

THE BULLETIN

News and Reports from the Social issues Team

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Editor: Matthew Evans, office@affinity.org.uk

Welsh smacking ban would present a threat to children and families in Wales and beyond

The Welsh Government is proposing to introduce legislation on a cross-party basis to remove the defence of reasonable chastisement. The plan was announced in May by Carwyn Jones, after he was reinstated as the First Minister of Wales.¹ Although the Cabinet Secretary for Communities and Children, Carl Sargeant, subsequently told the Welsh Assembly that ‘this isn’t about legislation to criminalise parents’, the removal of the legal defence would make it a criminal offence for a parent to administer even the mildest of smacks to a naughty child.²

According to Mr Sargeant, the legislation will confirm the Welsh Government’s ‘long-standing commitment to children’s rights’. He added that he was anxious to build a consensus within the Assembly, and that there would be pre-legislative consultation with parents and stakeholders.

The law as it stands

Currently, the legal defence of reasonable chastisement against charges of common assault in section 58 of the Children Act 2004 applies in both England and Wales. Although the Welsh Assembly has previously signalled its support for legislation to remove the legal defence, there has been uncertainty as to whether such reform would lie within the Assembly’s legal competence, since it would involve a change to the criminal law.

In April 2013, for example, the Deputy Minister for Social Services, Gwenda Thomas, expressed concern that if there were to be an amendment to the Social Services and Well-being (Wales) Bill aimed at criminalising the physical correction of children, ‘there could be a serious challenge to our competence’, which ‘would end up seeking resolution in the courts’.³

However, when asked about legislative competence in a more recent debate, the Cabinet Secretary for Communities and Children was confident that the issue will be resolved by amendments to the Government of Wales Act 2006 contained in the Wales Bill currently before the Westminster Parliament.⁴ The Welsh Government would then hope to proceed with the legislation during 2017/18.

Darren Millar, a Conservative member of the Welsh Assembly, asked Mr Sargeant whether he accepted that many parents who love their children use reasonable chastisement sparingly as a method of discipline, and that the excessive use of other forms of discipline can be equally abusive when not used correctly. The Cabinet Secretary failed to respond to the question, but stressed that the legislation would be accompanied by ‘a package of tools’ to encourage parents to use ‘positive parenting’ approaches that do not include smacking.⁵

The wider impact

If the Welsh Government were to legislate against smacking, it would not only affect families in Wales, but also visitors to the country from other parts of the UK and further afield. In a submission to the Joint Meeting of the Constitutional and Legal Affairs Committee of the National Assembly for Wales and the Welsh Affairs Committee of the House of Commons, senior lawyer Emyr Lewis highlighted the implications for holidaymakers:

¹ ‘Carwyn Jones reinstated as Welsh First Minister – but pledges no new legislation for 100 days’, LabourList, 18 May 2016. <http://labourlist.org/2016/05/carwyn-jones-reinstated-as-welsh-first-minister-but-pledges-no-new-legislation-for-100-days/>

² The National Assembly of Wales, Record of proceedings, 22 June 2016. OAQ(5)0012(CC)[W]

³ The National Assembly of Wales, Record of proceedings, 18 April 2013, paras 45-49.

⁴ <http://www.senedd.assembly.wales/documents/s16600/18%20April%202013%20-%20DRAFT.html?CT=2>

⁵ The National Assembly of Wales, Record of proceedings, 22 June 2016, *op. cit.*

⁵ *ibid.*

[I]f (for instance) the Assembly legislated to ban the smacking of children (i.e. remove the defence of reasonable chastisement), a parent being tried in Nottingham on a charge of assaulting his or her child while on holiday in Aberystwyth would not be able to raise the defence of reasonable chastisement, even though he could do so if the incident had occurred in Nottingham. It is of course unlikely that Nottingham magistrates would end up hearing the case described above. Most likely it would be heard in Aberystwyth.⁶

Reasons for concern

The imposition of legislation against responsible and reasonable physical correction would have serious consequences for children and families in Wales and beyond. It would:

- represent an unwarranted intrusion of the state upon the family and draw conscientious and caring parents into the criminal justice system;
- lead to a decline in the standard of children's behaviour, because parents would be deprived of a vital sanction;
- obscure the needs of children who are the victims of child abuse. Equating a moderate smack with the kind of horrific abuse experienced by such children would only serve to obscure and trivialise their suffering;
- divert already stretched social services resources away from the victims of abuse and render children from stable and loving homes the subjects of child protection investigations;
- do serious damage to children from stable and loving homes. Where parents continued to use physical discipline in a loving and responsible way, their children would risk suffering the humiliation and degradation of physical examinations and the possibility of seeing their parents dragged through the courts. The emotional damage of such an intrusion into a home which is functioning well would by far outweigh the momentary pain of a moderate physical sanction.

A biblical perspective on reasonable chastisement

The biblical passages which explicitly refer to physical correction represent it as a gracious and positive disciplinary tool. Used in conjunction with verbal reproof and in the context of a warm family environment, it is viewed as an expression of a parent's love (Proverbs 13:24) and a means of delivering a child from sinful folly (22:15). It brings positive benefit to the soul (23:13-14) and is a source of wisdom to the child and peace and delight to the family circle (29:15,17).

The teaching of the Old Testament on the discipline of children is fully consistent with the teaching of the New Testament. The Lord Jesus Christ and his apostles, who formed the foundation on which the church was established, recognised the truth and authority of the Old Testament Scriptures in their entirety. With specific reference to parental chastisement, the New Testament quotes the book of Proverbs with approval and notes that the provision of such discipline by human parents is intended to reflect the way God himself corrects his children (Hebrews 12:5-11).

Appropriate physical correction, accompanied by a verbal explanation, has an important place in the overall discipline of children. At the time, it may be painful for the parent and the child alike, but when used consistently and with care, it will bear lasting fruit. Parents who discipline their children in this way are not abusing them or violating their physical and emotional integrity, but rather are demonstrating their love for them.

⁶ Emyr Lewis, 'Observations submitted to the Joint Meeting of the Constitutional and Legal Affairs Committee of the National Assembly for Wales and the Welsh Affairs Committee of the House of Commons' as part of its inquiry into the draft Wales Bill. <http://www.senedd.assembly.wales/documents/s45767/CLA4-27-15%20-%20Paper%204.pdf>

Mr Lewis is Senior Partner for Wales Blake Morgan LLP, previously Senior Fellow in Welsh Law at the Wales Governance Centre, Cardiff University.

Research findings

Academic research supports a biblical approach to child discipline. For example, a meta-analysis comparing physical correction with alternative disciplinary tactics found that:

- When used in a controlled way to discipline younger children, smacking was associated with significantly better outcomes for dealing with defiance or antisocial behaviour than most alternative tactics.
- Compared with smacking, four common alternative methods of discipline resulted in higher levels of antisocial behaviour, significantly so in the case of grounding, to a lesser extent with the withdrawal of privileges and pocket-money, and non-significantly for sending children to their room.
- Whether physical punishment compared favourably or unfavourably with other tactics depended on how it was used. All types of physical correction were associated with lower rates of antisocial behaviour than were alternative disciplinary tactics, with normal parental smacking more effective than alternative disciplinary tactics overall.
- Detrimental outcomes previously associated with physical punishment were not unique to physical punishment. Using the same research methods, alternative disciplinary tactics were at least as strongly associated with apparently detrimental outcomes as corporal discipline except where the latter was used too severely or predominantly.
- There was no evidence that physical aggression was more strongly associated with physical punishment than with alternative disciplinary tactics.

The meta-analysis also noted that most mothers varied their tactics according to the nature of their children's misbehaviour and suggested that mothers may make fine judgments that most current research methods cannot detect.⁷

Watch and pray

Charles Colson warned:

[We should be] very cautious of recommendations decreasing the role of parents and increasing the role of the state in family life... Children's rights theory claims to promote the welfare of children. But in reality it throws children into the arms of state professionals – who may be filled with big ideas but empty of the bonds of family love.⁸

We should therefore actively oppose the Welsh Government's proposals to criminalise the physical correction of children and make sure that the members of our churches are aware of the serious issues involved. We should be prepared to respond to the public consultation when it is launched and, above all, to pray for those in authority, 'that we may lead a quiet and peaceable life in all godliness and reverence' (1 Timothy 2:1-2).

Norman Wells

⁷ R E Larzelere, B R Kuhn, 'Comparing child outcomes of physical punishment and alternative disciplinary tactics: a meta-analysis', *Clinical Child and Family Psychology Review*, Vol 8, Issue 1, March 2005, 1-37.

⁸ Charles Colson, *A Dance with Deception*, Word, 1993, 79.

Counter-extremism and the threat to free speech

John Bunyan. William Wilberforce. Lord Shaftesbury. Today, Britain acknowledges these Christian greats as the heroes they were; people brave enough to stand against the tide of public opinion to change society for the better. But in their time it was very different. They were seen by powerful people as a threat to the social order. They were labelled a 'danger to the welfare of the community' and even accused of fomenting murder.¹

In our own day, Christians increasingly find that holding mainstream, biblical views on certain key issues can put them at odds with the views of the establishment. In debate, our opponents readily seize on the word 'extremist' to denigrate our views and to demonise our character. In private discussion we can patiently rebut such calumnies. But if the Government succeeds in getting its new 'counter-extremism' proposals into law, things might not be so simple. Christians – and other dissenters – could be in for a rough ride.

The counter-extremism plans are presented as a response to terrorism. Of course, Christians support targeted efforts to root out those who enable suicide bombers. But 'targeted' is not a word which describes the current plans. A Home Office minister grilled by Parliament's Joint Committee on Human Rights recently gave ten different definitions of 'extremism' in one hour, all of which were incredibly vague and broad – something which the Committee roundly condemned. This was topped by the latest effort in a Government document which speaks of needing new counter-extremism laws to tackle 'all the harms extremists contribute to'.² As an exercise in legal precision this leaves a lot to be desired. In reality, the plans will make the public less safe – and less free.

Two particular proposals, Extremism Disruption Orders and the registration of out-of-school settings, illustrate why the Government's strategy is misguided.

Extremism Disruption Orders

Extremism Disruption Orders (EDOs) are a type of civil order aimed, says the Government, at 'harmful activities of extremist individuals who spread hate but do not break laws'. According to the Prime Minister, they will cover 'extremism of all sorts'.

These orders will be issued by a High Court if it is persuaded that someone is 'participating in activities that spread, incite, promote or justify hatred against a person or group of persons on the grounds of... disability, gender, race, religion, sexual orientation, and/or transgender identity'. Breach of the order would be a criminal offence.

If words had their ordinary meaning, Christians would have nothing to worry about from EDOs. But in Britain in 2016, words like 'hatred' definitely do not have their ordinary meaning. Think how Ashers Baking Company's polite refusal to bake a cake with the slogan 'Support Gay Marriage' was routinely denigrated as 'hate' on social media. There are people in our communities who say we are 'hateful' because we believe that men are men and cannot become women. Or because we believe that only those who trust in Christ will go to heaven. So any new powers that cover something as broad as 'participating in activities that spread... hatred' would be open to abuse.

Last year, former head of MI5 Lord Evans wrote 'One can imagine already the powers being used against harmless evangelical street preachers or the like, out of misplaced zeal and a desire to demonstrate that they are not directed against one religion alone.'³

¹ Owens, Prof W R, *Introducing Bunyan*, International John Bunyan Society, see <http://johnbunyansociety.org/about-bunyan/> as at 2 December 2015; House of Commons, Hansard, 22 March 1844, col. 1388 and Hague, W, *William Wilberforce*, Harper, 2008, pp xvi and 433; Bryan Edwards MP, quoted in Furneaux, R, *William Wilberforce*, Regent College Publishing, 2005, p 180.

² *Counter-Extremism: Government Response to the Committee's Second Report of Session 2016-17*, Joint Committee on Human Rights, HC 756, 19 October 2016, page 8.

³ *The Daily Telegraph*, 1 July 2015.

Mark Spencer MP, attempting to defend the Government's plans, suggested they could be used against teachers who do not agree with same-sex marriage.

The Joint Committee on Human Rights condemned the Government's approach for 'the assumption that there is an escalator that starts with religious conservatism and ends with support for violent jihadism, and that violence is therefore best tackled by curtailing or placing restrictions on religious conservatism'.

They went on: 'The Government gave us no impression of having a coherent or sufficiently precise definition of either "non-violent extremism" or "British values". ... We are concerned that any legislation... could be used indiscriminately against groups who espouse conservative religious views (including evangelical Christians, Orthodox Jews and others), who do not encourage any form of violence.'⁴

Of course, it's not just Christians who could be affected. The 'Defend Free Speech' campaign, which opposes EDOs, brings The Christian Institute together with civil liberties groups, secularists, gay activists and environmentalists. Together we recognise that anyone who dissents from current establishment norms is at risk from such broad and draconian powers.

Out-of-School Settings: Targeting Sunday Schools

Another major area of concern is what the Government calls 'out-of-school settings'.

Late last year the Government consulted on a system of registration and inspection – by Ofsted – of any setting in England that provides instruction to children for more than 6 to 8 hours in any week. Ofsted would be on the lookout for extremism and failure to comply with 'British values'. The Welsh Government consulted on a similar scheme.

If the plans proceed, many churches would be caught. Children involved in a church often attend multiple events in a week. In addition to Sunday school, a particular child could also attend a baptism class, choir practice and youth group. And then of course there are the Sunday services. Added together the total time a child spends under instruction by the church in a given week could easily exceed six hours. One-off events such as holiday Bible clubs – which frequently take place for several hours a day over several days – would also be affected.

Is it not outrageous to require a church to register with the state before they are allowed to teach children the Bible? And can you imagine an Ofsted inspector sitting in on your Sunday school classes, your youth group, or even your Sunday services?

In response to this, The Christian Institute has been working with CARE, Christian Concern, the Evangelical Alliance, the Evangelical Movement of Wales and the Lawyers' Christian Fellowship. At our collective urging, ten thousand people responded to the Government consultation. And MPs responded by triggering a Commons debate at which the proposals were attacked by MPs from every side.

There is great scepticism about many aspects of the Government's counter-extremism plans. David Anderson QC, the Independent Reviewer of Terrorism Legislation, recently told Radio 4 that, of all the secret material he had seen in his role, 'the single document that has alarmed me most' was a 2015 draft version of the Government's counter-extremism proposals. He stated that: 'taking [the law] further, and applying it to ideas that are, for example, un-British or opposed to democracy, seems to me very dangerous and quite wrong'.

It is vital to keep the pressure on our lawmakers. The Government needs to be told, and told again, that when it comes to tackling extremism, Christians are not the problem. In fact, around the world today,

⁴ *Counter-Extremism*, Joint Committee on Human Rights, Second Report of Session 2016-17, 22 July 2016, pp 3 and 29.

Christians are the most likely victims of extremism, not its perpetrators.

The Government says it will hold a public consultation on its plans. Look out for news of how you can get involved.

Unless the Government focuses on the real villains, we're left with deep concerns that Christians and churches with views that do not comply with the vagaries of 21st century political fashion could find themselves facing an EDO or a hostile Ofsted inspection. In the meantime, we must continue to pray for wisdom and courage and not shrink back from declaring the whole counsel of God. And we must continue to look for opportunities to 'do good to all' through the many means available to us in our democracy. The truth is, we need more John Bunyans, William Wilberforces and Lord Shaftesburys, not fewer.

Simon Calvert

Immigration and Nationhood

Mass migration of people has become a major issue of our time – it presents a real and urgent challenge, both on the agenda of governments and in the minds of Christians. This essay explores some of the fundamental issues around immigration for Britain (or any European nation), in the context of the Bible. It has been adapted from a larger work, written earlier this year, which addressed the subject of EU membership prior to the UK referendum.¹

1. Is Unrestricted Immigration Biblical?

Some people, perhaps well meaning, assert that Christians ought to be in favour of their government allowing open immigration and removing immigration controls. This is on the grounds that the Bible apparently supports these actions as generous and peaceful toward our fellow man. It has been said, for example, that Angela Merkel has acted in a Christian way by throwing open the gates of mass immigration into Europe through her country and that leaders of other European nations should follow her example. Bible verses quoted to support this view include:

- ‘You shall neither mistreat a stranger nor oppress him, for you were strangers in the land of Egypt.’ (Exodus 22:21)
- ‘One law and one custom shall be for you and for the stranger who dwells with you.’ (Numbers 15:16)
- ‘He administers justice for the fatherless and the widow, and loves the stranger, giving him food and clothing. Therefore love the stranger, for you were strangers in the land of Egypt.’ (Deuteronomy 10:18)
- “‘Cursed is the one who perverts the justice due the stranger, the fatherless and the widow.’ And all the people shall say, “Amen!” (Deuteronomy 27:19).

However, to reach a pro-open immigration conclusion from these verses requires that they be read superficially, taken out of context, and that other relevant Scriptures be completely ignored. When the full counsel of all Scripture is taken into account and read in context, we shall find that the Bible does not support open immigration as a national policy for today’s governments at all.

2. The Origin and Purpose of Nations

The foundation to understanding God’s origin and purpose for the nations has been laid out in Genesis 11:1-9, which documents God’s decision to split up fallen mankind into separated groups. After the flood there was one single language and culture on the earth and mankind was united together as one people. God, in his wisdom, desired that mankind should be split up into different language groups at Babel and scattered over the earth. This was to disrupt fallen man’s sinful progress and rebellion, allowing human history to unfold according to God’s plan². The New Testament confirms this by telling us that God made every nation of men to dwell on all the face of the earth, even pre-appointing their boundaries (Acts 17:26). His purpose is clarified in the next verse: ‘so that they should **seek the Lord**, in the hope that they might **grope for him** and **find him**’ (emphasis mine).

Mass immigration is one very significant way that cultures, languages, mindsets, religions and peoples are today being mixed together on an unprecedented scale. (Other factors also play into this, such as

¹ ‘The EU - A Historical, Biblical and Topical Perspective’ can be found at: <http://christianconcern.com/eu-referendum-cases-for-leaving> (scroll down to ‘further reading’ section)

² Only the briefest of statements on Babel is made here, although the topic is foundational for a biblical perspective on the current push for globalisation, of which mass immigration is a strategic part. For more nuanced presentations on Babel, the author recommends the following treatments by two outstanding Bible teachers of last century:

- Martyn Lloyd-Jones: ‘Babel: the Tragedy of Man’, free of charge at <http://www.mljtrust.org/search/?q=Babel>
- Roger Price: Basic Bible Studies #43 ‘The Tower of Babel’, available from <http://www.cctapes.co.uk/>
- Roger Price: Basic Bible Studies #51 ‘The Monster Stirs’, available from <http://www.cctapes.co.uk/>

technology and communications media.) This has the effect of generating a ‘global groupthink’ which undermines the God-given notion of distinct people groups with distinct national identities. The institution of nationhood, preserving many separate and diverse cultures by borders administered through sovereign national authorities, is increasingly sidelined. This process is encouraged by the UN, EU³ and other transnational governmental organisations, whose growing power effectively acts to reverse God’s decision to divide us up into separate people groups at Babel⁴. Mankind is again uniting to organise as a single people, overcoming the language barriers and national separation which God himself brought about. Just as at Babel, man seeks his own elevation, prosperity, security and the solutions to his own problems independently from God. He trusts in his own united efforts, rather than trusting in God’s promises and provision⁵.

3. The Full Counsel of Scripture in Context

Having briefly discussed the divine origin and purpose of nations (from Genesis 11 and Acts 17) and the move to undermine them, how should we now understand the verses quoted in section 1 to support open immigration (from Exodus, Numbers and Deuteronomy) in their wider Scriptural context?

Firstly, those verses do not actually address immigration policy, or the issue of mass immigration generally. They address how strangers should be treated once they are in the land. This is not the same as positively advocating government policies which encourage mass immigration. These passages simply acknowledge that sometimes a limited amount of immigration is unavoidable, hence the instructions to Israel for the treatment of strangers. How that immigration happened is not mentioned, but we may assume the reasons were negative, both from other Scriptures and also from our own observation of history and news broadcasts. The recurring phrase ‘...for you were strangers in the land of Egypt’ would lead us to consider the reasons for migration at that time:

- Joseph originally found himself a stranger in the land of Egypt after being sold into slavery and taken there against his will (he did not seek to move there).
- Joseph’s brothers (and eventually their descendants) became strangers in Egypt later, only after they were compelled, in trepidation, by famine, to leave their own land.

These are typical of the negative and exceptional circumstances associated with Biblical migration – the Scriptures here are not painting a rosy picture of voluntary economic migration, en-masse, between countries. They are certainly not suggesting that mass migration should be seen as a positive scenario to be encouraged by the national policy of the receiving country.

No Christian would dispute that, as individuals and as the Church, we are called to treat any strangers we meet with kindness, generosity, love and fairness, not mistreating them, especially if they are in need, just as we should widows and the fatherless. This is not controversial.

Whatever our political standpoint may be, it is hard to dispute that Britain *is* widely recognised as a world leading country in the treatment of asylum seekers, giving safety and shelter, and with a relatively generous welfare provision to those in need who find themselves in our land. Therefore the UK’s existing arrangements for the treatment of ‘strangers’ in our country *does* in fact broadly fulfil the spirit of the verses quoted. Beyond that, the UK does also admit many economic migrants offering the chance for improved living standards and other opportunities and freedoms.

³ <http://uk.businessinsider.com/jean-claude-juncker-borders-european-union-immigration-2016-8>

⁴ Real and specific connections between Babel and the EU, for example, are irrefutable, even for the ardent skeptic. See David Hathaway’s excellent DVD ‘The Rape of Europe’ available through <http://www.eurovision.org.uk/> or stream free of charge at <https://www.youtube.com/watch?v=66uCnNwLjTM>

⁵ <http://www.cop21.gouv.fr/en/195-countries-adopt-the-first-universal-climate-agreement/> Global agreements attempting to avoid climate change and rising sea levels ignore God’s promises to mankind in Genesis 8:21-22 and 9:11.

The verses quoted in section 1 are all from the Old Testament and are addressed specifically to the children of Israel, God's chosen people through whom the Messiah was to come. Israel was a theocracy but this is not how Christians live today. Much of the Old Testament is about God's relationship with his people, and is written by, and to, his people. No equivalent Old Testament Scriptures have been found which address instructions to Gentile pagan nations in this way, either on treatment of immigrants, immigration policy, nor any other aspect of national life.⁶ Medieval history serves as a lesson for Christians (and people of other faiths) teaching us caution before using selected Scriptures to justify imposing government policy on our fellow citizens of earthly nations.

So even if these verses *were* advocating mass immigration into Israel (which they were not), this does not mean Christians today should automatically assume that the same thing is right for our own country. There are many other OT Scriptures written as general commandments to Israel. Some are useful to us in understanding the heart of God and the nature of his dealings with man; some are only symbolic and to be fulfilled in Christ; some give us universal moral absolutes, and some are practical and specifically addressed to Israel as God's chosen people in their unique circumstances. We know that not *all* OT Scriptures are *literally* binding in *all* contexts, neither are they *all* automatically applicable, requiring emulation in a New Testament context, or in a pagan context outside of God's people. As Christians, with God's help, we need to understand the whole sweep of Scripture, to know how to apply today what was written to Israel in the OT; no one argues for us to emulate Deuteronomy 7:2 or 20:16-17 or Joshua 8:18-29 today!

There are other Old Testament Scriptures laying down strict obligations and responsibilities which applied to the strangers in Israel. Assimilation into Jewish religious practice and culture was expected for strangers settling in the country. This is made clear in many passages (Exodus 12:19, 20:10, 23:12; Leviticus 16:29; 17:8-15, 18:26), including one of those quoted in section 1 which is used to support mass immigration (Numbers 15:14-16). This point is overlooked by those wanting the Bible to justify a pro-mass immigration position.

These Scriptures actually reveal that open immigration leading to a multi-cultural, multi-faith society are not at all the message intended by any of the verses quoted in section 1 – open immigration was obviously not what God intended for Israel.

Other Old Testament Scriptures addressed to the children of Israel contain a strong emphasis commanding Israel not to mingle with or come under the influence of the foreign cultures and idolatrous religions of neighbouring nations. *These* Scriptures are *also* omitted by those who quote only the selected verses listed in section 1, to support their view that Christians should be pro-open immigration today. All these omitted Old Testament passages are essential to gaining a correct view of the importance God placed on Israel remaining separate from the surrounding nations, cultures and religions. Some of these relevant Scriptures are summarised below:

- The Israelites were to marry only Israelites. In fact, they were to marry preferably within their own tribe (Numbers 36). They were forbidden by law to marry those of other nations (Deuteronomy 7:3-4; Ezra 9:12; Nehemiah 10:30, 13:23-30; Joshua 23:12; 1 Kings 11:2). There were to be no multi-cultural, inter-faith families among the children of Israel. This does not square with the assertion that Israel somehow sets an example of mass immigration and population mixing for Gentile nations to follow today.
- The Israelites were commanded to destroy foreign pagan religious artefacts like altars, images, pillars etc. and not to serve their gods, and to destroy their carved images with fire. They were not to go after the gods of the peoples around them (Deuteronomy 6:14; 7:5, 16, 25; Joshua 23:7). Again, there is a strong emphasis against a mixing of peoples into a multi-faith society.

⁶ The nearest this author has found in the Old Testament to any instructions for government being addressed to Gentile countries is a very specific prophecy of Isaiah relating to a single event to take place during the lifetime of the pagan king Cyrus of Persia, whom God anointed 150 years beforehand to release the Jews from captivity and support them in rebuilding the temple in Jerusalem. See Isaiah 44:28; 45:1, 4 and 2 Chronicles 36:22-23.

- God delivered foreign kings into Israel's hand, for Israel to destroy their name from under heaven; no one to be standing against Israel until Israel had destroyed them (Deuteronomy 7:24). Israel was to utterly destroy these other nations (Deuteronomy 7:2). Israel was to utterly destroy every person in the foreign land of Ai, slaying them in the field as they ran from Israel who had burned their city to the ground and then trapped them. None were left alive, even as refugees (Joshua 8:18-29).
- The Israelites were commanded to destroy whole peoples, to have no pity on them (Deuteronomy 7:16). Can we really say that the example of Israel in the OT positively supports open migration and the mixing of peoples from different nations and religions? The answer is an emphatic no.

It seems clear that God's instructions to his theocracy of Israel, recorded in the OT, are not, after all, intended as a precedent to be applied in Britain (or any other country) today. Specifically, they certainly cannot be used to support a utopian view of the unrestrained mass mixing of populations, cultures and religions between neighbouring countries (Judges 2:2-3; Hosea 7:8-16; Psalm 106:34-43). Is it right then, to cherry-pick only the verses listed in section 1, quoting them in isolation to support mass immigration, while omitting all these other Scriptures or denying their relevance? With all the relevant Scriptures in view, it is clear that the Old Testament did not advocate open immigration, or any level of immigration which led to a mixing of peoples, cultures and religions for Israel (to whom all these instructions were addressed in their primary context). It is simply poor hermeneutics to use Scripture selectively in promoting a mass immigration, multi-faith society for today's Gentile nations such as Britain. The argument described in section 1 (that Old Testament Scriptures addressed to Israel supported unrestricted immigration, and by extension therefore Christians must be in favour of mass migration into Britain today) is shown up as fallacious.

When we turn to the New Testament, we find it is silent as far as instructions to pagan governments are concerned, on immigration or any other issue. Some may point to verses such as Matthew 5:9 ('Blessed are the peacemakers'), or various instructions on showing love and hospitality from the epistles, but to tie these to immigration on a national level is to take them out of context and apply them in a very general sense. None of these texts have anything to do with government policy making, or setting immigration criteria. They are all written to individuals or the Church, not to governments of secular/pagan states.

The New Testament actually has very little to say about Gentile government, but what it does say is written to instruct *Christians on how we are to relate to pagan authority*, not to instruct *pagan authorities on how to set national policy*. The NT only tells us that governmental authority is instituted by God, to be obeyed for the purpose of law and order, so we can live peacefully and that we should be respectful of it and pay any taxes due (Romans 13:1-7; 1 Peter 2:13-14; 1 Timothy 2:2). We also know that Jesus encountered Roman soldiers without condoning or condemning the use of a military force for the defence of earthly realms.

What we have seen recently is that increasingly unrestrained levels of immigration in *many* European nations (not just Britain) are actually undermining peace and stability (examples are referenced in section 7). 1 Timothy 2:1-3 exhorts us to pray that governmental authority provides for a quiet and peaceable life:

*'Therefore I exhort first of all that supplications, prayers, intercessions and giving of thanks be made for all men, **for kings and all who are in authority**, that we may lead a **quiet and peaceable life** in all godliness and reverence. For this is good and acceptable in the sight of God our Saviour' (1 Timothy 2:1-3, emphasis mine)*

The reason given in the next verse is that God desires for '*all men be saved and come to the knowledge of the truth*'. This is of far greater eternal importance than any of the concerns deemed a higher priority by those advocating mass immigration. It also brings us back to the same reason given in Acts 17 for why God appointed national boundaries on the earth (discussed in section 2) – that men might '*seek the Lord, in the hope that they might grope for Him and find Him*'.

Since these verses are among the very few New Testament Scriptures which directly comment on God's purpose for governmental authority and nationhood, they must surely be relevant to Christians who genuinely seek a Biblical perspective on mass immigration. It does not seem likely that the Bible would ask Christians to pray for one thing (i.e. a quiet and peaceable national life, so that men might be saved) and at the same time to be promoting policies which lead to the opposite!

The New Testament tells us to pray for our leaders (1 Timothy 2:1-4), but we are not primarily called to enter an earthly political struggle ourselves (Ephesians 6:12), or to focus our efforts on making government policy conform to our viewpoints. Christians today do not live in a theocracy. The NT calls Christians to express our gratitude and worship to God through *our own* lives of good works, love and charity, and sharing the gospel with unbelievers; however we are not called to transfer these Christian responsibilities onto our pagan governments, or to unite with pagan governments to help us fulfil them. Of course, it is only reasonable that Christians exercise their legitimate right to participate in the political process on an individual basis, and no doubt we are influenced by our understanding of Scripture when we make our democratic choices, but the New Testament nowhere suggests we should view pagan government as a proxy to act on our behalf, relieving us of our responsibility, either as individual Christians or as the Church. In fact, the contrary is true:

- The fallen kingdoms of this world take counsel together, setting themselves against the Lord. God has set his Son as King, to whom he will give the nations as an inheritance (Psalm 2). Only when he returns to establish his Kingdom and reign on the earth (Daniel 2:44, 7:13-14; Isaiah 2:2-4, 9:7; Zechariah 14:9; Revelation 11:15) will the earth come under perfect governmental authority.
- The New Testament commands us not to be unequally yoked with unbelievers (2 Corinthians 6:14-16). It can be strongly argued that this includes getting embroiled in the worldly schemes of pagan governments and their policies, in our work of showing love and sharing the gospel with others.
- God's Kingdom, in which Christians have their citizenship and future, and in which we labour, is not of this world, nor does it use the wisdom of this world (John 8:23, 14:30, 18:36; Romans 12:2).

4. *Spiritual and Practical Wisdom*

Even state intervention from the west is ultimately futile in resolving many of the major problems in troubled regions, which are often themselves caused by the actions of governments in the first place. A more effective way for Christians to have an impact for God's Kingdom is to give our time and money to Christian initiatives and charities which do good work, providing humanitarian help and evangelism at home and abroad. This is, both spiritually and practically, a wiser way for Christians to steward resources, rather than aligning ourselves with government policies for such things as mass migration, 'international development' spending or proactive military intervention.

It is an obvious fact that, on the simple basis of numbers, mass immigration into the UK can never be an effective or sustainable solution to re-home even a significant fraction of the people fleeing from troubled areas and those seeking economic prosperity from other parts of the world, however sympathetic we may be to help on an individual level.

What is needed is for security and economic opportunities to be generated in the countries the migrants are leaving. The emptying of troubled countries of their fittest and most able people, through migration, only impoverishes those left behind even more, making it harder to rebuild and fix the problems in their home countries. Unless space can be made in the west for every single person from poor or troubled regions, mass migration is not a solution, but simply accelerates the decline of those countries which are already struggling, leaving them open to more poverty, social problems and terrorist regimes.

Mass immigration then, is ineffective at solving *any* of the underlying problems in poor or troubled countries abroad, which only God can solve through his Word impacting hearts and lives. Immigration does, however, have an impact on receiving countries like the UK, and while there are different viewpoints

politically, the wisdom of our national stewardship seems rather questionable when considering open immigration policies in the light of the following:

- Evidence suggests open immigration policies act as a magnet for people trafficking and economic migration. The majority of immigrants coming to the UK are not asylum seekers but economic migrants. Migrant camps in Calais, where people from Africa and the Middle East congregate on their way to Britain, reportedly house mostly young men who have already travelled through many safe countries where they could legitimately have applied for asylum. Instead, these men wish to enter the British labour market to work illegally⁷. It is hard to understand why this scenario is continuously presented in the media as a simple asylum situation, as far as entry into the UK is concerned.
- Countries like Germany, under Angela Merkel, are encouraging migrant entry en-masse, with no real control or knowledge of who is coming or why. This has huge cultural, economic and security implications which even German citizens are deeply concerned about. A lack of effective borders between EU countries means that Merkel's actions in Germany have a direct effect on immigration pressure across other European countries too, including Britain.
- The UK is twice as densely populated as Germany and 3.5 times as crowded as France⁸.
- Housing shortages in the UK, made worse by immigration, have caused unaffordable price increases for many UK citizens, leading to undesirable living arrangements/home sharing for adult children unable to buy their own homes or start their own families. Many older people could not now afford to buy the house they own and live in if they had to purchase it at today's prices.

(Some politicians are keen to tell us this is caused by not building new houses fast enough [i.e. supply], while repeatedly ignoring the other side of the equation - the fact that immigration inevitably increases the need for more houses [i.e. demand]. This is simple logic regardless of one's political sympathies!)

- The UK is already at dangerous levels of national debt and needs to shore up its own finances, security, and public services. Interest alone on the national debt (more than £60 billion in 2016 and rising⁹) is one of the biggest line items in our public spending budget, more than we spend on national defence, for example.
- The NHS, particularly, is at crisis levels, overwhelmed by the weight of demand for its services and unable to stay within its budget or efficiently organise itself. This is caused, in large part, by overcrowding through immigration in many areas of the country.

(We are sometimes told that immigration is needed to staff the NHS; however this overlooks the obvious fact that immigrants also use the NHS, adding to the staffing requirement. It can be argued that relying on immigration to satisfy NHS staffing needs allows us to hide a serious underlying social cause of staff shortages, which is left unresolved – i.e. the lost generation of British children who are aborted in the womb before they are even born and will never grow up to fill NHS job vacancies as doctors, nurses and other professions in the UK. Every year in the UK approximately 200,000 babies are killed this way¹⁰, a similar order of magnitude to the official annual net EU immigration statistic¹¹.)

5. Framing the Debate

The vast majority of countries around the world still retain their own nationally determined immigration policy with their own criteria for legitimate entry. Their policy is set by politicians who are often answerable to a national electorate. These countries are not accused of being xenophobic, closed off, isolationist, racist, or told they are 'pulling up the drawbridge' etc., labels often applied to those in Britain who are in

⁷ https://en.wikipedia.org/wiki/Calais_Jungle#Migrant_population (October 2016)

⁸ <http://www.migrationwatchuk.org/latest-immigration-statistics> (April 2016)

⁹ <http://www.economicshelp.org/blog/3028/economics/interest-payments-on-uk-debt/>

¹⁰ <http://www.bbc.co.uk/news/uk-21297404>

¹¹ <http://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/internationalmigration/bulletins/migrationstatisticsquarterlyreport/february2016>

favour of retaining national control over restricted levels of immigration. Many of the people these insults are levelled against have perfectly reasonable and legitimate concerns about the effect of mass immigration on UK society. A nationally determined immigration policy implemented at a country's borders is in fact the normal way in which countries all over the world have managed immigration for centuries – yet this approach has, in recent times, come under attack in the UK and other European nations through membership of the EU. EU members in the Schengen area have all but given up their national immigration policy and border control. Despite this fundamental and historic change of approach to borders and immigration, there has been pitifully little serious debate, analysis, or democratic choice allowed before embarking on this new direction. Therefore the insults mentioned which are made against people wishing to question or discuss this recent approach, are simply cheap caricatures which betray a lack of intelligent argument from those who use such tactics. They prevent free and open debate, and do nothing to address the genuine concerns being raised.

Globalist institutions, such as the EU, which push for nations to relinquish control over mass immigration, would accuse those who object to their philosophy of having xenophobic or racist tendencies. This is often insinuated by our own politicians and media. Yet it is EU immigration policy which perpetuates discrimination on a massive scale. This huge blind spot seems to be lost on those who advocate it: EU rules have officially only allowed the free movement and entry into Britain of citizens from the other EU countries, the native populations of which are white Europeans. This criterion excludes billions of Asians, Africans and people from the Far East who then have a different, much stricter immigration rules applied to them. Immigration in Britain from many of these non-white regions has become much more difficult through official channels, since the UK has been forced by the EU into open door immigration for 500 million EU citizens. The UK has had to tighten controls on everyone else to make room for them. This is discrimination based on country of origin. Since Britain has now voted to leave the EU, one hopes that these discriminatory rules can soon be reversed, so that the same entry criteria for all immigrants, regardless of their country of origin, will be put in place by our own elected national government.

6. Tolerance and Freedom

In recent years we have witnessed a rapid change in British culture, driven in part by the new and unprecedented levels of immigration. This inevitably results in the importation of foreign religions into the UK. Until recently, this had gone on with no genuine public discussion being allowed. There has been a deep rooted assumption by the political and social elite, without evidence or reason, that 'multiculturalism'/'religious pluralism'/'tolerance'/'diversity' (as they have defined the terms), are not only good and to be encouraged in Britain through education and the media, but that they be irreversibly forced on the citizens of the UK through mass immigration.

The result is that we see freedoms for Biblical Christians to publicly practice and share their faith now being curtailed. This is done by the introduction of laws to protect people of immigrant and minority cultures and beliefs from being offended or being incited to hatred (notice that these laws are framed so that the one taking offence / hating / committing violence is not breaking these laws, but rather the one peacefully expressing an opinion or sharing their faith is found at fault for 'inciting' the reaction – this shifts the blame by implying that people have no choice *but* to hate back and commit violence when they are offended, criminalising the legitimate expression of diversity as being the cause of the problem).

It is interesting to note that leaving the EU will give Britain an opportunity to move away from this damaging approach by revoking laws imposed by the EU which the UK has been treaty bound to implement: *'All western European countries have hate-speech laws. In 2008, the EU adopted a framework decision on 'Combating Racism and Xenophobia' that obliged all member states to criminalise certain forms of hate speech. The European concept of freedom of expression thus prohibits certain content and viewpoints.'*¹².

¹² taken from <http://justitia-int.org/en/the-sordid-origin-of-hate-speech-laws/>

Under the guise of tolerance and diversity, Christian freedoms previously taken for granted (to hold and publicly express Christian viewpoints and to be a practicing Christian in the public sphere), have been restricted. This is the opposite of genuine tolerance and diversity – Christians are now getting into trouble for not keeping their ‘diversity’ to themselves, especially in the workplace and in public service occupations such as teaching and the medical profession, or any business serving the public¹³. These issues are caused when immigrant and other minority beliefs and practices are not based on the Judeo/Christian values which, until recently, had underpinned our culture.

7. The Importance of Value Systems

The majority of immigrants currently entering European nations in large numbers are Muslim. Islam is based on the values modelled by the life of Mohammed and recorded in the Koran and Hadiths. The values and culture of Islam are quite different from those of the west. This difference, combined with an atmosphere of political correctness and ultra-sensitivity in the context of an increasingly multi-cultural European society, has resulted in public safety being put at risk (quite apart from any terrorist threat). This especially concerns the safety of girls and young women – numerous examples have made national news in the UK¹⁴ and Europe¹⁵, even being reported in the US¹⁶. European Commissioners have reacted by showing concern that no blame should fall on their mass migration ideology¹⁷ instead of being concerned for the safety of citizens in European nations, or the peace and stability of European society. This attitude is typical of those who are caught up in what we might term the ‘Babel mindset’ described in section 2.

Trevor Philips, the former chair of the Equality and Human Rights Commission, recently made public statements expressing his concerns over Islamic immigration into the UK¹⁸, saying that the policy of multiculturalism had failed, that British Muslims are becoming a nation within a nation, with the danger of Islamic ghettos developing. He also cited the Rotherham and Rochdale abuse scandals.

What many of our liberal atheist politicians fail to understand is that the freedoms and protections they enjoy as atheists and we enjoy as Christians in the west, have only appeared for the most part in countries which have previously had revivals of Biblical Christianity from the time of the Protestant Reformation onwards. A cursory look around the globe shows there is a strong correlation between freedom and prosperity, and these northern European countries, including Britain and her former colonies, which have been so impacted by the gospel in the past that it came to shape their culture and laws. This has not developed to the same extent in Roman Catholic countries where the Scriptures were kept hidden for centuries, and it has been positively prevented in many Islamic countries by oppressive religious regimes implementing Sharia law and modelling their societies on the teachings and morality recorded in the Koran and Hadiths.

While liberal atheists enjoy these freedoms in the west and use them to promote the rights of minorities over Christians¹⁹, they have not noticed that such freedoms are hard-won, fleeting in history and easily lost. Derek Prince, the well known Bible teacher, once said that *‘atheism has very little power to deceive people for any length of time; it is too obviously false to be acceptable for more than a brief generation or two, but*

¹³ <http://www.bbc.co.uk/news/uk-england-london-35988115>,
<http://www.e-n.org.uk/2015/12/uk-news/another-christian-school-closes/>,
<http://www.telegraph.co.uk/news/religion/8917675/Christian-worker-loses-her-job-after-being-targeted-by-Islamic-extremists.html>

¹⁴ <http://www.telegraph.co.uk/news/uknews/crime/11059138/Rotherham-In-the-face-of-such-evil-who-is-the-racist-now.html>

¹⁵ <http://www.theguardian.com/world/2016/jan/05/germany-crisis-cologne-new-years-eve-sex-attacks>

¹⁶ <http://www.breitbart.com/national-security/2016/01/20/we-could-have-seen-europes-muslim-rape-crisis-coming/>

¹⁷ <http://www.breitbart.com/london/2016/01/30/eu-leaders-claim-no-link-cologne-sex-attacks-migrant-crisis/>

¹⁸ <http://www.telegraph.co.uk/news/2016/04/10/uk-muslim-ghettoes-warning/>

¹⁹ <http://www.christian.org.uk/news/new-survey-christians-face-widespread-discrimination/>,

<http://www.christian.org.uk/news/christian-bb-loses-supreme-court-appeal/>,

<http://www.christian.org.uk/news/ashers-this-was-never-just-about-a-little-bakery/>

*false religion has deceived humanity down the ages, century by century in untold numbers*²⁰.

Atheism does not persist as a normal state in human culture, because it is so contrary to human nature and evidence. History teaches us that from antiquity people have believed in a faith, either pagan faith or faith in the God of the Bible. Even today atheism is a minority belief system – there are far more people living on earth that hold to some kind of religious faith than those who do not. Atheism is simply a transition phase from a post-Christian society back to pagan beliefs and practices. Atheism and its offspring, secular humanism and political liberalism, are creating a vacuum in the UK for Islam to fill, a blank canvas on which Islam can impose itself through immigration and political correctness.

Unless immigration and border policies are changed, atheists themselves are an endangered species – for evidence of this one only needs to look at Islamic regimes like Saudi Arabia, Iran or a range of other Muslim countries where it is almost impossible to function as a non-Muslim. Islam is an uncompromising and total system, affecting every aspect of public and private life. It has its own laws, morals, economics, and approach to government. These are not compatible with the liberal notions of the west or our Judeo/Christian values and will always seek to assert themselves once numbers are strong enough in the host country²¹. When realising that the birth rate of Muslim immigrants far outstrips that of native UK citizens, we can see how Islamic immigration becomes a very real threat to our western society and Judeo/Christian values.

With the conflict between western culture and Islamic culture, it is a curious fact that wealthy Arab oil states largely refuse to accept any immigration of their fellow Muslims from the poor and troubled territories in the Middle East and North Africa. Consequently, Muslim migrants do not make their way to those countries, where their beliefs, values and way of life would be a much better fit. Instead they seek entry into western countries which are based on Christian or liberal values and are therefore not compatible with Islam, setting up a future conflict of ideologies in the areas of religious freedom, culture and society. Many of our politicians and Church leaders have failed to see this in time – they need our prayers.

8. Biblical Equality

The position set forward in this paper is one which advocates limited immigration levels restricted by fair controls, not mass or open immigration; and national governmental authority, not anti-national globalism. I believe the weight of Scripture, when honestly assessed, leads to this perspective, and also that both are necessary for the protection of national culture and character (i.e. retaining true diversity); freedom of faith and conscience (i.e. true tolerance); peace and stability in society; safety and security in public; and national economic integrity.

Where then is equality? Is this not a Christian trait? The Biblical Christian, unlike the atheist (or those of other faiths), can remain confident that he alone has the true and radical view of the equality and value of all mankind. Scripture is very clear that all men are equal in nature and value before God, regardless of where they come from:

- ‘So God created man in his own image, in the image of God created he him; male and female created he them’ (Genesis 1:27).
- ‘And Adam called his wife’s name Eve, because she was the mother of all living’ (Genesis 3:20).
- ‘And [God] hath made of one blood all nations of men’ (Act 17:26).
- ‘For we brought nothing into this world, and it is certain we can carry nothing out’ (1 Timothy 6:7).

²⁰ ‘False Religions’ by Derek Prince: <https://www.youtube.com/watch?v=JOdcobdC6c>

²¹ For insights into this subject, see ‘*Modern Day Trojan Horse: Al-Hijra, the Islamic Doctrine of Immigration, Accepting Freedom or Imposing Islam?*’ by Sam Solomon and E. Al Maqdisi.

- ‘What then? are we better than they? No, in no wise: for we have before proved both Jews and Gentiles, that they are all under sin; As it is written, There is none righteous, no, not one’ (Romans 3:9-10).
- ‘... through one man sin entered the world, and death through sin, and thus death spread to all men, because all sinned’ (Romans 5:12).

From these verses we find out that:

- All men were created in God’s image – this makes all men higher and of greater value than any animal.
- All men are descendents of Eve and are made of ‘one blood’. This tells us that all men are of the same genetic stock, removing the very concept of different ‘races’. The idea of different races is a man-made notion, not a Biblical one. Where then is racism?
- Man enters and leaves this life with nothing, regardless of his birth, nationality, status, wealth or assumed superiority during his brief existence. Man’s significance is not in those things.
- Every man who ever walked or will walk on this earth (apart from One), is fallen and sinful because of Adam. That means none of us, regardless of place of birth, ethnicity or nationality are any better than any others in God’s sight – we are all equal in our moral failure, spiritual death, and need of him.

When we contrast these biblical values with those of atheists and liberals²², and generally all those of a humanistic mindset who would argue for open immigration, we find something very odd. While they would claim the impeccable credentials of a value system which upholds the brotherhood of all mankind and the aim to promote a global utopia based on equality, in fact the founding articles of their philosophy completely denies these ideas.

The prevailing Darwinian belief which these groups tend to hold in common is actually based on a text entitled ‘*On the Origin of Species by Means of Natural Selection, or the Preservation of Favoured Races in the Struggle for Life*’ (emphasis mine). The implications of this text are that men are not at all equal, but some ‘races’ are ‘favoured’ through evolution to be preserved at the expense of other ‘races’, and that mankind is of no higher value than an animal, because he is himself just an animal with a bigger brain. However, this of course leads us to another subject entirely.

Ross Stickland

²² This may, perhaps surprisingly, apply to those of pagan religions too – see the work of Paul James-Griffith on the ‘Roots of Evolution’ at <http://edinburghcreationgroup.org/video/31>

A World without Down's syndrome

The Government has decided to roll-out a new pre-natal test for Down's syndrome. It has taken its decision without consultation and in the face of widespread concern.

Opposition runs deep. It includes those with the condition and their families but is by no means limited to them. It encompasses all those who are appalled at the prospect of introducing a test to more efficiently eradicate people with Down's.

One of those at the forefront of the opposition is actress Sally Phillips. Perhaps best known for her roles in the Bridget Jones films and BBC's *Miranda*, Phillips is also mum to 11-year-old Olly, who has Down's syndrome. Her recent BBC documentary 'A World without Down's syndrome?' – made before the Government took its decision – considers what would happen if the new test was made available on the NHS.

The programme was prompted by some stark facts: In England and Wales between 1989 and 2012 almost 20,000 babies were diagnosed in the womb with Down's syndrome. Of these, 92 per cent were aborted¹. That is nine out of every ten babies diagnosed with Down's syndrome killed in the womb every year – and being classified as a 'severe disability', abortion can take place right up until birth.

The new test – dubbed Non-Invasive Prenatal Testing, or NIPT – is estimated to be more than 98 per cent accurate. The National Institute for Health and Research RAPID evaluation study projects that the proposed implementation will result in 102 more Down's syndrome babies being identified each year². Inevitably, that will mean more Down's babies being aborted. Based on current abortion rates, as many as 92 more *each year* – an increase of 7.5 per cent.

In the documentary Phillips travels from the UK to California via Iceland in an attempt to answer the question 'What's so dreadful about Down's syndrome?' What is it about this condition that strikes such fear into people's hearts that they feel there is no other option but to kill their unborn child? Why does society regard them as such a burden? Along the way she meets parents, scientists and educators and encounters contrasting attitudes towards the sanctity of life.

There is Emma, the mother of a Down's child, who, despite having taken a clear decision not to be tested for the condition when she is pregnant with her second child, has to constantly justify her decision to medical practitioners. And there is Prof. Sue Buckley OBE, a leading expert in education and development for young people with Down's syndrome who, when asked about screening, bluntly states that a diagnosis of Down's syndrome should not be grounds for abortion.

But set against them are some of those who exert considerable influence over Government policy in this area. Key amongst these is Professor Lyn Chitty. It is Chitty who led the NIPT evaluation study and advocates a full roll-out in the NHS, in order to 'better inform' women. Despite the evidence to the contrary, she claims the test it will not significantly affect the current abortion rate.

Phillips also meets Jane Fisher, who runs Antenatal Results and Choices – previously known as Support Around Termination For Abnormality – the only counselling charity the NHS currently directs women to when they get a Down's diagnosis. The actress is visibly disturbed when her hypothetical question about how a learning disability would affect her baby is answered with advice that 'goes straight to termination'. Consider, too, the comments from the Royal College of Obstetricians and Gynaecologists: It has argued that factoring in 'the lifetime costs of caring for children and adults with Down's syndrome' could make the widespread testing 'cost-effective'.³

¹ *The National Down Syndrome Cytogenetic Register for England and Wales: 2013 Annual Report*, December 2014

² *RAPID non-invasive prenatal testing (NIPT) evaluation study: a report for the UK National Screening Committee*, May 2015

³ *Mailonline*, 21 September 2016, <http://www.dailymail.co.uk/news/article-3801102/You-t-price-s-child-s-life-Families-fury-doctors-say-lifetime-cost-care-NHS-justifies-new-simple-blood-test-mothers-be.html>

Phillips struggles to make sense of these and similar assessments just as she struggles in meeting a woman who has opted to abort her baby with Down's syndrome. This is understandable because, as a mother of a lad with the condition, she sees the alternative view as a rejection of her own son.

But there is a different, perhaps deeper, struggle that is apparent in this documentary: Sally Phillips maintains that she is pro-choice but the introspection she displays towards the end of the programme suggests that she recognises her intellectual position is deeply at odds with her own sense of right and wrong. As she confessed to Prof Chitty, whatever the answer to the problem of Olly growing up without her support after she dies 'it is not termination'. Phillips believes very strongly that abortion, at least for Down's children, is wrong. This is rooted in her own experience, and crucially, her belief that Down's people have so much to contribute to society.

But this, in the end, is the problem that the documentary, that otherwise does so well in challenging the ethics of NIPT, fails to address. The value of human life does not lie in its contribution to society at large, or even to the happiness of a particular family. The new NIPT test has its roots in the idea that some people's lives have little or no value and therefore should be screened out from society. This is profoundly wrong. Unborn children are perhaps the most vulnerable people in our world and need to be protected. All human beings are made in the image of God and have a special, intrinsic value regardless of how young or how old, how able-bodied or disabled they might be. This does not apply only to those with Down's syndrome. Neither does it apply only to those whom parent, family or society has deemed 'makes a contribution'. It applies to us all.

Ciarán Kelly

Book Review

God and Politics: Jesus' vision for society, state and government

Mark Dever (2016), 10Publishing, 57 pages, £2.99

This slim volume begins with a question that is as simple as it is profound: 'Does Christianity have a vision for the state or for society as a whole?' It is a good and necessary question, and one which has implications for us all as citizens of the land in which God has placed us. What kind of government should we be praying for? And as we engage in the democratic process, what kind of policies and laws should we be supporting, whether as members of the electorate or as participants in public life? Do we have a vision?

In addressing this question, Mark Dever directs our attention to Mark 12:13-17, and to the exhortation of the Lord Jesus Christ to 'Give back to Caesar what is Caesar's and to God what is God's.' In these words, Dever claims, 'Jesus establishes a biblical theology of government, and he applies it to the new phase in history of God's people that he was beginning.'

He proceeds to briefly survey Genesis 1:28, 1 Timothy 2:2, Jeremiah 29:7, Romans 13:1-7 and 1 Peter 2:13-14,17 and helpfully concludes that human government fulfils the role of providing order and some measure of justice. It does good by maintaining civil order and peace, and providing a stage for us to obey God's commands to fill the earth and subdue it. God is sovereign over all, and the state – even a pagan state – is his servant.

On this basis, Dever contends that: 'the legitimacy of a government is not determined by whether it supports the worship of the true God, or even allows for it' and Christians need to recognise that we are always in exile, whoever is in charge.

Yet that does not mean that believers should adopt a passive and disinterested attitude towards the affairs of state. In contradistinction to those who are cautious about Christian involvement in politics, and who tend to the view that the church is the only divine institution through which God bestows blessings upon the world, Dever argues that:

[G]overnment is one of a number of enterprises that we can be involved in, that are not specifically Christian, but are good and even mediate the blessing of God to us. These things don't need to be Christian to be in some real sense good and something that blesses people.

He positively commends those who are employed within local, regional and national government, telling them: 'What you do in your job is in part reflecting God's own authority as you keep order and peace and work for justice in society... You are doing God's work.'

Dever rejects the sacred-secular distinction. As bearers of the divine image, we are all called to reflect the authority of God where he has placed us, in every sphere of life – whether in the home, the workplace, the church, or in the political arena. He writes:

In fact, whatever sphere you are in, you are called to exercise the authority that you have as a reflection of God's own authority. All those in authority are to reflect and uphold the morality that God has created us all to have, in order to reflect his own character.

There is here a healthy realism about the limitations of human governments and a reminder that until Christ returns, his people will live under the reign of all sorts of kings and emperors. The final triumph of Christ's Kingdom does not lie in the hands of human rulers. Rather, 'by the grace of God, Christians can suffer anything. We are not dependent on just governments for the gospel to go forward.'

There is an equally healthy view of the limited duty of believers to the civil authorities. While we are called to 'submit to every ordinance of man for the Lord's sake' (1 Peter 2:13), to 'honour the king' (1 Peter 2:17), and to 'be subject to the governing authorities' (Romans 13:1), we are ultimately accountable to God. Therefore, where the dictates of the state conflict with the divine commands, our primary allegiance is to our heavenly King: '[W]e necessarily have to leave some space for civil disobedience when an authority commands something that is morally wrong.'

Unlike our duty towards earthly authorities, our duty towards God is comprehensive and all-embracing. The obligations we bear towards the state are part of our larger responsibility to God. We are created in his image and belong to him. Every area of our lives is to be lived under the authority of God. As Abraham Kuyper famously expressed it, 'There is not a square inch in the whole domain of our human existence over which Christ, who is sovereign over all, does not cry, "Mine."'

God and Politics undeniably strikes many welcome and necessary notes, yet as a summary of a Christian approach to government and politics it does not entirely satisfy. It fails to live up to its sub-title and so disappoints as an outline of 'Jesus' vision for society, state and government'. Neither does it adequately answer the question with which it both begins and ends: 'Does Christianity have a vision for the state or for society as a whole?'

For all his emphasis on subjecting every sphere of life to the authority of God, Dever nowhere explains what that will look like for the Christian citizen, politician or policymaker. To live under the authority of God means to live in submission to him and in obedience to his Word, yet there is no attempt to set out a coherent vision for the kind of government Christians should be praying and working towards in a fallen world.

Dever is right to observe that a government may have many shortcomings and yet still be legitimate. But legitimacy is not the only issue that should concern us. Romans 13 describes the civil government as 'God's minister'. As a minister of God, the government can rule well or badly; it can faithfully exercise the authority entrusted to it, or it can be unfaithful and incur God's wrath. It can only truly govern wisely to the extent that it fears God, recognises that it is accountable to a higher authority and submits to the divine revelation.

As John Murray expressed it:

The magistrate is... under obligation to discharge the office devolving upon him in accordance with the revealed will of God. The Bible is the supreme and infallible revelation of God's will and it is, therefore, the supreme and infallible rule in all departments of life. The civil magistrate is under obligation to recognise it as the infallible rule for the exercise of civil magistracy.¹

God and Politics is helpful as far as it goes, but it doesn't go anywhere near far enough. It is not possible to set out 'Jesus' vision for society, state and government' without a careful biblical exposition of God's mandate for civil government and the application of the Word of God to policymaking and law-making. If we are to be equipped to love our neighbours and truly 'seek the welfare of the city' as active participants in the political sphere, we shall need much clearer biblical guidance and direction than is found here.

Norman Wells

¹ John Murray, *Collected Writings*, Vol 1, Banner of Truth, 1976, p.254.

Book Review

Transforming homosexuality: What the Bible says about sexual orientation and change

Denny Burke and Heath Lambert (2015), P & R Publishing, 136 pages, £5.76 (Kindle £3.26)

Three common ‘Christian’ responses to homosexual orientation

It is clear that the defining social, political and ethical debates in the Western world this decade and possibly this generation have centred on sexual orientation and gender issues. With western culture’s focus currently fixated, it would seem, on all things LGBT, churches and individual Christians have found it necessary to grapple with the moral, ethical, and biblical implications of LGBT matters.

Some have argued that homosexual behaviour and orientation are good and right before God, so long as it is in the context of a committed and healthy relationship; others have concluded that homosexual behaviour is wrong, but have distinguished between homosexual behaviour and orientation. The common consensus in this middle ground is that being homosexually oriented is not, in and of itself, sinful (and likely cannot be changed), concluding that same-sex sexual attraction is not a negative thing so long as one remains celibate. Even so, others maintain that even homosexual orientation is sinful and that change can and should happen. This latter position is held by Denny Burke and Heath Lambert, the authors of *Transforming Homosexuality*.

The book considers those who argue for various types of reparative therapies that seek to effect change; through addressing psychological and emotional harm done in the past and attempting to pinpoint specific life-events that perhaps sparked homosexual orientation, the quest of reparative therapy is primarily to see homosexuals become heterosexual. The mentality and methodology of this approach is disputed by Burke and Lambert and denounced as unbiblical.

So what then leads the authors to conclude that homosexuality in its totality (i.e. behaviour *and* orientation) is sinful? On what basis do they believe change can occur, and would you find this a helpful and appropriate resource in dealing with homosexual family, friends and neighbours?

Three components in precisely defining ‘orientation’

Burke and Lambert point to the importance of understanding what is actually meant by the term ‘orientation’ in society and the biblical implications of this. They use the definition laid down by the American Psychological Association (APA) which states:

Sexual orientation refers to an enduring pattern of emotional, romantic, and/or sexual attractions to men, women or both sexes. Sexual orientation also refers to a person’s sense of identity based on those attractions, related behaviours, and membership in a community of others who share those attractions.

Burke and Lambert break this down and outline the primary components of orientation as 1) sexual attraction, 2) emotional attraction, and 3) identity (the aforementioned sexual attraction being the defining feature of this identity). They write, ‘A homosexual orientation is comprised of various attractions to persons of the same sex as oneself.’ For the authors, the so-called ‘SSA’ (same sex attraction) being discussed in many evangelical circles, would be included as a core part of a homosexual orientation. But are such attractions, even when uninvited, truly sinful and is it fair to lump them in with a discussion of orientation? Based on the APA’s definition, side-by-side consideration is necessary as attraction and orientation are considered part-and-parcel of each other. But let’s look at some of Burke and Lambert’s logic.

Is homosexual orientation sinful?

First and foremost, Burke and Lambert's assessments and conclusions are rooted in a fundamental affirmation of biblical authority, inerrancy, infallibility and sufficiency. While stating, 'In Scripture, same-sex attraction and behaviour are repeatedly and consistently condemned', the authors also point out that sinful heterosexual attraction is equally condemned: 'Clearly having sex with another man's wife is wrong, and so the desire to commit that deed is also wrong.'

In holding biblical authority as crucial in assessing the ethics of orientation, Burke and Lambert discuss NT Greek passages and home in on Jesus's words on lust and adultery in Matthew 5:27-28, a standard for evaluating sexual desire/attraction. They emphasise that Jesus' view here does not apply to desires or attractions that are non-sexual. To illustrate: for a man to find a woman beautiful or to acknowledge another man as handsome with no sexual component is not what Jesus is addressing nor can it be appropriately considered sexual attraction. Burke and Lambert caution against any idea of considering 'low-level sex desire' any better than 'high-level sex desire' whether homo- or heterosexual. They also disavow the view that sin is only committed if a desire or sex attraction is *chosen*. If the object of your attraction or desire is not right before God, then the attraction and desire itself falls short and is therefore sinful. In his foreword to *Transforming Homosexuality*, Southern Baptist Theological Seminary president Al Mohler writes, 'The New Testament reveals that a homosexual sexual orientation, whatever its shape or causation, falls out of line with the Creator's purpose for humanity.' Burke and Lambert follow this same line of thought saying,

The only sex desire that glorifies God is that desire that is ordered to the covenant of marriage. When sexual desire or attraction fixes on any kind of non-marital erotic activity it falls short of the glory of God and is, by definition, sinful... same-sex desire can never have the covenant of marriage as its end.

Burke and Lambert are clearly aware of the objections their book will encounter, primarily in relation to the confusion between temptation and sinful desire, specifically in the fact that Jesus was tempted but did not sin (Hebrews 4:15) which leads to the conclusion that temptation may not be sinful. They respond:

We should not make our sinful experience of temptation the measure of Jesus' sinless experience of temptation... Yes, Jesus was tempted in every way as we are, but his experience of temptation was not identical to ours. This is the necessary corollary of Christ's sinless perfection... there was no aspect of Jesus' temptation that ever involved sin on his part. He had no desires that predisposed him to sin. His response to external pressures never resulted in an evil thought or attraction... We experience a level of internalization [of sin and desire to sin] that Jesus' impeccability never allowed.

In summary, Burke and Lambert conclude:

Insofar as same-sex orientation designates the experience of sexual desire for a person of the same-sex, yes, it is sinful. Insofar as same-sex orientation indicates emotional/romantic attractions that brim with erotic possibility, yes, those attractions too are sinful. Insofar as sexual orientation designates identity, yes, that identity, too, is a sinful fiction that contradicts God's purposes for his creation.

Three principles for change

Transforming Homosexuality is not only about pointing out sin without also providing a way forward. Burke and Lambert are clear that in addition to addressing ethics, they desire to focus on ministry that helps Christians know how to pursue real change in their sexuality. While rejecting as unhelpful and unbiblical models for change found in 'reparative therapy', they remind the reader of the hope in the gospel and that

the goal of change for the homosexual 'is not heterosexuality, but holiness'. The possibility of change is rooted in the clear understanding 'that if God gives clear commands, he will, over time and by his grace, give the strength to obey those commands.'

We are reminded of the primacy and power of the gospel, that 'The only way any person can have change from any sin, whether homosexuality or anything else, is by repentance.' Rather than looking for behavioural modifications, Christians should seek obedience in heart and mind. In being wary of sin, whether homosexual or other, Christians have the joy of looking to the Saviour, Jesus, who forgives and restores. Burke and Lambert walk through the practical features of repentance and also challenge the reader on the significance of Bible reading and fervent prayer in the change process (it was through these that a close relative of this reviewer had victory over SSA) as well as faithful accountability in the local church community. There is much food for thought throughout 'Transforming Homosexuality' and each chapter closes with questions for further study, reflection, meditation and personal challenge. These questions not only sensitively and compassionately challenge the reader to greater purity in thinking about this subject, they also provide an appropriate platform from which to engage in meaningful discussion with others concerning any sin, its consequences, and how change can happen.

Conclusion

'Transforming Homosexuality' substantively and sensitively deals with the realities of homosexual orientation without making its applications solely applicable to homosexuals. While particularly practical in assessing the ethics of homosexual orientation, it is equally useful in considering appropriate ways of ministering to homosexuals. It is written in such a way that someone experiencing same-sex attraction could find it helpful and compassionate in its conclusions and application. I recommend 'Transforming Homosexuality' as a unique and particularly helpful resource for any pastor's consideration.

Regan King

Life Issues

Abortion

Forty-nine years of abortion

Thursday 14 July 2016 marked the forty-ninth anniversary of the passage of the Medical Termination of Pregnancy Bill following its third reading in the House of Commons. The voting was a massive 262 for and only 181 against. The Bill received the Royal Assent on 27 October 1967. Under the aegis of what was to become known as the 1967 Abortion Act, the killing started six months later on Saturday 27 April 1968. It is estimated that some 8.6 million abortions in England, Scotland and Wales have since been performed. Next year is the Golden Anniversary of the Act – how should that be marked?

Marie Stopes and the CQC

As I wrote in my book, *Bioethical Issues* (2014, p. 68), 'Evidence suggests that the Abortion Act 1967 is not being correctly enforced or adequately monitored. Moreover, the Care Quality Commission (CQC), the NHS watchdog in England, which oversees the legal compliance of abortion services, patently has work to do.' Well, surprise, surprise! The CQC has done some work. In August, CQC inspectors raised concerns about abortions being carried out at Marie Stopes clinics in England. In particular, it uncovered poor governance arrangements and 'specific immediate concerns' about patient safety with respect to consent and safeguarding. In addition, the CQC was not satisfied with training and competence for terminations that took place under general anaesthetic or conscious sedation. Marie Stopes International's response was to suspend abortions for under-18s and vulnerable groups of women, suspend abortions under general anaesthetic or conscious sedation and suspend abortions at its Norwich centre. It estimated that about 250 women a week would be affected and it confirmed that they would be diverted to other abortion clinics. The CQC has promised to publish its findings once its inspection reports are completed, sometime in the autumn. This affair should send a shock wave throughout the abortion industry – abortion is a heinous business, but if it must persist, then it must be done within the law, 'correctly enforced [and] adequately monitored'.

However, by early October, Marie Stopes had resumed performing abortions at several of its suspended clinics, with the expectation that all of them would be operational by the end of October. Should Marie Stopes be allowed to restart before the CQC's official report into these serious failings has been published? Apparently, yes. The CQC has stated, 'Detailed reports will be published in due course and will be made available on our website.' We shall be watching.

Abortion for cleft palate

It seems that abortions for cleft palate – an easily-fixed facial deformity – are rising. According to figures from the Office for National Statistics, there were 4 such abortions in the UK to during 2012. The figure in 2015 was 11. Fiona Bruce MP commented, 'It is deeply disturbing if these figures reflect a worrying trend in society to disproportionately value the physically perfect and beautiful.' And Lord Alton declared, 'Aborting a baby with a cleft palate should be unconscionable. For the law to allow this up to birth should be unthinkable.'

Abortion in Ireland

If ordinary politics can be opaque, Irish politics can be obscure. The United Nations Human Rights Council has recently criticised Irish abortion law saying that the country needs to comply with international standards on abortion by making it available to women in cases of rape, incest and fatal foetal abnormalities. Yet in early July, a bill to allow for abortions in cases of fatal foetal abnormality was defeated in the Dáil by 95 votes to 45. In addition, there has been internal and external pressure to repeal the Eighth Amendment of the Irish Constitution (see above). This has led the government to create a Citizen's Convention to examine the controversial 2013 Protection of Life during Pregnancy Act, which has permitted abortion to save the life of the mother, but which also includes the risk of suicide as a threat to her life. In late July, Supreme Court judge, Mary Laffoy, was appointed to chair this 100-member Citizens' Convention

tasked with examining the Eighth Amendment. The Convention is to be established by October and the Eighth Amendment is the first issue it will examine. Pro-life campaigners in Ireland hope that the crucial Humphreys' ruling will cause the government to repeal the pro-abortion 2013 Protection of Life during Pregnancy Act and to oppose any moves to repeal the Eighth Amendment. Irish politics can indeed be obscure. Some commentators expect that yet another Irish referendum on abortion is inevitable and maybe imminent.

Gene editing

Beyond CRISPR

Most of us have only just got used to hearing about CRISPR–Cas9, the gene-editing tool, which enables scientists to alter genomes of bacteria, plants and animals, practically at will. It was first mentioned in these Updates only in October 2015. Well, it is already becoming a somewhat dated technology. Now there is NgAgo. It is an acronym for *Natronobacterium gregoryi* Argonaute – don't blame me! Basically, it is an enzyme that can break DNA at specific, gDNA, sites. It was first reported as a possible gene-editing tool by Han Chunyu and his team from the Hebei University of Science and Technology in Shijiazhuang, China. The report was published as Goa *et al.* in May 2016 in the journal *Nature Biotechnology* **34**: 768–773. They used NgAgo to edit eight different genes in human cells and to insert genes at particular points on chromosomes. One disadvantage of the CRISPR-Cas9 system is that the enzyme Cas9 is too large to package into any of the viruses that are commonly used as vectors in gene therapy. Enter an alternative, mini-Cas9, a smaller version derived from the bacterium *Staphylococcus aureus*. Mini-Cas9 has already been used to correct the gene responsible for Duchenne muscular dystrophy in mice. Cas9 has other limitations. It will not cut everywhere because it requires a certain DNA sequence for that to occur. Enter an enzyme called Cpf1 which is smaller than Cas9, with a different sequence requirement for cutting. And there is yet other enzyme, called C2c2, which targets RNA rather than DNA. This is just the very beginning of discovering and applying gene-editing tools – there is now talk about adding other types of enzymes, such as integrases and recombinases, to the gene editor's toolbox.

Does NgAgo actually work?

Oh no, is this another case of fraud at the forefront of hot science? Han Chunyu, the senior author on the *Nature Biotechnology* paper, cited above, has been accused by several scientists because they cannot replicate his results with NgAgo. An informal online survey found that 9 scientists said that NgAgo works, while 97 said it does not. Han is convinced that his technique is sound and on 8 August, he submitted his protocol in detail to Addgene, an online genetic information repository, for all to see. The stakes are high. Time will tell. Meanwhile, *Nature Biotechnology* has launched its own investigation.

The first human CRISPR trials

Chinese scientists are on the verge of being first in the world to inject people with cells modified using the CRISPR–Cas9 gene-editing technique. A team led by Lu You, an oncologist at Sichuan University's West China Hospital in Chengdu, plans to start testing such cells in people with lung cancer now that the trial has been approved. Lu's team will enrol patients who have metastatic non-small cell lung cancer and for whom conventional treatments, like chemotherapy, radiotherapy and so on, have failed. They will extract T-cells from the blood of the patients, and then use CRISPR–Cas9 technology to knock out a specific gene in those cells. The gene encodes a protein called PD-1 which normally acts as a check on the cell's capacity to launch an immune response, to prevent it from attacking healthy cells. The gene-edited cells will then be multiplied in the laboratory and re-introduced into the patient's bloodstream. The engineered T-cells will, the team hopes, home in on the cancer cells and destroy them. Meanwhile, Carl June, a clinical researcher in immunotherapy at the University of Pennsylvania in Philadelphia, has been granted approval for a similar human trial using CRISPR-Cas9 modified cells to treat cancer patients, which should also start before the end of 2016. The US team's protocol will similarly knock out the PD-1 gene, but also add NY-ESO-1, a tumour antigen, and disrupt TRAC and TRBC genes in order to enhance the proliferation and immune response of the T-cells before they are infused into the patients. The 2-year trial will treat 18 people with

myeloma, sarcoma or melanoma, who have stopped responding to existing treatments. These phase I trials will seek to establish the safety and effectiveness of these proposed treatments, but because they are entirely novel, they are also inherently hazardous. 'Proceed with caution' is the maxim. Catastrophe could hinder human gene-editing technologies for decades.

Assisted Reproductive Technologies

The saga of A and Mr & Mrs M

If you want a good reason to reject IVF, here it is. IVF turns natural procreation on its head and often creates huge bioethical dilemmas. Consider this case:

A young, single woman, known as A, suffered from bowel cancer. During a period of remission, she underwent treatment to collect three ova, which were frozen and which she later referred to as 'my babies on ice'. Prior to storing the ova, A completed a form which asked what she wanted to happen in the event of her death. She wrote YES to the ova being stored 'for later use', and NO to the ova 'being allowed to perish'. However, she did not give specific written consent about how she wanted the ova to be used after her death.

In June 2011, A died at the age of 28. Her parents, Mr M and Mrs M, then sought to give effect to their daughter's wishes by trying to conceive a child, with anonymous donor sperm, who Mrs M, now aged 60, would carry and who they would raise as their grandchild.

The UK clinic, IVF Hammersmith, where the ova were stored declined to offer them assistance, citing a lack of written consent to the treatment proposed by A's parents. Mr and Mrs M then sought to export the ova to the USA where a clinic, New York Fertility Services, was identified that was prepared to help. The Human Fertilisation and Embryology Authority (HFEA) refused the UK clinic's application to export the ova. Mr and Mrs M sought a judicial review of that decision. On 15 June 2015, Mr Justice Ouseley in the High Court said the HFEA was right to conclude that there was insufficient evidence of A's wishes and was therefore entitled to refuse consent to export.

However, the Court of Appeal disagreed. On 30 June 2016, Lady Justice Arden stated that the HFEA and Mr Justice Ouseley had erred. Although A had not completed additional written consent forms explaining the terms of her initial consent, all available evidence indicated that A wanted the ova to be used by her mother after her death, and there was no evidence that A wanted the ova to be allowed to perish.

The ruling meant that the HFEA needed to reconsider whether to exercise its discretion to permit the export of the ova. It did just that. On 9 September 2016, the Statutory Approvals Committee of the HFEA reconsidered this case in the light of the Court of Appeal judgment. It agreed, 'in the exceptional and unique circumstances of this case, to grant special directions to export A's eggs to the USA'.

Legal permission is one thing – biological reality is another. A's so-called 'babies' are ova, not even embryos, the three ova are frozen, they are 5 years old, Mrs M is post-menopausal and quite unlikely to become pregnant, if she does conceive any complications could be life-threatening, and there is, as yet, no identified sperm donor. The entire proposal seems more like a grandparent's emotional dream rather than a rational reproductive strategy. Such is the disconcerting and dishonest power of IVF.

World's first 'three-parent' IVF baby born

In February 2015, the UK government became the only country in the world to sanction the controversial technique known as mitochondrial replacement therapy (MRT), or 'three-parent' IVF. Now American doctors have reportedly beaten the British in the race to use the technique. The HFEA has still not given permission for any such usage in the UK.

The unnamed baby boy, with genes from two women, was conceived in a Mexican clinic last summer and was born on 6 April 2016. The 'primary' mother, who is Jordanian and in her 30s, contacted the New Hope Fertility Centre in New York after learning that she carried the mitochondrial disease, Leigh syndrome. She had already lost two young children to the disease and had suffered several miscarriages.

Because the couple are devout Muslims, they were opposed to the destruction of two embryos, as occurs in pronuclear nuclear transfer, the MRT protocol approved in the UK. Instead the US-led team used spindle nuclear transfer, which involves cutting and pasting before fertilisation occurs. The scientists removed the nuclei from several of the 'primary' mother's ova and used them to replace the nuclei in ova obtained from a 'secondary' or donor mother. These 'new' ova were activated and then fertilised with the father's sperm. Five embryos were created, but only one developed sufficiently to be transferred to the 'primary' mother. The baby's nuclear DNA is 99.8% from his parents with 0.2% of his mitochondrial DNA from his 'secondary' mother. Less than 1% of the boy's mitochondria carry the genetic mutation.

The procedure was carried out in a branch of the NY clinic in Guadalajara, Mexico because there are no fertility regulations there. It is all a little Machiavellian. The whole episode has again raised the many questions about the ethics and safety of the technique. Dr John Zhang, who led the work, has no such qualms, he said, 'To save lives is the ethical thing to do.' Yet an additional fear is that doctors using such unregulated treatments will now exploit desperate couples. One thing is sure – this will not be the last we hear of 'three-parent' IVF.

Babies without mothers?

Those UK tabloids of spin have overstepped the mark again. The headline in the *Daily Mirror* was, 'Fertility breakthrough means babies could be conceived from skin cells.' Whereas the *Daily Mail* led with, 'The babies with no mothers' and 'We can create babies without men, claim scientists.'

The science in question appeared in *Nature Communications* (2016, doi:10.1038/ncomms12676) by Suzuki *et al.* under the title, 'Mice produced by mitotic reprogramming of sperm injected into haploid parthenogenotes.' And the truth is that it was a small study, with no skin cells involved, and it was done in mice, not humans.

This is what Dr Perry and his colleagues at the University of Bath did. They took unfertilised mouse ova, treated them chemically to trick them into dividing, and thus created so-called parthenogenotes. In other circumstances these usually die within a few days. These entities are haploid, that is, they contain only one set of chromosomes. The Bath team then injected them with mouse sperm and transferred them to mouse uteruses. About a quarter of them developed into newborn mouse pups. These appeared healthy and were subsequently able to produce two or more generations of their own offspring.

These results challenge our previously-held understanding that mammalian embryo development requires the fusion of ova and sperm. Furthermore, the authors suggest that their work, 'calls into question the argument that parthenogenotes do not have the potential for full-term development and are accordingly a more acceptable source of human embryonic stem cells.' But what next? Could all this lead to future fertility treatments? This is where Dr Perry went into hype mode, 'It might one day mean that we could generate embryos from other cell types – perhaps even somatic cells, perhaps skin cells, for example', he said. At that, the tabloid press woke up and loved it, embroidered it and printed it. Dr Paul Colville-Nash of the Medical Research Council was a little more understated. He said, 'This is an exciting piece of research... It may one day even have implications for how we treat infertility, though that's probably still a long way off.'

Dial a sperm donor

Ah, the wonders of online shopping! London Sperm Bank Donors has just launched a phone app that allows women to choose sperm donors by race, education, height, weight, education, even eye colour. Furthermore, users can sign up for alerts and 'new arrivals'.

The service has been called, 'digital dads' as well as 'the denigration of fatherhood'. It is understood that around half of Britain's IVF clinics registered to use the service. Once a woman has chosen her preferred sperm donor, she makes a payment of £950 via the app and the sample is delivered to the HFEA-approved clinic where the woman is being treated.

Human-admixed embryos back on the agenda

After a decade of hype and failure it seemed that the story of human-admixed embryos had closed, but now they are back on the agenda. Since September 2015, US scientists have been banned from receiving federal funding for adding human stem cells to animal embryos in order to create chimaeras, or human-admixed embryos. Yet, in August, the US National Institutes of Health (NIH), after a public consultation, proposed lifting that funding moratorium.

Some say such research is essential. It will lead to our greater understanding of human development and disease. It could even lead to the production of transplantable human organs in livestock, such as human kidneys in pigs.

Others say it is a step too far. Some US states may yet ban such research, review committees may block such projects, and public opinion may revive protests against such work. These protesters say that these studies could result in chimaeric animals with human cellular and functional modifications to the central nervous system. This, in turn, could elevate chimaeras to something approaching, or equalling, human moral status. Proponents retort that this conflation of the biological humanisation of chimaeric animals with their moral humanisation is a fallacious argument. They maintain that the moral status of humans – though they do define that – is not automatically granted by genetic composition or physical arrangement of our cells, but rather by a complex of mental traits. In other words, we are back to the old wranglings over personhood designations, plus legal and moral definitions of the status of human beings. Rather than seeking answers to these hot issues, the NIH's new rules would merely set up review panels which would concentrate on animal welfare issues. They might also prohibit extreme protocols, such as limiting the number of human cells in a chimera's brain, or the birth of an animal more humanised than its parents.

Currently, all research subjects fall into two classes – human or non-human. There are strict and different research guidelines for each. Chimeric research introduces a third category for which there are no research guidelines. Without the construction of a robust bioethical framework, this research will proceed on a ragbag basis with the currently unthinkable eventually becoming the acceptable norm.

For those, Christians and the 'morally sensitive', who draw a bright line between animals and human beings, these arguments are fundamental. We have been here before. If animal cells contain 0.1% of human DNA, are they animal or human? What about 10%? What about 50%? Destruction of human embryos, creatures that are part human-part pig – do these constitute a bioethically-acceptable research pathway?

Dolly's siblings are well

When Dolly was born on 5 July 1996, she was the first mammal to be cloned from an adult cell using a cloning technique known as somatic-cell nuclear transfer (SCNT). She died at the relatively young age of 6.5 years raising the fear that cloned mammals may suffer from serious degenerative conditions

In July, Nottingham University announced that four of Dolly's siblings, Debbie, Denise, Dianna and Daisy, which had been cloned from the same ewe as Dolly, had reached their eighth birthdays apparently in good health and ageing normally.

Now this cheery news raises at least two serious questions. First, if human reproductive cloning is banned until it is safe, does this healthy animal report move us nearer its approval? Second, if animal cloning is to be perfected, what will stop the demand for human cloning?

Trending in fertility

For the first time in England and Wales for nearly 70 years, women over 40 are having more babies than those under 20. In 2015, there were 697,852 live births with 15.2 births per 1,000 women aged over 40, compared with just 14.5 per 1,000 women in their teens. The last time the over-40s had the higher fertility rate was in 1947, in the wake of World War II – the very year I was born!

The current trend is two-fold. The teenage pregnancy rate has more than halved from the 33 births per 1,000 teenagers in 1990. And pregnancies in the older age group have rocketed from 5.3 per 1,000 in 1990. The average age of having a child is now 30.3 – a figure that has been increasing since 1975. And the cause of these trends? Fertility treatment, women in higher education and careers, and the rising costs of housing and childbearing – these factors delay motherhood. Female fertility starts to decline from the late 20s and especially from the mid-30s, so reproductive outcomes are poorer in older women. Take note and beware you young married couples!

Is IVF changing the human population?

Nowadays as many as 1 in 25 children born is an IVF-baby. Is all this artificial procreation having an effect upon the wider population? Certainly, IVF enables many people to reproduce who would not naturally be able to do so.

By definition, IVF-couples come from a distinct subgroup, typically sub-fertile and often relatively rich. And, for example, IVF-ova are different from normal ova, even biologically inferior. Similarly, IVF-sperm are distinct, selected for their ability to swim short distances, whereas in a natural environment, successful sperm are long-distance swimmers. Again, IVF-embryos have to endure unnatural freezing as well as the environment and culture media in laboratory Petri dishes. And there may be differences in how IVF-embryos survive implantation and miscarriage. And there is also a generational perspective - boys conceived by ICSI (intra-cytoplasmic sperm injection), the most common type of IVF, apparently inherit their fathers' infertility problems. In adulthood, they have half the normal sperm count and half the number of good 'swimmers'. This, according to research by André Steirteghem and his team and published in *Human Reproduction* <http://humrep.oxfordjournals.org/content/early/2016/10/05/humrep.dew245.abstract> is the upshot, 'In this cohort of 54 young adult ICSI men, median sperm concentration, total sperm count and total motile sperm count were significantly lower than in spontaneously conceived peers.'

So, because IVF supports the propagation of these sub-fertile couples, is that a disadvantageous development for the whole human population? If the sub-fertile give birth to sub-fertile offspring and the sub-fertile pool increases, will we become more and more dependent on assisted reproductive technologies? In other words, is IVF a retrograde step? It is certainly not a cure, but merely a way of bypassing a problem.

Stem-cell Technologies

Where are the embryonic stem-cell treatments?

Bioethicists and others are, at last, beginning to realise that no field of biotechnology has promised more and delivered less than the overhyped and long-promised treatments from embryonic stem-cells. A few human studies have been conducted with mostly unclear or insignificant results. We were told that these embryonic stem cells were the gold standard of stem-cell technologies, capable of differentiating into any of the adult human tissues and organs and therefore able to regenerate and replace our ageing and diseased bodily parts.

The enterprise has been a flop. Bioethically, it has failed because the harvesting of embryonic stem cells demands the destruction of human embryos. Medically, it has failed because there are no forthcoming wonderful treatments. Will the stubborn researchers now give up on their pet projects and move onto adult stem-cell technologies? Probably not.

Yet, just in the USA, adult stem cells are currently being used in several thousand FDA-approved human clinical trials, involving tens of thousands of patients every year. An estimated 1.5 million people have been treated to date. Why have we not heard about these? Why the information blackout? The stem-cell science deniers, continue to disparage adult stem cells. But for patients, adult stem cells are the true gold standard of stem-cell technologies.

And yet, caveat emptor

And now a word of caution. Stem cells are increasingly being used in unproven therapies in clinics across the world. Such activities are being reported in the USA, Australia, Japan, India, China and elsewhere. The problem is two-fold. First, there is an assumption that all stem-cell treatments work. Yet, many are unproven, ineffective and maybe even dangerous. Second, government regulations, including those issued by the FDA, are insufficient to sift the good from the bad. The regulators cannot keep up and the sham clinics are exploiting loopholes.

The answer is the establishment of stringent assessments based on rigorous, double-blind, human clinical trials – the sort that are required before the marketing of new drugs. An example of the problem is that numerous stem-cell treatments are currently being marketed for neuro-degenerative diseases, but no stem-cell treatment has ever been proved to be effective for these conditions.

Yet, counter-intuitively, some want a relaxation of regulations. For instance, in the USA, the REGROW Act has been proposed. It stands for the Reliable and Effective Growth for Regenerative Health Options that Improve Wellness Act. Its supporters want less, not more, government oversight. They say FDA regulations hamper the introduction of novel stem-cell treatments, patients deserve more rapid access to potential cures, and the USA is slipping behind other less-regulated countries in the stem-cell race. Those lobbying for the REGROW Act seem to come from the more dubious sector of stem-cell clinicians. Bioethically and medically, their agenda would be dangerous, if not lethal. While it is beyond cavil that stem-cell treatments can be effective, we need to know which ones work. Stem-cell technologies belong in mainstream medicine, not charlatanism.

Stem cells and 3D-printers

Here comes the combination of two recent and fascinating technologies – stem cells and 3D-printers. Together they can produce artificial bone, called ‘hyperelastic bone’, to overcome skeletal defects and fractures.

As reported in the journal, *Science Translational Medicine* (2016, **358**: RA127), a team of scientists, headed by Ramille Shah, at Northwestern University, Illinois have already used the twin technologies to repair bone in mice, rats and a monkey. Testing the protocol in humans is expected within the next five years. If successful, the printers could be installed in hospitals to produce patient-specific bones within 24 hours. The ‘bones’ could even be impregnated with drugs and antibiotics to enhance recovery and reduce infection.

The scheme involves constructing a flexible scaffold consisting of hydroxyapatite, the major component of bone, and some added polymers. The microscopic lattice of these scaffolds encourages the body’s stem cells to morph into bone cells and allow blood vessels to proliferate within weeks. Eventually, when transplanted, this artificial bone is degraded and replaced by robust, natural bone. Remarkable, or what?

Euthanasia and Assisted Suicide

Euthanasia in Belgium

Since legalising euthanasia in 2001, it seems as though Belgium cannot get enough of it. The mentally disturbed, twins, the anorexic and even children are all willing, if not pressed, candidates.

Now, bizarrely, a Roman Catholic nursing home has fallen foul of the apparently all-embracing law. The incident occurred at the Huize Sint-Augustinus home in Diest, in the northeast of Belgium. According to its website, it is, 'a dynamic elderly facility with 150 residents, located on the outskirts of the city in a quiet residential area.'

The occasion was in 2011. The patient was Mariette Buntjens, a 74-year old, who was suffering from terminal metastatic lung cancer. She and her family had made prior arrangements for her euthanasia to be performed by a doctor not connected to the home. When he came, apparently, to give her a lethal injection, the directors of the home refused him access.

In June 2016, a civil court in Louvain ruled that 'the nursing home did not have the right to refuse euthanasia on the grounds of conscientious objection.' The three judges awarded €3,000 in damages to Mrs Buntjens on the grounds of the increased suffering she experienced, to be shared among her three children, as well as an additional €1,000 for each of them.

This case is important. First, it extends the reach of Belgian euthanasia practice. Second, it does not allow an institution, albeit a religious home doctrinally opposed to euthanasia, to refuse euthanasia. Third, a nursing home, with a remit to provide care for its residents, cannot come between them and their doctors.

Marieke Vervoort – Belgian gold medallist

The end-of-life wishes of a Paralympic medallist have again raised the question of what constitutes eligibility of a Belgian citizen for euthanasia. Almost anything, it seems.

Marieke Vervoort won a silver in the 200-metre wheelchair sprint and a gold in the 100-metre event in the London 2012 Paralympic Games. But she told the media that she may request euthanasia after competing at Rio. She signed her euthanasia papers in 2008. She has said, 'Rio is my last wish, hopefully I can finish my career on the podium.' She had her wish – she won a silver in the T52 400-metre wheelchair race.

She suffers from an incurable degenerative disease which causes her such great and constant pain that she barely sleeps, though she can still compete at a high level in a range of sports, including basketball, swimming and triathlons. Yet also says, 'Sport is my only reason for living. But after Rio I will have nothing to live for.' At a news conference after her victory she rejected media speculation saying that the time to be euthanized was not yet.

First Belgian child euthanasia

In Belgium in mid-September, a terminally-ill child became the first minor to be helped to die since the country voted to allow voluntary euthanasia for children, without any age limit, in 2014. Parental consent is required.

The head of Belgium's Federal Control and Evaluation Committee on Euthanasia, Wim Distelmans, gave no details, such as name, age, ailment or location, other than to say it was an exceptional case of a child with a terminal illness. Subsequent reports suggest that the child was 17-years-old and from the Flemish-speaking area of Belgium.

Assisted suicide challenges in Canada

On 17 June 2016, the Canadian Parliament passed a bill to legalise and regulate 'medical assistance in dying' throughout Canada. It did not take long before challenges were raised to extend the eligibility of the new law. It is always the case – proponents always want more and more.

On 27 June, Julia Lamb, aged 25, became one of the first challengers. She has a progressive neurodegenerative disease and is currently ineligible for medical assistance because she is not terminally ill – the Canadian law states that in order to qualify for death by lethal injection, a person's 'natural death

must be reasonably foreseeable'. Ms Lamb was diagnosed with spinal muscular atrophy when she was 16 months old and she may live for many more years, even decades. She has filed her constitutional challenge in the British Columbia Supreme Court with the backing of the British Columbia Civil Liberties Association.

Similarly, Quebec's Health Minister, Gaétan Barrette, wants more. A palliative care unit at the McGill University Health Center did not permit euthanasia on its premises. Patients who want to be killed could simply be moved out of the palliative unit and into the adjoining hospital. Yet the palliative care unit was reluctantly forced to change its policy. Minister Barrette was 'shocked' by the unit's apparent intransigence.

The Euthanasia Prevention Coalition believes that the Canadian euthanasia lobby is wanting to extend euthanasia to 'mature' minors, to people with dementia and for people with psychiatric conditions alone. Where will it end? Should someone who is blind be eligible? Should someone who has autism be entitled? Will Canada outdo the Netherlands, or even Belgium, in extending the qualifying boundaries?

USA and Elsewhere

The USA Presidential election

The run-up to the November election always has its own momentum and drama. But what could the future incumbent mean for bioethical issues, particularly abortion, in America? Of course, nobody knows – politicians have a habit of promising lots and delivering little.

But what have the candidates said so far? Hillary Clinton, best friend of Planned Parenthood, the largest abortion agency in the US, has promised to 'put Christianity at the heart of her presidency if she is elected.' She has said she had a 'deep and abiding Christian faith and practice' and her aim is 'to reflect the love of God and follow the example of Jesus Christ to the greater good of God's beloved community.' Those are nice words, but with little bioethical content.

Her running mate is Tim Kaine, a senator from Virginia. He is also a Roman Catholic, but also pro-choice. Previously he has admitted to having 'a faith-based opposition to abortion' but he also has said that, 'Roe vs. Wade is ultimately about saying that there is a realm of personal liberty for people to make this decision' and 'I don't think ultimately we ought to be criminalizing abortion.' The Clinton-Kaine ticket is bioethically vague, but undoubtedly pro-choice.

On the other hand, Donald Trump has been more explicit. He has attacked, 'Hillary Clinton's unwavering commitment to advancing taxpayer-funded abortion on-demand.' Furthermore, he has pledged to nominate pro-life justices to the US Supreme Court, sign into law the Pain-Capable Unborn Child Protection Act, which would end painful late-term abortions nationwide, reallocate funding to community health centres that provide comprehensive health care for women, and make the Hyde Amendment permanent law to protect taxpayers from having to pay for abortions.' They too may be just pretty words, but they are also pretty specific.

Meanwhile, Trump's running mate, Mike Pence, governor of Indiana, has repeatedly declared, 'Well, I'm pro-life. I don't apologize for it. I'd like to see Roe vs. Wade overturned and consigned to the ash heap of history.'

In late September, Trump announced a team of pro-life heavyweights to act as his brains trust on life issues, the Pro-Life Coalition. There are 32 national co-chairs of the group, including several evangelicals, whose remit is to speak in support of the Trump-Pence ticket and drive the campaign's pro-life message to individual voters. The other side is not sitting on its hands. Planned Parenthood has committed at least \$18 million to the 2016 election. And NARAL Pro-Choice America recently announced a \$300,000 digital advertising campaign to target Trump and some Republican senators on the issue of abortion.

Come Tuesday 8 November, the votes will be cast. What then will the 45th President of the United States do, as opposed to merely say, about bioethical issues? Only time will tell.

Watch out, here comes China

China has already become a great manufacturing hub – we all have Chinese products in our homes. The country is also determined to become a biological superpower. For instance, it was in April 2015 that Chinese scientists accomplished a world first by successfully using gene-editing techniques with human embryos.

As a step towards its desired goal, China is now preparing to become the world's largest biological information centre. BGI, formerly known as the Beijing Genomics Institute, had developed the China National Genebank, located in the south of the country. It hopes to identify genes linked to diseases and thereby increase the average human lifespan by five years.

The facility already had 10 million samples. And it is already storing, sequencing and handling data to boost its own genetics industry. Nevertheless, doubts have been raised about the ethical nature of some of the centre's activities – they would not be sanctioned in other parts of the world. Bioethical sensitivity is not one of China's strong suits. Be that as it may, watch out, China is planning to be a big player in the world of genetic research.

Abortion in Poland

On 23 September, the Lower House of the Polish parliament voted to reject a 'Save Women, Not a Step Further' bill, which proposed legalising abortion-on-demand. At the same time it voted to continue the legislative process on a 'Stop Abortion' measure, which could result in a near-total ban on abortion in Poland.

The 'Save Women' proposal, presented by abortion advocates and which sought inclusions for the health of the mother and foetal deformity up to 24 weeks, was defeated by 230 votes to 173. Meanwhile, the 'Stop Abortion' bill passed by a majority of 267 votes to 154. Backed by the governing conservative Law and Justice Party, the bill now moves to the Committee stage for final drafting before returning to the House for approval. The wide voting margin is seen as a sign that the final bill will pass. Could Poland design the blueprint for other European countries? Apparently not - on 6 October, Poland's Sejm, the lower house of Parliament, surprisingly voted 352-58 to reject the abortion ban proposed by the 'Stop Abortion' Committee. Who can understand politics, especially abortion politics?

Abortion in Russia

Abortion has long been a recognised social practice in Russia. In 2015, there were, according to official figures, 930,000 abortions performed in that country – some say the real figure is perhaps twice that. At the end of September, Russia reopened its abortion debate. Significantly, the head of the Russian Orthodox Church, Patriarch Kirill, endorsed an anti-abortion petition.

The petition calls for a ban on any surgical or therapeutic interruption of pregnancy, as well as the use of contraceptives with abortion-inducing effects throughout the country. In addition, it requests that the moment of conception be recognised as the beginning of human life and stresses that the human embryo should be legally protected.

The goal of the petition organisers is a million signatures, which will allow them access to President Putin. More than 300,000 people have already signed it. While the Kremlin generally supports the social conservatism propagated by the church, officials have largely ignored its previous calls to reduce access to abortion.

John Ling

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.

Ashers Baking Company

The Court of Appeal in Belfast gave judgment on the Ashers Baking Company case on 24 October. Judgment was delivered by the Lord Chief Justice of Northern Ireland, Sir Declan Morgan, who sat with two other Lord Justices of Appeal.

The Court of Appeal upheld the earlier decision of the Belfast County Court that the bakery unlawfully discriminated against Mr Lee, on grounds of sexual orientation, by refusing in May 2014 to make and ice a cake for him bearing the slogan 'support gay marriage'. The cake had been ordered as part of a political campaign to legislate for same sex marriage in Northern Ireland.

The McArthur family, who own and run Ashers, have consistently said that they turned down the order because it conflicted with their Christian belief that marriage is between a man and a woman.

Crucial to the Court of Appeal's decision was its observation that the benefit from the message or slogan on the cake could only accrue to gay or bisexual people. The judges accepted Mr Lee's submission that it was the word 'gay' in the context of the message on the cake which prevented the order being fulfilled. However, the court disagreed with the finding of the lower court that Mr and Mrs McArthur had been aware, or must have been aware, of Mr Lee's sexual orientation. The court accepted that this played no part in their refusal to produce the cake.

The lower court had also made a finding that Ashers breached political and religious discrimination laws in refusing to ice the cake. The appeal reference from the district judge to the Court of Appeal had asked them to decide whether she was correct to make this finding. However, the Court of Appeal, having upheld the district judge's finding of sexual orientation discrimination, declined to answer this further question, which was central to the appeal.

The Court of Appeal concluded their judgment by criticising the Equality Commission for Northern Ireland which brought the case to court on behalf of Mr Lee. The court expressed some concerns that the Commission had given the impression that they were not interested in assisting the faith community.

The judgment was given five and half months after the appeal hearing. At that hearing, the Attorney General for Northern Ireland appeared in person to make submissions in support of Ashers' appeal. He challenged the constitutional validity of the legislation under which Ashers were sued.

This case continues to raise important concerns about compelled speech and freedom of thought, conscience and religion. Ashers are taking advice about whether to seek a further appeal. The Christian Institute has funded Ashers' case and supported the McArthur family throughout. (*The Christian Institute*)

Named Person scheme

In 2014 the Scottish Parliament legislated for every child in Scotland to have a 'named person' – a state official tasked with looking after their 'wellbeing' (defined in official literature as 'happiness'). Crucially, the legislation included no provision for parents to opt-out of the scheme.

Over the past two years, a group of concerned organisations and individuals have been pursuing a judicial review of the legislative framework of the named person scheme. On 8 and 9 March, the petitioners took their case to the United Kingdom Supreme Court in London, where they appealed earlier judgments of the Court of Session in Edinburgh.

On 28 July 2016 five judges of the Supreme Court handed down their unanimous decision in the case, which is reported as *The Christian Institute and others v The Lord Advocate (Scotland)*. The court found that the information-sharing provisions in Part 4 of the Children and Young People (Scotland) Act 2014 are incompatible with the right to a private and family life which is guaranteed under article 8 of the European Convention on Human Rights. As a result, those provisions – which were central to the operation of the named person scheme – are ‘not law’.

The information-sharing provisions which were struck down set out the terms on which personal data about children, young people and their families could be shared without consent between named persons and other relevant public authorities.

The Court noted that terms of the information-sharing provisions ‘indicate an intention that the range of information to be shared will depend on the exercise of judgment by the information holder, and is potentially very wide’. The court criticised the ‘very broad criteria which could trigger the sharing of information by a wide range of public bodies and also the initiation of intrusive enquiries into a child’s wellbeing’. ‘Wellbeing’ was not defined in the legislation.

The court also concluded that the wider role of the named person could breach the right to a private and family life if parents were given the impression that they must accept the advice or services of their child’s named person. The court accepted that ‘there must be a risk’ of this happening.

The court asserted:

The first thing that a totalitarian regime tries to do is to get at the children, to distance them from the subversive, varied influences of their families, and indoctrinate them in their rulers’ view of the world. Within limits, families must be left to bring up their children in their own way.

The judgment meant that the named person scheme could not commence, as planned, on 31 August 2016. It is now up to the Scottish Government Ministers to seek to pass new, much more limited, named person legislation which is human rights compatible and which addresses the ‘lack of safeguards’ identified by the Court. It is clear that new legislation cannot deliver a named person scheme along the lines originally envisaged by the Scottish Government, given the ‘central’ role of the information-sharing provisions to the scheme that have been struck down.

The Supreme Court’s ruling has underlined the importance of the family. As well as curbing intrusion by public authorities into family life, the stress in the judgment on the autonomy and diversity of the family should constrain politicians in the future when they are considering legislation affecting children. The emphasis in the judgment on the protection of the family is a reminder of how Christian teaching about parents and children has influenced our legal freedoms. (*The Christian Institute*)

Religious Freedom at Work and in Education

Victoria Wastenev

Victoria Wastenev, a former senior NHS occupational therapist, was disciplined for giving a Christian book to a Muslim colleague and praying for her. She was suspended by the NHS Trust for nine months and eventually found guilty of three ‘offences’ by an internal disciplinary panel: inviting her Muslim colleague to church-organised events, praying with her (despite having permission to do so) and giving her a Christian book.

An Employment Tribunal ruled that the Trust was justified in disciplining Victoria for sharing her faith with her colleague, despite seeing evidence that Victoria's colleague appreciated and reciprocated her friendship.

Victoria appealed the Employment Tribunal's decision to the Employment Appeal Tribunal. They too decided against her, holding that the treatment of which she complained was because of, and related to, her inappropriate actions, rather than any legitimate manifestation of her belief. Victoria's application to the Court of Appeal was initially refused, but she has applied for an oral hearing to again seek permission to appeal. This is due to take place in May 2017 at the Court of Appeal. (*The Christian Legal Centre*)

Barry Trayhorn

Barry Trayhorn was forced to resign from his job at a sex offenders' prison after Bible verses that he quoted during a Christian chapel service provoked a hostile response from prisoners and prison management.

Whilst leading worship at a chapel service in May 2014, Barry spoke about the wonder of God's forgiveness for those who repent, quoting 1 Corinthians 6:9-11 from memory. The verses mention a number of sins, including adultery, homosexual practice, greed and drunkenness. The prisoners were at the service of their own volition, and were free to leave at any point.

Four days after the service, a complaint was made. Barry was immediately barred from helping with chapel services. He was later told that his comments during the service were 'homophobic' and breached national prison policy and he was issued with a final warning. Barry complained to the Employment Tribunal that he had been constructively dismissed and that he had been discriminated against because of his Christian faith.

The prison defended its decision to discipline Barry because it said prisoners needed to be protected from offensive statements and Barry's comments may have resulted in bullying towards homosexual prisoners, even though no evidence for this was presented to the Employment Tribunal.

The Employment Tribunal held that Barry had not been discriminated against by the prison by sharing his Christian faith. This decision has very disturbing implications for the freedom to maintain gospel witness in prisons.

Barry applied for permission to appeal the Employment Tribunal's decision to the Employment Appeal Tribunal, and this permission has recently been granted. We now await confirmation about when the full hearing will take place at the Employment Appeal Tribunal. (*The Christian Legal Centre*)

Richard Page

Richard commenced work as a magistrate in Kent where he served for 15 years. During this time, he became a well-respected member of the Family Panel.

In July 2014, while presiding over an adoption case involving a same sex couple, Richard expressed the view that a child is best raised by a mother and a father during a closed-door consultation with colleagues. Having heard all the evidence, he decided that his legal duty to act in the best interests of the child meant that he could not agree with placing the child with a same-sex couple.

His colleagues complained about him and, following an investigation by the local Justice of the Peace Advisory Panel, the case was referred to the Lord Chancellor and the Lord Chief Justice. They told Richard that his Christian beliefs about family life were discriminatory against same-sex couples. He was publicly reprimanded and barred from sitting as a magistrate until he had undergone equality training.

In March 2016, Mr Page appeared for a few seconds on BBC Breakfast News and said that 'my responsibility as a magistrate as I saw it, was to do what I considered best for the child, and my feeling was therefore that

it would be better if it was a man and woman who were the adoptive parents'. Richard was removed from the Magistracy by the Lord Chancellor and Lord Chief Justice for the comments he made during the BBC interview which were held to have brought the magistracy into disrepute which constituted serious misconduct.

Mr Page has lodged a claim at the Employment Tribunal, claiming discrimination on grounds of his Christian faith. A preliminary hearing concerning judicial immunity was scheduled at the Employment Tribunal for October 2016, though this was subsequently adjourned until 2017. The adjournment was made to allow the Supreme Court to consider judicial immunity in a separate case before them later this year.

In a separate matter, but one which is related to Richard's decision in the adoption case, the NHS Trust where Richard used to be a non-executive director, suspended him pending investigation into his comments, following a complaint made by a member of staff. This is a further example of the way in which Christians are being forced out of public life for holding Biblical beliefs. *(The Christian Legal Centre)*

Felix Ngole

Felix Ngole was studying at the University of Sheffield on an MA Social Work course. In a Facebook discussion about Kim Davis' case, the US marriage registrar who refused to register same-sex weddings, Felix posted bible verses and comments to demonstrate the Bible's teaching on sexual ethics and marriage. An anonymous complaint was made about Felix's comments and Felix was investigated by the University.

Felix was removed from the course because his comments may have caused offence and his subsequent appeal was dismissed. The University's decision prevents him from pursuing his desired profession as a social worker and highlights their very concerning position that only certain views are acceptable.

Felix is challenging the University's decision. In October 2016 he made a complaint to the Office of the Independent Adjudicator, and he is now waiting to hear the outcome of this before continuing with his judicial review application at the High Court. *(The Christian Legal Centre)*

Right to Life (Assisted Suicide)

Nikki and Merv Kenward

Nikki and Merv Kenward, who campaign against euthanasia and assisted suicide, are challenging the decision of the Director of Public Prosecutions to change the policy on the prosecution of healthcare professionals who assist others in committing suicide.

In October 2014, the DPP amended the policy, making the prosecution of healthcare professionals in assisted suicide cases less likely. In response, the Kenwards made an application for judicial review, arguing that the DPP acted outside of her powers by liberalising the policy and that this would endanger many vulnerable people. However, in December 2015 the High Court ruled that the DPP had acted lawfully and thus the Kenwards' application was refused.

The Kenwards are seeking to appeal the High Court's decision. This application was initially refused, but the Kenwards have applied for an oral hearing to again seek permission to do so. This is due to take place in January 2017. *(The Christian Legal Centre)*

Right to Life (Abortion)

Aisling Hubert

Aisling Hubert began a private prosecution against two doctors who were caught offering sex-selective abortion for baby girls. The CPS had investigated the case, but decided against prosecution because, whilst there was sufficient evidence to provide a realistic prospect of prosecution, it would 'not be in the public interest'.

However, Aisling's attempt to bring the doctors to justice was halted by the CPS again when they intervened and stopped the private prosecutions. As a result, costs orders were made against Aisling, but she challenged one of these orders, as well as the CPS' decision to stop the private prosecutions, at the High Court in December 2015. Aisling was unsuccessful in both of these cases and as a result she faces costs of over £40,000.

Every effort is being made to challenge the huge costs against Aisling and to raise awareness of the situation in which she finds herself, simply for seeking to defend unborn baby girls. The next step in relation to challenging the costs orders will be a court hearing on 17 January 2017 at which Aisling's representative will ask the court to discharge the costs or reduce them. (*The Christian Legal Centre*)

Transgenderism

Bethany

A Christian family fear, that unless they allow their 14-year-old daughter 'Bethany' to change her name to 'Gary', (names changed) she might be taken into foster care. The family are locked in a battle with a local council concerning their daughter, who, within a few months of starting secondary school after being home educated, started to dress as a boy and decided that she wanted to be called Gary.

The parents have been told that their refusal to allow the name change is tantamount to 'neglect'. They face a meeting with social workers in November, and they fear the social worker will push for Bethany to be allowed to use the name Gary in school and that they will be pressured into allowing her to receive therapy. (*The Christian Legal Centre*)

Contributors to this issue of *The Bulletin*

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.

Simon Calvert is Deputy Director for Public Affairs at The Christian Institute.

Ross Stickland has worked in the aerospace and defence industry for 19 years and serves as an elder of Pinner Hill Church in Greater London.

Ciarán Kelly is Head of Communications at The Christian Institute.

Regan Blanton King is an honours graduate of the University of Highlands and Islands' Highland Theological College, and serves as church planter/pastor of Grace Baptist Church in Angel, Islington in London. He has been involved in several social issues campaigns, particularly that of Keep Marriage Special. He is married to Sydney.

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