentially defines it?

4. If Christianity is only a "contributor," is it envisaged that its contribution can potentially decline or be discarded, so that a new national identity may emerge based on secularism or the tenets of another faith or simply faith in general?

I look forward to your reply and to receiving clarification on these matters.

Yours faithfully

Peter Milsom, Director

No reply was received to the above letter.

Civil partnership and mitochondrial donation: consultation submissions

Affinity has submitted a response to two recent government consultations. The first was in April to a review of civil partnership in England and Wales conducted by the Government Equalities Office and the Department for Culture, Media and Sport; and the second in May to the consultation on mitochondrial donation conducted by the Department of Health.

The full text of Affinity's submission to the civil partnership review is as follows:

CIVIL PARTNERSHIP REVIEW (ENGLAND AND WALES): A CONSULTATION

Q1 What are your views about abolishing the legal relationship of civil partnership once same sex couples can marry?

I believe civil partnership should not be abolished because:

[1] Same sex couples entered into their civil partnerships with a clear understanding of what that meant in legal and social terms, and between 2005 and 2012 more than 60,000 couples have entered into it. None of these would have had any inkling that this relatively new legally and socially recognised formal relationship would, within a very few years, run the risk of being abolished. Such a suggestion now is an affront to them, and treats them with disdain and indignity.

[2] It is not sufficiently realised that many same sex couples were opposed to the extension of marriage to same sex couples, their argument being that marriage was naturally and historically a relationship for opposite sex couples, and that civil partnership gave same sex couples, in an appropriate and acceptable way, all the legal and social rights, benefits and privileges which marriage gave to opposite sex couples.

As proof of this, the number of civil partnerships contracted in the UK in 2012 was 3.6% higher than in 2011 – 7,037 compared with 6,795, even though by then the government had announced its immediate intention to legislate to extend marriage to same sex couples. One might have expected a drop, while couples waited for marriage to be available to them within two years or so – not a long time to wait.

In the light of this, it would be extremely presumptuous for the government to imagine that civil partnership is regarded by all same sex couples as a second-class institution, and can be dispensed with at will now that marriage has been redefined. What has happened to marriage will be irrelevant to a significant number of same sex couples – they were never engaging with marriage, and are still not. They were entering into a civil partnership.

[3] One of the key questions to ask when responding to a proposed significant social change is: Who will benefit from this step? We have to say that we cannot identify any benefit to anyone at all at the present time if civil partnership were abolished.

Q2 Once marriage is available to same sex couples, do you think it should still be possible for couples to form a civil partnership as an alternative to marrying?

Yes

The reasons why new couples might want to opt for civil partnership rather than marriage are potentially precisely the same as the reasons why so many couples contracted civil partnerships in

2012, even though they knew that same sex marriage was likely to be available within a very short time. Civil partnership is not marriage, even though it provides for the same legal rights and privileges. The government should have regard for the fact that a significant number of same sex couples want a formal relationship that is not called marriage, and do not wish to enter into marriage.

Q3 What are your views about extending civil partnership to opposite sex couples?

I believe civil partnership should not be extended to opposite sex couples because

[1] Although the government frequently stated that the redefinition of marriage would strengthen marriage within society, there are many people who believe that it will greatly weaken marriage, which will be reduced from being a specific, unique and pivotal relationship within our social structure to having nothing more than a legal status.

As a result, many people will perceive marriage as being a less meaningful relationship, and being much less significant as part and parcel of the normal pattern of society than it was previously. The effect of this is the likelihood that large numbers of opposite sex couples will choose to cohabit, rather than to marry. The number of opposite sex marriages taking place in Spain after marriage was extended in 2005 to include same sex couples dropped by 23 per cent per year by 2011.

If, after a few years, the redefinition of marriage in 2013 is judged to have been a social disaster, it will be much easier to change back to the previous marriage definition and arrangements if civil partnership is retained, and is retained as a relationship for same sex couples only.

[2] The strength of marriage as an institution would be diluted if opposite sex couples wishing to formalise their relationship are offered a choice of recognised ways of doing that. We want opposite sex couples who have chosen one another as their life partners to marry, as this will be a benefit to them as a couple, to the institution of marriage, which is greatly strengthened if a high proportion of the population enter into it, and to the stability, order and happiness of society as a whole.

[3] We are not aware of any demand for opposite sex couples to be able to enter into civil partnerships.

[4] We think that the suggestion that civil partnerships should be open to opposite sex couples is motivated by the appearance of equality it would achieve, rather than by any particular need, benefit, demand or usefulness. This would be too important a step to take for so trivial a reason. Fundamental changes to the basic structure of our society should not take place in order to tick boxes, but only after significant positive benefits have been clearly identified. There is none in this case.

On 26 June 2014, the government announced its response to the above consultation, after considering nearly 11,500 submissions. Civil partnership will continue to exist as a separate recognised legal relationship, and will also continue to be for same-sex couples only. The government's response is therefore completely in line with the views expressed in Affinity's submission.

The full text of Affinity's submission to the Consultation on Mitochondrial Donation is as follows:

MITOCHONDRIAL DONATION

A consultation on draft regulations to permit the use of new treatment techniques to prevent the transmission of a serious mitochondrial disease from mother to child

Question 1: Regulation 2 defines the removal or insertion of nuclear DNA involved in mitochondrial donation. Do you agree with this definition?
While we remain resolutely opposed to the ethics and practice of mitochondrial donation (MD) (see our Comments on Question 9), this definition seems adequate.
Question 2: Regulations 4 (eggs) and 7 (embryos) only allow mitochondrial donation where all the nuclear DNA is transferred from an egg or embryo to another egg or embryo from which all the nuclear DNA has been removed. Do you agree with this description and restriction?
While we remain resolutely opposed to the ethics and practice of MD (see our Comments on Question 9), these Regulations seem understandable.
Question 3: Regulations 5 (eggs) and 7 (embryos) require that, in order to agree that mitochondrial donation can go ahead, the HFEA must decide if there is both a particular risk that the egg or embryo of the patient has a mitochondrial abnormality and a significant risk that a person with the particular mitochondrial abnormality will have or develop a serious physical or mental disability, a serious illness or other serious medical condition. Do you agree that the HFEA should have this role?
Though far from persuaded of the scientific necessity, medical advisability or the bioethical legitimacy of MD, we recognise that if such a procedure were to be permitted, it must be rigorously regulated and scrupulously monitored. Whether the HFEA is equal to the task is another matter. Its history, in terms of administrative competence, clinical compliance and bioethical resolve, has long been questionable. The HFEA has always been a libertarian organisation – for example, has it ever rejected a research or licence proposal?
Question 4: Do you agree with the principle that centres should not be permitted to undertake mitochondrial donation without first obtaining authorisation to do so from the HFEA?
If MD were to be permitted, then its monitoring and administration must be preceded by stringent authorisation – centres alone cannot be allowed to self-regulate. Perhaps the HFEA is the best currently-available body to oversee this process.
Question 5: Do you agree that people donating eggs and embryos for the purposes of mitochondrial donation should *not* have the same status as those donating eggs and embryos for use in fertility treatment but rather regarded more like organ or tissue donors?
This is a complex and thorny issue. While we are always more than our genes, we are never less. Affinity is concerned about the inference here that the donation of just a little genetic material, namely, 37 mitochondrial genes, is of minor significance. A limited regard at this stage will set a dangerous precedent for the future. At what numerical point does genetic donation become of major significance?

Question 6: Regulation 10 provides that the HFEA should tell a person aged 16, on request, if they were born following mitochondrial donation. Do you agree with this?

In principle, we should not withhold genetic information. In other words, all of us should be able to discover who we are biologically. Anonymous genetic donation, as opposed to tissue or blood donation, is never a good idea. Secrecy surrounding our origins may appear to be protective, but it has, at least, the potential to create personal and family conflicts.

Question 7: Regulation 10 also provides that the information that the HFEA should provide in response to such a request should not identify the mitochondrial donor and be limited to screening tests carried out on the donor and about her family medical history, and any other non-identifying information that the donor has provided with the intention that it is made available in these circumstances. Do you agree with this approach?

If MD were to become legal, this is the sort of social, legal and medical baggage that it would inevitably engender. Regulations that impose restrictions on freedom of information are usually bad and in the future may be impossible, legally and bureaucratically, to maintain.

Question 8: Regulation 13 provides that the HFEA should tell a mitochondrial donor, on request, when a child has been born from their donation, how many and their sex. Do you agree with this approach?

Why would a donor wish to know such information? Would it be simple self interest, or might it lead to searching for the donated child(ren)? This is reminiscent of the bioethical, legal and social minefield that surrounds the practice of surrogacy.

Question 9: Do you have comments on any other aspect of the draft regulations?

We responded to the previous public Consultation on Mitochondrial Donation (MD) in December 2012. We began that submission by affirming four basic facts. **We do so again because the legitimacy of every innovative medical practice and legal authorisation must be judged by the most stringent bioethical foundations - [**1] Human life begins at fertilisation; [2] All human life is precious and therefore deserves to be protected; [3] IVF and PGD procedures always destroy human embryos; [4] Because IVF and PGD are integral to maternal spindle transfer (MST) and pronuclear transfer (PNT), we are opposed to the legalisation and use of these two novel procedures.

In our December 2012 submission we also stated that, 'None of this is to deny compassion towards those who suffer from mitochondrial diseases. And we understand the desire of some sufferers to have children who are, not only genetically related, but also free from such diseases. However, while we are neither anti-progress nor anti-science, we maintain that medical research must be conducted within robust bioethical boundaries. Inevitably, this means that some scientific procedures will be forbidden. **We maintain that MST and PNT should be in this prohibited category.**'

We recognise that the MD debate has been hastily moved on from considering questions of its appropriateness to those of its implementation. Yet nothing in the intervening months has changed our thinking about MD. **The fundamental question to be put before Parliament is this: 'Do we want to create genetically-modified children?'** These draft regulations, designed to circumvent the current illegality of such a course of action, will be merely the prelude to calls for more and greater changes. If approved, the crucial precedent will be established. The proposed 0.1% of donated DNA will inevitably become 1% and then why not 10%? MD is certainly not a matter of just 'changing the batteries in a camera' or 'adding extra RAM to a computer' as some of its advocates have misleadingly stated.

Moreover, if modifications to mitochondrial DNA are to be permitted, then why not to nuclear DNA? **Every bioethical issue is subject to such 'slippery slopes' and MD is no exception.**

Furthermore, we are concerned about the quality of the evidence that has been used to promote MD. For instance, the analyses and conclusions of the HFEA's 2012 public dialogue and consultation were deeply flawed – there was no clear-cut support for MD. And the finding of the Expert Panel that '… no evidence that either technique was unsafe' is as specious as it is grossly inadequate. In addition, we were told that regulatory approval would be withheld until sufficient research on the safety and efficacy of MD in humans was published. Where are these promised data? The adverse outcomes of MD with animals, such as their failed and abnormal development, should prompt all experiments with human subjects to be halted. Any such unintended harm to the lives of treated children, and their subsequent generations, is too high a price to pay. And there are other specific issues that have yet to be satisfactorily addressed. For example, nowhere in the Consultation document is there discussion of mitochondrial heteroplasmy (the persistence of some mitochondria from both the mother's and the donor's ova), the effects of any 'mismatch' between nuclear and mitochondrial DNA, the impact of non-genetic cytoplasmic components, and the role of epigenetics in the 'new' embryo. These, and other legitimate concerns, demonstrate that these draft regulations are overly premature. **The likely occurrence of unforeseen and harmful consequences means that proceeding with human MD would be foolish.**

Yet despite warnings about the safety, effectiveness and ethics of MD from the US Food and Drug Administration and other high-ranking bodies, such as the Council of Europe's Convention on Human Rights and Biomedicine, plus numerous individual scientists and bioethicists, the UK has relentlessly forged ahead, driven by a powerful minority lobby within its scientific and political communities. Their expressed hope that by authorising MD the UK would become a world leader in this controversial, unpredictable, potentially dangerous and bioethically dubious enterprise is a vulgar motive. An important question to answer is this: Why have some 40 countries, including our near neighbours like France and Germany, already banned these MD procedures?

And one additional, momentous objection remains. **The germline nature of MST and PNT crosses a most serious scientific and bioethical Rubicon**, a barrier that many other countries have clearly recognised and refused to traverse. Crossing it inevitably raises the issue and threat of legalising future, larger scale, eugenic manipulation. The spectre of the so-called 'designer baby' is fearful.

The fact that these draft regulations on MD take up six pages of byzantine detail should raise additional concerns, if not alarm bells, about the wisdom of seeking to advance these contentious techniques. The need for such convoluted minutiae heralds a move away from the natural order, an excessive legal tinkering with established mores, and thereby represents an unprecedented threat to what it means to be human. It is all too reminiscent of the recent farrago that surrounded the demand to create human-admixed embryos. They too were once proclaimed to be 'ethical' and 'essential', but have since proved to be both ineffective and unnecessary.

In essence, MD is not a treatment, but rather a method for ensuring that affected individuals are never born. The deliberate destruction of human embryos is never good medicine. Nor is any clinical practice that is purposefully risky with uncertain patient outcomes. Therefore, we conclude that these draft regulations are both reckless and reprehensible. **We strongly urge the Department of Health to recommend a prohibition of MST and PNT techniques.**

The government's response to the Consultation on Mitochondrial Donation is still awaited.

Latest news of significant individual cases

The following are summaries of the story so far in some of the significant recently-resolved or still unresolved cases involving Christians responding to a wide range of legal, police or disciplinary action against them. Seeking a remedy by means of litigation can be a lengthy process – sometimes taking several years for a closure to be reached. The Christian agency handling these cases is indicated in brackets at the end of each item.

John Craven

John Craven is a street-preacher from Manchester. He was preaching in Manchester city centre when two teenagers began to taunt him and ask him for his views on homosexuality. Mr Craven said that it was not what he thought, but what God thought, and he quoted the Bible's stance on homosexual behaviour. He also said that "while God hates sin, He loves the sinner." The boys then kissed in front of Mr Craven and taunted him with sexual gestures.

After a short while, Mr Craven was arrested under Section 4A of the Public Order Act. Mr Craven was put in the back of a police van and taken to a police station where he was kept in police custody for more than 19 hours. He was not given food or his medication for over 14 hours.

Mr Craven was released on bail, but on the next day received a telephone call to say that the case against him had been dropped, owing to a lack of evidence.

Mr Craven sued the Greater Manchester Police for wrongful arrest, and the hearing in Manchester County Court had been listed for 31 March and 1 April 2014. However on 26 March an out-of-court settlement was reached under which the police paid Mr Craven £13,000 in compensation and in addition are liable to pay his legal costs. The total cost to the police in legal costs is likely to be in the region of £50,000. *[The Christian Institute]*

Mike Davidson

In April 2012, Christian charity Core Issues Trust [CIT] was set to run adverts on London buses which read: "Not gay! Ex-gay, post-gay and proud. Get over it!" These adverts were in response to those run by Stonewall, a homosexual campaign group, which read: "Some people are gay. Get over it!"

CIT had its adverts approved for display by the advertising authorities. But when *The Guardian* reported that these adverts would run, Boris Johnson appears to have contacted Transport for London (TfL), and ordered that they should **not** be displayed**.**

This happened just as Mr Johnson was campaigning for re-election as Mayor of London and was courting the 'gay vote'. Tellingly, he was due to appear at a hustings organised by Stonewall the day after he banned the CIT adverts.

Through a Freedom of Information Act request, an email was uncovered which read: "*Boris has just instructed TfL to pull the adverts."* This email had not been disclosed to the High Court judge.

On 27 January 2014, the Master of the Rolls (the second most senior judge in England and Wales) ruled that the Mayor of London should be investigated for his part in banning the CIT's bus advert.

This is a good decision with a number of other positive aspects:

- it recognises the need to ensure that politicians do not make controversial decisions for their own political gain;
- it recognises that 'ex-gays' are protected from discrimination;
- it means that TfL should give a level playing-field to both sides of the debate (which means, in practice, that both advertisements, or neither, should run);
- Lord Justice Briggs (one of the other judges) specifically spoke of the need to respect sincerely-held religious views on homosexual conduct.

On 5 March, a High Court judge ordered the Mayor of London to provide full, unedited copies of emails and other documents sent to and from his office "in order to get to the bottom" of his decision to ban a Christian charity's bus advertisement. She has made an order for disclosure by Boris Johnson and TfL of all relevant documents relating to his decision to pull CIT's adverts. The order includes emails, memos, internal notes, reports and any other relevant documents sent to or from the Mayor or any person in the Mayor's office within the Greater London Authority.

The judge also asked Boris Johnson, Guto Harri and Sir Peter Hardy, Commissioner for TfL, to provide witness statements.

On Monday 30 June the case was in the High Court again for a High Court judge to consider whether fresh evidence from the Mayor of London's office shows that Boris Johnson personally ordered Transport for London to ban CIT's bus advertisement, and whether he did so for an improper purpose during his re-election campaign in 2012.

Judgment in the case has been adjourned for a later date

Core Issues Trust is being supported by the Christian Legal Centre, whose CEO, Andrea Williams, says:
"This is suppression of free speech and expression by the political class. Mr Johnson and his high-level team are using their power to suppress a small Christian charity.

"The fact that the Court of Appeal ordered this case to be reconsidered by Mrs Justice Lang is an important vindication of the rule of law. TfL has made it hard for us to get to this point; it has been hostile and obstructive and has certainly not been a model of transparency. TfL has continued to promote Stonewall campaigns on its transport system – a highly provocative action which shows disregard for the Court's original judgment, which held that neither Stonewall's nor Core Issues Trusts's adverts should have been allowed. If one point of view is championed on London's transport network, there must be room to display an opposing view. We hope the Judge will recognise that this freedom was violated when the Mayor banned Core Issues Trust's adverts." *[Christian Legal Centre]*

Nohad Halawi

The case of a Christian worker who lost the job at Heathrow Airport which she had held for 13 years, on the basis of false rumours that she was 'anti-Islam', was heard at the Court of Appeal in London on 25 and 26 June.

Nohad Halawi, who worked in a duty free shop at Heathrow's Terminal 3, had defended a fellow Christian employee who was mocked by fellow Muslim workers for wearing a cross. Despite unsubstantiated complaints by the Muslim workers that she had behaved in an 'anti-Islam' manner, the management took away her 'airside' pass which meant that she was no longer allowed to work at the airport.

Mrs Halawi claimed unfair dismissal and religious discrimination at an Employment Tribunal in 2012 but it ruled that she had no protection under employment law as she was technically not an employee, despite significant evidence to the contrary.

At an Employment Appeal Tribunal in October last year Mrs Halawi's barrister, Paul Diamond, argued that Mrs Halawi was an employee under European law, and as such should be protected from discrimination. He also argued that the Employment Tribunal should have considered the relationship which existed between Mrs Halawi and World Duty Free and Caroline South Associates, who controlled her working arrangements, as the basis for allowing her to be deemed an 'employee' or a 'worker', under European law.

Twenty-two of Mrs Halawi colleagues at Heathrow, including other Muslim workers, signed a petition which stated: "We are shocked and saddened by the recent dismissal of our colleague and friend, Nohad, as a result of malicious and unfounded allegations made against her."

Andrea Williams, CEO of the Christian Legal Centre, which is providing legal support for Mrs Halawi, said: "This is a clear case of a Christian worker being subject to an injustice which was obvious to many of Nohad's colleagues – including some Muslim colleagues – who signed a petition protesting against her dismissal. In order for us to challenge Nohad's unfair dismissal, and the unequal treatment of Christians in the workplace, we need a judge to rule that she was in fact employed.

Judgment in the case has been adjourned for a later date. *[Christian Legal Centre]*

Jamie Haxby

Jamie Haxby is a Christian and a graphic designer. On 4 December 2012 he attended an interview for a job at Prested Hall in Essex to assist with the hotel's marketing and promotion. Mr Haxby claimed that during the interview he was told by the interviewer that colleagues at the hotel were atheists and could not work with a Christian. He was later told that other candidates had more experience and he was not offered the job.

Following attempts to resolve matters, Mr Haxby commenced proceedings in March 2013 for religious discrimination in the Employment Tribunal. Earlier this year the case was settled out of court. Under the settlement, the hotel agreed to make an undisclosed payment to the Essex Air Ambulance Service. *[The Christian Institute]*

Tony Miano

On 8 January 2014 Tony Miano was arrested after a woman complained that he had spoken about sexual sin while preaching on Dundee High Street in Scotland.

He was part of a street preaching team addressing lunch-time shoppers when he spoke about sin in general, and mentioned adultery, promiscuity and homosexual practice.

Tony, a client of the Christian Legal Centre, was held in custody overnight and the next day appeared before the Sheriff's Court where he pleaded not guilty to a charge alleging breach of the peace with 'homophobic' aggravation. He was bailed to appear for trial at Dundee Sheriff's Court, but police in Scotland have now dropped all charges against him.

Mr Miano had protested his innocence and said that the video record of his preaching would prove that he had done nothing wrong and that his message was one of hope to be found in Jesus

Christ. The officers refused to look at the footage and took the evangelist to the police station where he was detained for 24 hours.

After receiving news that his case had been dropped, Mr Miano thanked the CEO of the Christian Legal Centre, Andrea Williams, and his lawyer, John Kydd, for their support throughout his ordeal.

Responding to the charges being dropped, Mr Miano says: "It took months for the prosecutors to view the footage despite our best endeavours from the very beginning to get them to do so. When the Prosecutors finally managed to get the video footage off my camera they could plainly see that the accuser had made allegations about my speech that were simply untrue. The Prosecutors found nothing in my preaching that constituted 'hate speech' and came to the conclusion that they had no case against me. Had the officers who arrested me taken a few minutes to review the video footage, they would have seen what I have maintained all along. This has been a stressful time for my family." *[Christian Legal Centre]*

Victoria Wasteney

A Christian occupational therapist has been disciplined for praying for a Muslim colleague, despite being encouraged by the colleague to talk about her faith.

Victoria Wasteney, Head of Occupational Therapy at the East London NHS trust, prayed for the newly-qualified Muslim worker after she expressed concerns about her health. When Victoria offered to pray with her, she willingly agreed, replying "OK".

But in June 2013, the colleague raised a complaint against Victoria, who was called before the Associate Director of Therapies the next day and suspended for nine months pending an investigation.

The colleague had never complained to her personally and had always initiated any discussions about Victoria's faith.

"I would have stopped praying immediately if I had thought I was distressing her in any way but faith was openly discussed and encouraged and welcomed by the complainant", Victoria said.

A disciplinary hearing ruled that Victoria was 'guilty' of three offences: praying for her colleague, inviting her to church charity events, and giving her a Christian book, *I dared to call him Father* – the story of a Muslim girl who had converted to Christianity. Victoria had given the complainant the book just before she was due to go into hospital for treatment.

The ruling against Victoria was made despite the fact that the complainant failed to attend the disciplinary hearing and one of the witnesses had said he was pressured into making statements against her.

"Entrapped"

"I fear I may have been entrapped by a colleague who encouraged me to discuss my faith, who willingly agreed that I could pray for her and who even accepted an invitation to a church charity event", Victoria said.

She added that Christian groups are required to fit around managerial arrangements in the Trust whereas, by contrast, joint staff and service-user Muslim fellowship meetings are always facilitated, regardless of any staffing issues.

“There is undoubtedly a pattern of inequality of treatment of Christians and Muslims in the NHS. Regardless of allocated break times, Muslim staff can pray five times a day, which I am not objecting to, but Christians are often denied time off on Sundays or permission to take breaks during their lunchtime for prayer or religious worship”, she said.

Victoria, who is supported by the Christian Legal Centre, is bringing her appeal under the Equality Act 2010 for discrimination and harassment on grounds of religion or belief. She will be represented by leading human rights barrister Paul Diamond.

Andrea Williams, Chief Executive of the Christian Legal Centre, commented: ”The NHS was founded and inspired by Christian principles and precepts. Such a heritage meant that the NHS was a model of how to deliver health care across the world; a place of safety, care, freedom and flourishing. Sadly, this case, along with others, demonstrates that today’s climate in the NHS is increasingly dominated by a political correctness, and a lack of freedom to live out and manifest Christian belief.” *[Christian Legal Centre]*

Josh Williamson

Rev Josh Williamson, an Australian who is the pastor of Craigie Reformed Baptist Church in Perth, Scotland, regularly takes to the streets to hand out leaflets, talk to passers-by, and to preach in the open air.

However, on 18 September 2013, a police officer told him to stop preaching as he was breaking the law. The officer told Mr Williamson that he was not allowed to preach and that, if he continued, he would be arrested. Mr Williamson replied that he would not comply with this order, as he was not breaking the law. As a consequence of his reply, Mr Williamson was arrested for breach of the peace, and he was taken to Perth Police Station, where he was interviewed and released with a caution.

A second man, who spoke up in defence of Mr Williamson, was also arrested at the scene.

Three days later, on Saturday 21 September, Mr Williamson was arrested for a second time in Perth town centre, again because police took the view that he had committed a breach of the peace. He was held for five hours in the cells before being released at 9.30pm.

Mr Williamson recorded this second incident, and the police action, on camera and made an audio recording on his phone of the trip to the police station in the police car. His MP3 player was retained as crown evidence to assist the Procurator Fiscal, the prosecuting authority in Scotland, in determining how the case should proceed. The outcome is that all charges have now been dropped.

Mr Williamson, who was represented by Michael Phillips of the Christian Legal Centre said: ”Without the Christian Legal Centre our freedoms would be eroded a lot sooner.” He added that while he no longer faces trial, the matter is not yet over: “There is still the issue of getting back my equipment, including the footage it contains. I am also seeking legal advice as to redress in Scotland’s civil courts against the Scottish Police.” *[Christian Legal Centre]*

Contributors to this issue of *The Bulletin*

Rod Badams was a journalist for 11 years, specialising in local government, before serving as General Secretary of Christians at Work from 1979 to 1998. He was FIEC Administrator from 1998 until his retirement in November 2011 and has been editor of *The Bulletin* since 2006.

Peter Fearnley is married to Wendy, a teacher focusing on special educational needs. They have four children. Peter has worked both in industry and in the civil service and has been a school governor for 16 years.

Roger Hitchings retired in 2011 from the pastorate of a small church in the East Midlands after 15 years of ministry. Previously he worked for 23 years in the field of social welfare with a particular emphasis on older people, and continues with that area of interest through writing and speaking.

John R Ling is a freelance speaker, writer and consultant bioethicist. He is the author of three books on bioethical issues – all published by Day One – including the latest, *Bioethical Issues: Understanding and responding to the culture of death.* His personal website is www.johnling.co.uk

Norman Wells is a graduate of the London Theological Seminary and has served as director of the Family Education Trust since 2004. He is also a director of the Coalition for Marriage.

The Bulletin is published by the Social Issues Team of Affinity,
The Old Bank House, 17 Malpas Road, Newport, South Wales, NP20 5PA
Editor: Rod Badams (Tel: 01536 483440 Email: rodbadams@btinternet.com)