

THE BULLETIN

News and Reports from the Social issues Team

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The Fight Against Abortion: Green Shoots of Life in Sheffield

The Reality

Can you believe that there have been over one billion abortions worldwide?¹ This year marks the 50th anniversary of the legalisation of abortion here in the UK. More than 8 million abortions² have taken place here since then. The latest figures available demonstrate that more than one in five pregnancies end in abortion³ meaning that on average 523 abortions are carried out every day in England and Wales.⁴ It is truly shocking but how do we even begin to respond to this?

A Response

We must pray. We pray to a God who is omnipotent. He can turn situations very quickly, if he so chooses. Many of us can take encouragement from events in the recent past. The 'Iron Curtain' fell almost overnight, after many people prayed for decades. Suddenly, there were many opportunities for the gospel. Similarly let us pray that there would be a wholesale change in attitudes to the value of human life.

We must teach people the truth on these matters. Many in society do not know their right hand from their left⁵ and some in the wider church are not as strong as they could be on this issue. Yet God's word is clear: The Bible states that life begins at conception⁶, every human is made in God's image⁷, and the deliberate taking of an innocent human life breaks the sixth commandment: 'You shall not murder'. We must stand firm on these truths even when society (and some in the church) accuse us of lacking compassion for not allowing abortion in some 'hard cases'.⁸ This is not merely an ideological issue – abortion not only results in the death of a child, but also many women who have an abortion deeply regret their actions. In 2008 a study found that women who have an abortion are 30% more likely to develop a mental illness.⁹ So we must teach with compassion, but also without compromise.

We can also seek to intervene. Is there anything we can do to make a woman reconsider having an abortion? Perhaps many of these women will react with fear on discovering that they are pregnant. Perhaps the baby was conceived in a situation that a woman would not have chosen. These women are now vulnerable – what will they do with the life within them? What options are available to them? It is ironic that those who are overtly 'pro-choice' do not offer pregnant women many choices at all – mostly they want a woman to choose abortion. Sadly, also, a woman's own doctor may recommend an abortion.

¹ *Abortion Worldwide Report*, The Global Life Campaign. (Abortion was first legalised in the former Soviet Union in 1920).

² Between 1968 (when the Abortion Act came into force) and 2015, there were 8,042,157 abortions carried out in England and Wales (*Abortion Statistics, England and Wales: 2015, May 2016, Table 1*) and 471,394 abortions carried out in Scotland up until 2014 (*Abortion Statistics – Year ending 31 December 2014, ISD Scotland, May 2015, Table 6*).

³ In 2015 there were an estimated 876,934 conceptions to women of all ages usually resident in England and Wales.

(<https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/conceptionandfertilityrates/bulletins/conceptionstatistics/2015>) In 2015 there were 185,824 abortions carried out on residents of England and Wales (see https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/570040/Updated_Abortion_Statistics_2015.pdf)

This means that 21.1% of conceptions ended in abortion in England and Wales in 2015 – over one in five.

⁴ Of 191,014 abortions in England and Wales: 97.5% were carried out under statutory ground C alone; 0.6% were carried out under statutory ground D or grounds C and D together. See *Abortion Statistics, England and Wales: 2015*, Department of Health, May 2016, Table 13. Of the abortions performed in England and Wales in 2015, **only 0.05 per cent were because of risk to the mother's life**: abortions carried out under Ground A (alone or with B,C,D) or F or G, *Abortion Statistics, England and Wales: 2015*, Department of Health, May 2016, Table 13. **The percentage performed on the grounds of foetal handicap was 1.8%**: abortions carried out under Ground E (alone or with A,B,C or D). *Abortion Statistics, England and Wales: 2015*, Department of Health, May 2016, Table 13. There were eleven cases in England and Wales in 2015 of cleft lip or palate being cited as the principal medical condition for an abortion.

⁵ Jonah 4:11.

⁶ Matthew 1:20, Psalm 51:5.

⁷ Genesis 1:26-7, 9:6.

⁸ I commend to you The Christian Institute's short 'Choose Life' video series which gives an alternative side to some of these 'hard cases'. It is available online, free of charge, at <http://www.christian.org.uk/campaign/chooselife/>

⁹ "Abortions linked to mental illness" (The Daily Telegraph, 30 November 2008)

Many women will not be offered an alternative or any material to make an informed decision. For instance, last December it was reported that a lady considering abortion felt she was simply on a conveyor belt to end the life of the child after arriving at a Marie Stopes clinic.¹⁰

However, another choice is available for these women. A number of 'pregnancy awareness centres' have been opened across the UK. These offer woman confidential counselling and the opportunity to have a free ultrasound scan. Women going to one of these clinics may change their mind about having an abortion. They can hear about the other options (perhaps of adoption or how to manage the situation) and they can see, through the ultrasound scan, that there is a real baby within them and not a mass of impersonal cells. An ultrasound programme operating in the United States of America estimates that 370,000 lives have been saved since 2004.¹¹

The Story So Far

Over the last three years, Kevin and Maria Bidwell, along with others, have been working to establish a Pregnancy Advice Centre. The ethos is to provide wise and directive advice for pregnant women. Our aims are three-fold: to save the lives of babies; to minimise regret among women; and to present a Christian worldview for life. We now have premises and people are being trained so that ultrasound scans can also be offered. We are refurbishing the unit that we have and are setting up a website. We will potentially open initially to offer advice and then in the coming months offer ultrasound scans. Remarkably, the Lord has been answering prayer on many fronts. We have an ultrasound machine, with a couch; it is exciting to see the Lord's hand upon this, even though we often feel 'out of our comfort zone'. This work is vital and yet it requires perseverance, patience, faith and trust in the Living God. Will you join us in prayer?

Pregnancy Advice, Sheffield: How you can be involved

The website currently being constructed has an address (www.sheffieldpac.co.uk) but this will be a front for pregnant women coming to the centre. We are conscious that we need to actively build awareness among Christians and to raise funds to run the centre each month. If you would like to be added to the email database then contact us at kevinbidwell@gmail.com and we will send brief bite-sized updates. Of course the need for prayer almost goes without saying, but also if you are in Sheffield you might like to visit us. The centre is five minutes from Junction 34 off the M1. Do contact us in advance (appointments would be needed for this to make sure we are available).

This year, sadly, marks the 50th year since abortion legislation was passed in the UK. On Friday 3 November we will host an evening to increase pro-life awareness. It will be held at Hill Top Chapel, Attercliffe Common, Sheffield S9 2AD (just three minutes walk from the centre). Kevin Bidwell, the minister of Sheffield Evangelical Presbyterian Church will speak on the biblical theology of pro-life and Chris Richards will speak on 'Putting the ethics into practice: experiences from the centre in Newcastle'. The Newcastle centre (<http://www.tyneside-pregnancy.org.uk>) are planning to extend their service also to Sunderland in the near future.

Kevin J Bidwell

¹⁰ 'I expected sympathy but Mary Stopes Clinic was like a conveyor belt' (The Daily Mail, 22 December 2016).

¹¹ Focus on the Family *Option Ultrasound* program (see <http://www.focusonthefamily.com/pro-life/promos/pregnancy-center-resources/option-ultrasound-program>).

Time to start thinking seriously about Church and State

I remember being puzzled as a student about why law undergraduates were required to study Roman law. Apparently the reason was that it was of historical interest, and a valuable intellectual exercise for honing their abilities in applying legal logic. But it had no relationship at all to the actual practice of law in Britain today.

I think that is how most students of theology, and most ministers, see the theological question of the relationship of church and state. Historically interesting, and a valuable test of theological logic, but since 1689 (in Britain) and 1776 (in America) surely of no actual relevance.

Whether or not that is a correct historical assessment, the extended period within which churches have been able to safely to ignore the issue is almost certainly drawing to a close. We do not know the government's precise plans, but the continued themes of enforcing 'British Values' in government policy (clearly repeated in the recent Queen's Speech), a stated aim to 'stamp out extremism in all its forms' without ever defining what it is that is being taken to extremes, and talk of regulation of church youth and children's work by Ofsted all suggest that it is a question of when, not if, the government seeks formally to regulate, assess or control the teaching of churches.

So how should we respond to this? Surely it is time for us to think seriously again about our theological understanding of the church and the state. The application of our doctrine here will be very different to what it would have been in the days of a Christian consensus in the governments of Europe. But we must still think through and apply our doctrine. We must here, as everywhere, obey God and not men.

I want to submit that this is a far more serious issue than one of 'freedom of religion', which is a rather more problematic concept than is often assumed. There is a basic issue here of what the church is, and the faithful fulfilling of her commission from Christ to preach the gospel. I want to argue that no faithful Christian ministers can tolerate a requirement to submit our teaching to the approval of the state, for in that we are answerable to Christ alone. And I will end with some proposals for how we are to respond practically if (or when) we are asked to do so.

I shall start with some biblical principles, then set out some historical positions based on them, before considering some implications.

Biblical Principles

Here are some principles more or less universally held among orthodox Protestant churches since the Reformation.

1. The Church holds a direct commission from Christ to go and make disciples, baptising them in the name of the Father, Son and Holy Spirit, and teaching them to obey all Christ has commanded (Matthew 28:18-20)
2. The Church has a real power over people's lives, which Jesus refers to as the 'keys of the kingdom' (Matt 16:19). It is a power delegated from Christ himself. This is a Spiritual power; to proclaim the one gospel of Jesus Christ, including both judgment and salvation, in preaching and teaching; and to admit to and exclude from the membership of the church, as marked by the sacraments and as applied and made effective in people's hearts by the Holy Spirit. This is what is meant by the ministry of word and sacrament. The church has no power of coercion by violent or economic means.
3. The State ('governing authorities') has been instituted by God to approve what is good and carry out God's wrath on wrongdoers (Romans 13:1-7). Note that this is not conditional upon the godliness of those in government, nor on their recognition that their authority is a delegated one from God. Given Jesus' ascension and enthronement at God's right hand, and his identity as the 'Son of Man' to whom all of God's authority has been given (Daniel 7:13-14; Matt 28:18; Eph 1:20-

22) in the age of the gospel it is right to say that governing authorities, like the church, hold a delegated authority from Christ. This is the basic reason why Reformation theologians rejected Anabaptism, which denied any valid authority to the state at all. Thus the state and the church both derive their authority from Christ but through separate commissions.

4. The state has a real power over people's lives, also delegated from Christ, referred to as 'bearing the sword' in Romans 13:4. So the State's power is one of the legitimate use of violence and economic coercion. Put simply, the state may run an army, a police force, prisons, and a taxation system; which of course the church may not.
5. The church's power includes the proclamation to the world of the gospel of Jesus Christ, as King of kings, Lord of lords, and Saviour of sinners who repent and believe. She has no other gospel to proclaim. She does not have the power to control the state or attempt to wield its sword (this is a basic Protestant objection to the position of the Church of Rome).
6. The state has no power to oppose the teaching of the gospel of Christ or limit the church in the exercise of her Spiritual power. If the civil authorities oppose the preaching of the gospel, the church's response is always 'we must obey God rather than men' (Acts 5:29)

So far, most Protestants would agree. However, it leads to four (historically-speaking, at least) widely-held views about the ideal relation of church and state.

1. The Anglican position. Historically this has been known by the rather vague and possibly inaccurate term 'Erastianism'. While affirming all the above, Richard Hooker argued that the state has the power to make ecclesiastical appointments. That is, God has given the King the power to appoint the Bishops. The power of the keys remained with the church, which alone (not the King or Parliament) may define and teach doctrine and apply church discipline. But the persons who hold and wield those keys are chosen by the state. The Lutheran churches adopted a somewhat similar position.
2. The Classic Reformed position. This holds that church and state hold separate commissions directly from Christ, and therefore must be distinct. The state has no power over the church's use of the keys nor of church appointments, ie. who hold the keys. Indeed, the choosing and ordaining of ministers is part of the church's Spiritual power which must not be arrogated by the state. Meanwhile, the state holds its commission *from Christ*, and so must endeavour to shape the laws of the land according to the law of God (for what other standard could it hold people to?). The church therefore rightly instructs the state in the laws of God and calls her to submit to them and enforce them. The state has the power to call synods of the church to resolve doctrinal issues, and to ensure that their proceedings are guided by the word of God, but beyond that no power to influence the decisions of those synods. And the state has the duty to oppose false religion when it arises in the land. Put simply, the state is to preach and apply the law of God, the church is to preach and apply the gospel of God. Therefore a single recognised Reformed church should coexist alongside a confessionally Christian state, without either transgressing the bounds of the other. This is the position of the Westminster Confession and Catechisms.
3. A 'modified Reformed' position. This attempts to recognise that state-imposed conformity to a single established church is extremely difficult in practice. It therefore extends a degree of state toleration to all Christian (or sometimes all Protestant) churches, while the state itself remains Christian in its self-understanding. The separate authority of church and state as distinct delegated authorities from Christ is retained. This is the position of the 1658 Savoy Declaration.
4. The 'Secular State' position. Historically first advocated by Roger Williams, an English Baptist who founded the Rhode Island colony in 1636, this is often confused with the classic and modified Reformed positions. But while it agrees with them that church and state are to be distinct, it radically departs from them in asserting that that they are to be entirely separate. That is, the state is not to be Christian at all, but is to occupy a position of neutrality with reference to all religions. This entails an assumption that it is possible to frame laws by the use of human reason apart from the revelation of Scripture, and holds that this is desirable for the purpose of avoiding persecution on the grounds of religion.

The fourth of these, the 'secular state' position, is that adopted by the American constitution of 1787 and clarified in the first amendment of 1789 (though some American Christians argue that the intention was closer to the 'modified Reformed' position). It has been the *de facto* position of the British government since the Second World War, and arguably for a considerable time before that, despite the clearly Anglican wording of the Monarch's coronation service. Today it is the most widely-held view among conservative Christians in Britain and America. In my opinion it is fatally flawed and fails to apply the Biblical principles outlined above, but I shall not argue that here.

So then, would any of these positions be happy to accept the monitoring and approval of the church's teaching with the state? The answer is clearly no. Even those who are convinced Anglicans in the tradition of Hooker, and who therefore recognise a strong power of the State over the Church, understand this power to be mediated purely via the bishops. No consistent Anglicans have ever envisaged a situation wherein extra-ecclesiastical powers appointed by the state may directly regulate the teaching of individual churches.

What about those who hold to a Classic Reformed position? The Westminster Confession says that the civil magistrate has a duty 'to take order... that the truth of God be kept pure and entire' in the church (chapter 23.3). What the church teaches is a matter for state concern, but there are two caveats to this. First, his authority is only to ensure conformity to the word of God. The fact that he may oppose teaching that denies the gospel does not give him an authority to oppose teaching that affirms it. And second, the only means allowed to him to do this is through the calling of synods and requiring their conformity to the word of God. What is specifically excluded is that he 'assume to himself the administration of the Word and Sacraments, or the power of the keys of the kingdom of heaven'. He may call a synod of the church to resolve a doctrinal dispute, and intervene to ensure that the business of the synod is conducted according to the word of God consistently with Christian orthodoxy. That is, he may dismiss heretics and those not wishing to submit to the word of God from participation in such synods. What he may not do is steer a synod away from the word of God. Moreover, he has no power whatsoever to interfere in the ministries of word and sacrament as they are exercised in churches. The idea of submitting teaching programmes to the approval of an arm of the state is absolutely ruled out.

Given that adherents to a Modified Reformed or Secular State position do not allow even the limited power to the state that the Classic Reformed position does, it should go without saying that neither of them allow this either. Those who believe the state should be either generically Christian or entirely secular clearly cannot allow that the state should regulate the teaching of the church.

The conclusion of the above is this: none of the historic Protestant understandings of Church and State, despite their wide variation, allows to the state the authority directly to regulate the teaching and pastoral ministry of the church. Indeed, since neither the Roman Catholic nor Eastern Orthodox churches allow that either, it is not too much to say that *there is no Christian understanding of Church and State which allows to the state the authority directly to regulate the teaching and pastoral ministry of the church.*

The heart of the issue is this. Ministers of the church hold a commission from Christ, which is in no way mediated by the civil government. At our ordinations we were charged by Christ to preach the word. No civil power, not even the Queen herself, had any part in that. How much less any of her lower officials. We are answerable to Christ alone for that commission, via the church authorities he has established.

To state the point succinctly: the Church does not preach the gospel by permission of the State. We preach it in obedience to the charge of the Lord Jesus. Presbyterians will understand that authority to be mediated via the ordained elders of the church, Congregationalists via the collective will of the gathered saints. Anglicans believe it mediated by royally-appointed bishops. But all will agree that in no sense whatsoever is the preaching of the gospel dependent upon the approval of the government. We will always render to Caesar what is Caesar's (which is why we are no threat to the wellbeing of the state, but on the contrary are the best citizens any state could have), but this ministry of the Church is God's alone and we will render it to none but him.

And all of this would be true even if the state were as Christian as could be. Even in Calvin's Geneva, where the civil magistrates supported thoroughgoing Reformed Christianity to the hilt, the Company of Pastors (who allowed to the state far more authority than would almost any modern Protestants) would not tolerate their intrusion into matters of preaching, teaching, doctrine or church discipline. How much more, then, in 2017 when our governments have not the remotest allegiance to the Christian Scriptures.

So then, what should be our reaction to attempts by the British state to regulate the teaching of churches? If, for example, we are told that we must register our church's youth work with Ofsted, how should we react?

Well, this would be a straightforward attempt by the state directly to regulate the teaching of the church, in exactly the manner in which I have argued above that no Protestant Christians have ever allowed. It would be an instruction from government to surrender to the state the commission that Christ gave to us as ministers of the church. And as such I suggest that we must not countenance doing so. Our ordination vows and our ordination charge demand that we do not. Our loyalty to Christ our chief shepherd demands that we do not.

So then, let me recommend the following as a course of action, if and when we are told to register our church teaching and pastoral activities with the state – whether that relates to our children or anyone else.

1. We must make clear that all the ministries of the church are entirely open. We have nothing to hide; on the contrary, we welcome anyone coming to view the work of our church. We can invite anyone, whether employed by the government or not, to come and see anything we do. This includes Sunday Schools and Holiday Clubs, youth groups, student groups, home groups, and of course principally our worship on the Lord's Day. Indeed, this is a great opportunity to get others to hear the gospel. Likewise, we should make all of our policies, our doctrinal statements, and our teaching syllabi available to any who should ask for them. Whatever church government structures we have, whether congregational meetings, elders' meetings, or anything else, we invite and welcome people to observe. All we do in our churches should be a display of God's glory. There is nothing we want more than for people – whether government officials or anyone else - to see it.
2. And we must make clear that we will not under any circumstances register any of these activities for the approval of the state, whether that is Ofsted or any other state body. We should tell the inspectors that they may come to anything and everything (with the exception of confidential pastoral meetings of course) but that we will sign nothing. We should explain that this is because the Church of Jesus Christ does not operate by permission of the State. Both the State and the Church operate by permission of Jesus Christ. We welcome them to see all that we do, but they need to know that we will do it whether they approve of us or not.
3. And we must be clear in our own minds, to our congregations, and to any relevant government bodies, that we will happily go to prison or face any other sanctions rather than back down on this. As ordained ministers of Jesus Christ we would rather face the sword of man than the disapproval of the Chief Shepherd, whose undershepherds we are.

This may seem radical and dangerous, but it is as far as I can see the consistent position that our forefathers in the faith have taken, both under the pagan Roman empire and in the various bursts of state oppression that the church has endured since, particularly in the Reformation and post-Reformation periods. And it is only when the church has stood firm like this that, under God, and after often great cost to her ministers and other Christians, that in time the claims of Christ upon the world have come to be heard again and governments have relented and the church has come to flourish and multiply. But even if, in the wisdom and providence of God, that should not happen, and we and the church should simply suffer to no benefit that is obvious to us, we should still be delighted to do so as we follow our suffering Lord.

Matthew Roberts

This article first appeared, in a slightly modified form, on Matthew Roberts' blog,

<https://matthewpwr Roberts.wordpress.com>, on 5 July 2017. We are grateful to him for permission to reproduce it here.

Lasting Power of Attorney – Thoughts for Church Leaders

It has almost become a cliché that we are an ageing society, but that fact places a responsibility on church leaders to know how to help older folk in their fellowship, especially those who have no family to support them, or those whose families give minimal support. One of the issues that causes older people most anxiety is how their wishes and best interests will be safeguarded should they lose the capacity to make decisions for themselves.

A Power of Attorney is a legal document that authorises someone to make decisions and act on the behalf of someone who cannot, or does not want to, make decisions and choices for themselves. It is important that church leaders are aware of the processes involved so that they can help older church members make the best arrangements, if family are unwilling, or unable, to be involved.

In this article we will look at the basic facts about Powers of Attorney and then explore some of the issues for church leaders. Details in this article will not apply in Scotland or N Ireland where other systems apply.

Mental Capacity

In most cases the reason for making a Power of Attorney is due to diminishing mental capacity. Briefly, mental capacity can be defined as the ability to make or communicate decisions at the time they need to be made. To have mental capacity a person must understand a decision that has to be made, why it needs to be made and the likely outcome of that decision.

Some people will be able to make decisions about some things but not others - for instance, to decide everyday household matters (what to eat or what to wear) but not financial matters like home insurance. Again, some people can make clear decisions one day and the next be totally incapable of doing so. Powers of Attorney can enable decisions to continue to be made irrespective of mental deterioration.

Slowness in understanding or communicating does not mean a lack of mental capacity. Attempts should always be made to help the person to overcome their difficulties; someone who has mild dementia may still be able to make decisions with a little support. That support must never be coercive, but designed to enable and empower the decision-maker. The time may come when capacity to make decisions is lost and then it will be important for someone else to be given that authority. *It is not possible to set up a Power of Attorney once mental capacity has been lost*, so it should be established when someone still has the ability to know what is being done and why.

Setting up requires someone to sign that the person making the Power of Attorney has mental capacity. This means that they have:

- i. the ability to make the decisions involved
- ii. an understanding of what a PA is, what the options are, and what the consequences are
- iii. decided to take this action freely and without coercion

The person signing the form is called the certificate provider. It can be:

- a professional person – e.g. doctor, social worker, solicitor etc.
- an independent person who has known the individual making the Power of Attorney for at least 2 years; it cannot be a relative, the attorney, or anyone who may benefit from the Power of Attorney

Types of Power of Attorney

There are three types:

- i. Ordinary Power of Attorney
- ii. Enduring Power of Attorney
- iii. Lasting Power of Attorney

Under all three a person, or two or more persons, is authorised to act for the person making the Power of Attorney. That person, or persons, is known as the *attorney*. The person making the Power of Attorney is called the *donor*.

Ordinary Power of Attorney

This allows one or more people to make financial decisions. It is only valid while the donor has mental capacity. The attorney's powers can be limited so that they can only deal with certain assets, e.g. a bank current account but not a savings accounts. The duration of the OPA can also be limited, e.g. while hospitalisation takes place. An OPA only applies while the donor has mental capacity. Citizens' Advice or a solicitor should be consulted when setting up as there is standard wording to be used.

Enduring Power of Attorney

EPAs were replaced by Lasting Powers of Attorney in October 2007. However if one was made and registered before that date it should still be valid. It only covers decisions about property and financial affairs. A Lasting Power of Attorney would need to be set up to deal with health and care matters. It would then work alongside the EPA.

Lasting Power of Attorney

It is important to plan for the future in a realistic way. Old age may well bring frailty, but it is amazing how many people do not want to think about it. Fear and prejudice about old age haunt so many, even Christians. A 74-year-old Christian lady recently said to me, "I don't want to grow old" – but she didn't want to die either. It is difficult to see what she anticipated the future to be, if she ever thought about it.

An LPA allows the donor to plan for the future and to ensure that good arrangements are in place for handling their financial, health and care decisions. An attorney who can be trusted and who knows the values and wishes of the donor gives great peace of mind over critical matters for the future. Like making a will, an LPA takes a great burden off families, who can be content that the parent's wishes and best interests will be looked after.

There are two types of LPA; one deals with property and finances, and the other with matters of health and personal care. Separate LPAs have to be made.

An LPA for property and financial decisions can cover just specific items or can be general to cover all decisions of this nature. The control is in the hands of the donor who is setting up the LPA. The attorney must keep separate accounts from their own personal finances and must make sure that any monies are kept separate from their own. It is possible to build in safeguards to require the attorney to report to the donor, or their solicitor, or members of the family, or any whom the donor requests.

An LPA for health and care will allow the attorney to make decisions about accommodation, medical care, meals, who may contact the elderly person, activities etc. They may also be permitted to make decisions about life-saving treatments. Some people may have made choices about care and treatment using Advanced Decisions or Advanced Statements. These do not always cover every eventuality, whereas an LPA for health and care can authorise an attorney who can then respond to whatever situation arises.

It is often assumed that a spouse can automatically deal with the bank account, pension, house etc. and make decisions about healthcare, once someone has lost mental capacity. That is not the case and, although in some circumstances professionals may take notice of a spouse, it cannot be guaranteed. An LPA will give authority to make decisions that should reflect the donor's wishes.

Setting Up a Power of Attorney

The first decision is who to choose as attorney. It should be someone the donor knows well and who has a good understanding of the donor's values and wishes. Having chosen the person to act for them the donor

needs to be clear about what limits they want to put on the attorney's power or whether the LPA will allow the attorney to handle everything. Anyone who is a bankrupt cannot be an attorney for property and finance.

The process involves completion of a form that can be downloaded from the internet, from the Office of the Public Guardian or through a solicitor. The latter option can be expensive and anyone using this route should compare firms. But a solicitor can save a lot of work and is more likely to avoid mistakes which could invalidate a document. Several charities, including Alzheimer's Society and AgeUK, will advise on the process. The Office of the Public Guardian also has a helpline.

Two LPAs must be completed if both property and finance, and health and care are to be covered. Once the forms are completed they should be registered with the Office of the Public Guardian. There is a charge for this, which is why it is important to make sure forms are completed accurately. Guidance notes are available online and with the forms. Advice from Citizens' Advice and appropriate charities should be taken if there is any doubt about filling in the forms.

Sometimes a second attorney is named as a replacement should the attorney originally appointed become unable to function. Alternatively two or more attorneys may be named together. A variety of ways exist for multiple attorneys to function and this should be set out in the LPA. These ways are:

- i. Jointly – they act together and agree on all decisions. While this can function well for property and finance it is not always suitable for health and care, especially when urgent decisions about treatment are needed.
- ii. Jointly and severally – in this arrangement the attorneys may act together or they may act independently of each other. This is a flexible way of operating.
- iii. Jointly in some matters and severally in others – the LPA will set out when there must be agreement and when individual action may be taken.

The form requires the following signatures:

- i. the certificate provider
- ii. the donor and a witness to the donor's signature
- iii. each attorney

Once completed and duly signed the LPA will be sent to the OPG who will make various checks, especially getting agreement from family members and, if all is in order, register it and send an authorised copy back to the donor. In the case of an LPA for property and finance it can then be implemented whenever the donor and the attorney agree. This may be immediately or it may be delayed for a considerable time while the donor retains full capacity and a desire to look after things for themselves.

Acting as an Attorney

Attorneys have to conduct themselves so that the best interests of the donor are always paramount, and that decisions are made in line with the donors past and present wishes. In regard to financial matters, careful accounts must be kept and all monies belonging to the donor kept separate from the attorney's monies.

These requirements are set out in the Mental Capacity Act 2005 and any failure to comply can lead to an LPA being cancelled. If there is any malpractice by an attorney, or if the attorney appears to be taking advantage of the donor, the Office of the Public Guardian will investigate and may prosecute.

If an LPA needs changes to be made in it, or if the donor wishes to make changes, this must be done through the OPG.

Office of Public Guardian

The Office of Public Guardian is a national body that is charged with the responsibility of protecting people who lack mental capacity to make decisions for themselves. It is responsible for registering and keeping a record of all LPAs. It also deals with any objections to LPAs and complaints about the way an attorney may be acting. There is also a contact centre that answers questions about LPAs, provides forms and offers help in completing forms.

If serious problems do arise the OPG may refer the matter to the Court of Protection who will investigate and adjudicate. There are those who feel that there is a serious lack of accountability in both the OPG and the Court of Protection.

Giving Advice

Most church leaders should be able to point people in the right direction to set up an LPA if they wish. But older people in the church may need more help than mere signposting. Solicitors can be very costly and some people will therefore want help and support in actually completing the forms. Great caution needs to be taken. A wrongly filled out form can be cancelled and monies paid with the form lost. Help should only be given if the leader has confidence that they are really competent. It is often best to accompany an older person to Citizens' Advice or a specialist charity. It normally takes about 9 to 12 weeks for the registration of a form. Professionals and specialists are much the safer route to follow.

Care and caution should also be taken if there are queries about the way an attorney is functioning. Some older people become muddled and confused when someone else is handling their affairs. They may complain that things are being done wrong when that is not the case. There is always a tendency to go along with the older person rather than check carefully whether there is any substance in the complaint. So this a gentle warning to caring and supportive church leaders and members to be wise and cautious in giving advice and listening to complaints.

Accepting Appointment as an Attorney

An older person without family wanting to make an LPA may ask a church leader or a friend in the congregation to act as attorney for them. If the leader or member knows the person well that may be perfectly in order, but there are a couple of precautions to take before agreeing to act.

A lovely couple of Christian ladies had been supporting and caring for an elderly lady in the fellowship they attended. She said she had no relatives and so they agreed to act as attorneys for the old lady. As the lady's mental state began to deteriorate they had some difficult choices looming on the horizon. Unexpectedly a long-lost niece turned up. The validity of the relationship was soon established but friendships were not. The niece wanted to be rid of these two supportive and efficient ladies (whether for good reasons or bad was never established). So threats of legal action and a referral to the OPG etc. began to be made. Despite everything having been done scrupulously well, the niece made numerous complaints to social workers, and (when the old lady was hospitalised for a few weeks) to hospital staff. The old lady sided with her niece, despite the fact that she had not shown an interest in her aunt for many years and was an aggressive unbeliever. Indeed, it seemed that part of the objection to the two Christian ladies was their faith. Eventually, because of the strain and distress caused by the niece the Christian ladies resigned their roles. It was for them a traumatic experience, and it was an issue that for a while cast a cloud over the church's reputation in the area as unfounded complaints and gossip combined.

The point of the story is that competence to act as an attorney, and a desire to help a fellow believer are not sufficient. Care must be taken to ensure the full circumstances of the potential donor are known and that any family, however remote, are involved. In setting up a LPA family members are usually contacted to express agreement. But the system is dependent on the facts being known.

Suspicion of Wrongdoing

It may well be that an attorney behaves in a way that causes concerns to those who know the donor, even though the donor is unaware of those concerns. LPAs are made when someone is clear in their thinking, but when mental capacity begins to fail the LPA is applied and the attorney begins to function.

A very sweet lady was a regular attender at a church but never joined as a member. She was clearly a believer and she delighted in the ministry of the Word. She had made an LPA when she was in her mid-seventies and she was still reasonably hale and hearty as she approached her late eighties. However the signs of early dementia were beginning to show, although she was still capable of looking after herself and enjoying living in her house alone. Increasing memory loss, difficulties with tasks once handled easily, and reducing attention to personal hygiene were all apparent. Her son visited very occasionally and he was the attorney. He also had his own business, which was running into a few cash-flow problems.

The church was surprised when the old lady did not come to church or to the mid-week meeting for a couple of weeks. On enquiry they learned that she had been admitted for two weeks respite care into a nearby nursing home. The old lady was unaware of why this had happened. The home indicated that the son felt his mother was not managing at home, and the GP had agreed that her dementia was getting worse. As so often happens with someone with dementia, the move from her own home meant that the lady became more disoriented and her memory failure increased. While in the home the house was put on the market for sale. Again, the old lady was totally unaware of this – indeed, for some weeks she expected to return home.

After several unsatisfactory conversations with the home, social services and the GP the church felt that something was amiss and so consulted a solicitor. He was very helpful and very cautious about taking matters further. Although the church had grounds for a referral to the OPG he rightly felt the rapid decline in the lady's mental health would go against any case. The house was sold and the old lady settled in the home. But the whole affair left a nasty taste in the church members' mouths. Thankfully, the members of the church conducted themselves well and reasonable relationships were maintained with the family and the home.

It is sad to reflect that families often try to get an advantage out of acting as attorney, even though this is against the spirit and letter of the process. It can be very difficult for churches to sit by and be inactive. There is a duty on us as Christians to fight for the rights of the disadvantaged:

Speak up for those who cannot speak for themselves, for the rights of all who are destitute. Speak up and judge fairly; defend the rights of the poor and needy (Proverbs 31:8-9).

But so often in cases involving mental capacity there are great complexities and there has to be very clear evidence before any action can be taken beyond asking questions and supporting the apparently abused person. In cases of concern, Action on Elder Abuse is an organisation that can be very helpful. Concerns about the conduct of an attorney can be discussed with them before any further action is taken.

It is surely not an option to do nothing when something wrong is being done, but where there is only concern and suspicion it is equally wrong to act without evidence.

These last few sections have sought to show some of the sorts of issues that can arise and the need for wisdom and care. The thrust of this article is however to strengthen the hand of church leaders so that in this increasingly significant area, churches will help older people to make wise decisions and always be there to support them once choices have been made.

Roger Hitchings

Terrorism and Churches

On Saturday 3 June the UK experienced its third terrorist attack in three months (Westminster, March; Manchester, May; London Bridge, June). On Monday 5 June in Melbourne, Australia also experienced a terrorist attack, only six months after security services foiled a plot to attack Melbourne cathedral at Christmas. Both the Australian and UK Prime Ministers have responded by calling for a renewed focus on tackling the ideology behind the attacks. That is something which Barnabas Fund has long sought to do as part of our work seeking to alleviate the suffering of persecuted Christians.

There are two important truths that political leaders need to grasp at this time. The first is that the violence cannot be tackled without challenging the ideology, and the second is that the rapidly growing global spread of anti-Christian persecution cannot be separated from the spread of jihadi violence. Politicians appear to be slowly grasping the first, yet there is little evidence that they have seriously understood the second.

Take Nigeria as an example. In 1999 the newly elected governor of Zamfara state introduced full sharia enforcement, a move that was quickly followed by eleven other northern Nigerian states. Four years later Boko Haram emerged and soon declared a jihad and demanded that all of Nigeria become an Islamic state. Their main targets have been the Christian minority in the North, the Nigerian government and Western-style educational establishments. Boko Haram's constant attacks, which have now spread across the border to other countries such as Cameroon, have led to large-scale religious cleansing of Christians.

Similar actions have happened in East Africa where al Shabaab have carried out many terrorist attacks seeking to religiously cleanse northern Kenya of non-Muslims, with Christians being repeatedly singled out and killed during such attacks.

Listening to many Western politicians, one could be forgiven for thinking that the problem was just in the Middle East and even there, just with Islamic State (IS). Yet, not only are there other jihadi groups in the region specifically targeting Christians (some of which the West does not even list as terrorist organisation) but even IS-inspired attacks on Christians are no longer confined to the Middle East. It is really important that Western politicians understand the emerging pattern here.

In 2004 a targeted campaign of church bombings and attacks on Christians began in Iraq, which in 2011 spread across the border to Syria. The overthrow of Egypt's Muslim Brotherhood government in summer 2013 led to a wave of attacks on churches as Brotherhood supporters, sometimes in mobs a thousand strong, attacked more than 80 churches – attacks that have continued sporadically since then.

By 2015 attacks were spreading out across the Middle East. In February of that year, Islamic State's affiliate in Libya executed 21 Egyptian Christians working in the country. Two months later they similarly executed 30 Ethiopian Christians. Their video of it described their victims as 'worshippers of the cross' - the same description IS used after the recent Manchester attack when it threatened further, more severe, attacks.

In 2016 attacks continued to spread across the Middle East – including on a Christian old people's home in Yemen. However, this was also the year when the attacks on churches reached the West. July saw the murder of French priest, Father Jacques Hamel, while he was leading a communion service. A few days later IS devoted their English language magazine Dabiq to Christianity, holding up the murder of Father Hamel as an example to be emulated. In December Australian police foiled a plot to bomb St Paul's Cathedral and two other locations in Melbourne on Christmas Day. Less than three months earlier Barnabas Fund had urged churches in Melbourne and Sydney to take extra precautions after IS issued a specific warning that they would target these cities. There were also a number of smaller scale attacks on churches in both France and Spain that appear to have been inspired by groups such as IS.

In the first six months of this year this global pattern of attacks on churches and Christians has continued to spread. The ongoing seizure of the city of Marawi in the Philippines by jihadists has seen not only acts of

terror against the population as a whole, but also the specific targeting of Christians and forced conversions as IS and other jihadists had done in Iraq and Syria. Even in Europe, it is clear that the jihadists wish to replicate the sort of attacks on churches that they undertook in Iraq. In fact, immediately after the Manchester terror attack a church in Västerås, Sweden was daubed with graffiti including the Arabic letter nun (ن) that IS sprayed on Christian property in Mosul, indicating that they were seizing it because it belonged to Christians.

The lesson is stark. Not only must political leaders tackle the ideology behind jihadist violence, they must also recognise that the rapidly growing global spread of anti-Christian persecution cannot be separated from the spread of jihadi violence. If they are to tackle one, they must tackle the other.

Following the Manchester attack, IS threatened further attacks as they stated, 'What comes next will be more severe on the worshippers of the cross and their allies.' This is very similar to the wording that Islamic State used in a video showing their execution of 30 Ethiopian Christians in Libya two years ago.

In view of this, we are urging churches to exercise extra vigilance and immediately report anything suspicious to the police. This does not mean that you should cancel services unless you receive specific advice from the police. But you should be alert to anything unusual. Some simple practical steps that churches can take to reduce risks are contained in our book *Pray and Protect*, which can be downloaded free at: <https://barnabasfund.org/downloads/PDF/booklet/2016/Pray-and-Protect.pdf>

Barnabas Fund

Review: Twelve Ways Your Phone is Changing You

Tony Reinke, Crossway, 2017, 224 pages

This book presents a comprehensive outline of the challenges faced by present-day smartphone users. In 2015 Ofcom reported that in the UK 'two thirds of people now own a smartphone, using it for nearly two hours every day to browse the internet, access social media, bank and shop online'.¹

In 2016, Deloitte reported on a survey of 4000 adults and claimed 'the UK public has never been more addicted to smartphones'.² The survey reported that 81% of the UK population now owns a smartphone and 1 in 3 check their phones in the middle of the night.

In May 2017, The Guardian quoted a study that claims our society's addiction to smartphones has damaged many children.³ When parents allow technology to regularly interfere with interaction with their children ('technoference'), this leads to poor behaviour.

A Swansea University study of students with high levels of smartphones usage found that when they stopped using their devices there was a spike in heart rate, blood pressure and feelings of anxiety.⁴

The smartphone has also created ample opportunity for easy access to pornography. In previous decades access to such material would require buying a magazine from a newsagents. Now similar fare and far more graphic and extreme pornography are freely available with just a few taps on a screen. In 2012, 1 in 5 children admitted to viewing inappropriate content online.⁵

¹ Ofcom, 'The UK is now a Smartphone Society', 6 August 2015.

² George Parrett, 'Smartphone ownership peaks as one in three check their phones in the middle of the night', Deloitte, 26 September, 2016.

³ Rowan Davies, 'Is our smartphone addiction damaging our children?', *The Guardian*, 31 May 2017.

⁴ Rob Waugh, 'Here's what smartphone addiction actually does to your body (and yes, it's real)', *Metro.co.uk*, 7 June 2017.

⁵ Katie Silver, 'Smartphones exposing children to pornography and violence as one-in-five admit to viewing inappropriate material', *The Daily Mail*, 30 January 2012.

Smartphone addiction is also in your church! Relationships are harmed by it and face-to-face fellowship is often affected by interruptions such as Facebook interactions. Making Instagram photos replaces creating actual substantive memories. Constantly checking a phone highlights people's FOMO (Fear Of Missing Out) but actually, as Reinke points out, such behaviour actually increases isolation and loneliness as it separates the user from flesh and blood contact in exchange for a virtual world. Instant messaging and the need to respond immediately affects literacy and vocabulary. The desire to stay relevant and receive approval can provoke relentless posting on social media platforms in an attempt to hold other people's interest. People have even died attempting stunts to gain attention and popularity on sites such as YouTube.⁶

At the same time, the smartphone is a wonderful tool: Maps, clocks, emails on the go, contact with family and friends far removed from your geographical location, pocket-sized libraries of books, music and movies, easy contact in emergencies, personal training and activity logs, calendars, planners, and organisers – the list of useful features is endless. It is no wonder that so much time is spent on smartphones doing things that were so much slower before.

Reinke, an early adopter of the smartphone, acknowledges the value of these devices but challenges the reader to make better, more discerning use of them. Far from demonising them and similar technologies, Reinke seeks to show how smartphones are a part of an historical development of technology that is part of God's divine plan – his introduction is essentially a 'biblical theology of technology'. Reinke's book is honest, balanced and well-researched, showing how the smartphone can be both an aid and an interruption to productivity.

The author lists twelve ways in which our phones are changing us:

- We Are Addicted to Distraction
- We Ignore Our Flesh and Blood
- We Crave Immediate Approval
- We Lose Our Literacy
- We Feed on the Produced
- We Become Like What We "Like"
- We Get Lonely
- We Get Comfortable in Secret Vices
- We Lose Meaning
- We Fear Missing Out
- We Become Harsh to One Another
- We Lose Our Place in Time

In his foreword to the book, John Piper likens the smartphone to a work mule that can be used in a very useful way, but that can also be wasted in its value. He writes:

Tony will serve you well in the pages ahead. Where else will you find the iPhone linked to the New Jerusalem? Where else will someone be wise enough to say that 'our greatest need in the digital age is to behold the glory of the unseen Christ in the faint blue glow of our pixelated Bibles'? Where else will we hear fitting praise of Bible apps along with the honest confession that 'no app can breathe life into my communion with God'? Who else is writing about the smartphone with the conviction that 'the Christian imagination is starving to death for solid theological nourishment'? And who else is going to confront the presumed hiddenness of our private sins with the truth: 'There is no such thing as anonymity. It is only a matter of time'? Yes. And the time is short. Don't waste it parading your mule. Make him work. His Maker will be pleased.⁷

I cannot think of a more appropriate summary or commendation. *12 Ways Your Phone is Changing You*, will challenge you personally and will help you pastorally as you seek to navigate the social impact smartphone technology is having on your church.

Regan King

⁶ Tom Powell, 'US woman shot boyfriend dead in YouTube stunt gone wrong', *London Evening Standard*, 29 June 2017.

⁷ *12 Ways Your Phone is Changing You*, 13.

Update on Life Issues

Abortion

Abortion - 50 Years of Shame

Fifty years ago on Friday 27 October, the 1967 Abortion Act received its royal assent and became law. The killing started six months later on Saturday 27 April 1968. This year, 2017, is therefore the 50th anniversary, the golden anniversary, the semi-centennial of the most cruel and perverse piece of legislation still on our Statute Book. Under its precepts at least 8.6 million unborn lives have been snuffed out in England, Scotland and Wales. How will you be marking this woeful event? 'Righteousness exalts a nation, but sin condemns any people' (Proverbs 14:34).

Can 70% of women be wrong?

Where Do They Stand? is a grass-roots, volunteer-led initiative which exists to help the UK public to learn the views of the general public and their elected representatives. Recently it commissioned a ComRes poll to survey the public's views prior to the General Election on a variety of issues. In the poll of more than 2,000 people, it found that 70% of women (and 60% of the general population) wanted the abortion upper limit reduced from 24 to 20 weeks and 60% wanted the limit set at 16 weeks. In addition, 90% of those questioned wanted sex-selective abortions banned. The survey also found that 90% thought a woman considering an abortion should have a legal right to independent counselling from a source that has no financial interest in her decision.

Abortions by midwives?

Here is good news and bad news. The good news is that more and more young doctors are unwilling to perform abortions. The bad news is that midwives might be given the task. At least, this is the view expressed in an online paper by Sally Sheldon and Joanne Fletcher (*Journal of Family Planning & Reproductive Health Care*, 18 January 2017) and entitled 'Vacuum aspiration for induced abortion could be safely and legally performed by nurses and midwives.'

The authors' thesis is this: 'Some 40% of abortions carried out in England and Wales are done by vacuum aspiration. It is widely assumed that, in order to be lawful, these procedures must be performed by doctors. However, a close reading of relevant law reveals that this assumption is unfounded. On the contrary, it would be lawful for appropriately trained nurses or midwives, acting as part of a multidisciplinary team, to carry out vacuum aspiration procedures. This interpretation of the law offers the potential for developing more streamlined, cost-effective abortion services, which would be both safe and highly acceptable to patients.'

First, some background. Sally Sheldon, the lead author, is a Professor of law at the University of Kent. For more than 20 years she has campaigned for abortion-on-demand and is currently a trustee of the British Pregnancy Advisory Service (Bpas), the largest provider of abortions in the UK. Last year, she received a government grant of £512,000 for a research project called 'The Abortion Act (1967): a Biography.' This project was begun in May 2016 and its findings will be launched at the Houses of Parliament on 27 April 2018, the fiftieth anniversary of the Abortion Act coming into force. In other words, Ms Sheldon is hardly an impartial observer. This Sheldon and Fletcher paper's conclusions are therefore no surprise, but they are still alarming.

They are alarming because they recommend shifting the responsibility for surgical abortions on to midwives and obstetric nurses. The vast majority of these healthcare workers did not enter the profession to be involved in terminating the lives of unborn babies – anything but. Furthermore, if implemented, this shift would probably prompt a further erosion of freedom of conscience in the workplace and it would create another no-go area for Christians and the 'morally sensitive'.

Decriminalising abortion – in England and Wales

On 12 March, Diana Johnson (Labour MP for Hull North) tabled a Ten-Minute Rule Bill, entitled 'Reproductive Health (Access to Terminations) Bill 2016-2017', which called for the full decriminalisation of abortion across England and Wales. This would mean all legal restrictions on abortion would be removed. It was part of a campaign sponsored by Bpas, the Royal College of Midwives and others to rip up sections 58 and 59 of the 1861 Offences Against the Person Act, the 1967 Abortion Act and probably also the 1929 Infant Life (Preservation) Act. Ten-minute rule bills signal an issue in Parliament, but they very rarely are given government time to allow them to be fully debated and become law. The 1967 Abortion Act is a glaring exception to this pattern.

Opposition to this Bill was led by Maria Caulfield (Conservative MP for Lewes). During her speech she stated, 'I and many colleagues who share my views will not be silenced as we seek to be a voice for the voiceless ... and as we argue for a more modern and humane abortion law that not only upholds the dignity and rights of women but the dignity and rights of the unborn child. A 21st-century approach to this area must be based on a fuller and richer understanding of human dignity and equality which doesn't treat women as a victim of her own body, which doesn't treat children as commodities, and which doesn't treat marginalised people such as young girls or children with Down's Syndrome as burdens or inconveniences. On this count this Bill fails.'

MPs were deeply divided on the issue and the Bill was narrowly passed by 172 to 142. It was then read the First time. The Second Reading was set for 24 March, but then delayed until 12 May. In the meantime, a General Election was called, Parliament was dissolved and the Bill fell and no further action will be taken. Hooray!

This vote was won by the pro-abortionists. OK, the Bill fell, but only because of unusual circumstances. OK, it was a Friday sitting and many MPs travel to their constituencies on that day so attendance was poor. OK, ten-minute rule bills seldom make progress. But this episode should serve as a wake-up call to MPs – there is real pressure at Westminster for a radical reform of abortion law, the sort that would remove all legal protection for the unborn.

Assisted Reproductive Technologies

In vitro gametogenesis (IVG)

If IVF is bioethically problematic, IVG is gruelling. Within the next 10 to 20 years, this new and controversial fertility technology, called in vitro gametogenesis, could make it possible to manipulate skin cells into creating a human baby. Though the technology is difficult, the basic formula is simple, IVG = iPSC + IVF. In other words, take a skin, or any other adult, cell, reprogramme it into an induced pluripotent stem cell (iPSC), convert that into a gamete, that is, a sperm and/or an ovum, use them in IVF to create a human embryo, transfer that into a woman, and deliver a baby.

IVG is not without its critics. As Professor Eli Adashi of Brown University has declared, 'There's something troubling about an inexhaustible supply of gametes that can be fertilized into an inexhaustible supply of embryos.' And, for example, it also raises the spectre of 'embryo farming' and 'designer babies'. It would turn procreation into a transaction. It would introduce further fractures into parenthood, allowing more human combinations into the generation of a child. It would allow singles, gays and lesbians to become parents. It would genetically distance parents from child. Contrariwise, it might allow one adult to be both father and mother – the ultimate in inbreeding. And if gametes could be generated from easily-collectable skin cells, for example from a glass, people could be made parents without their knowledge or consent. IVG has the potential to rewrite the biology of human reproduction.

So far, the first phase of IVG, that is production of ova, or oogenesis, has been successfully accomplished and tested by Japanese researchers on mice, which produced healthy babies derived from skin cells. That work by Hikabe *et al.* was published in *Nature* (2016, **539**: 299-303) as 'Reconstitution *in vitro* of the entire cycle of the mouse female germ line.' The second phase of IVG, *in vitro* spermatogenesis from iPSC, has been variously reported, but with methods that have proven difficult to replicate. And besides biologically mice are not men. Currently, it is not feasible – technically or legally – to create a human baby via IVG, but at least it is now plausible.

Another reason to shun IVF

A document recently published (28 February 2017) by the ethics committee of the *American Society for Reproductive Medicine* (ASRM), entitled, 'Unconventional combinations of prospective parents: ethical challenges faced by IVF providers', draws attention to the potential dangers of 'intrafamilial reproductive arrangements.' While so-called 'collaborative reproduction' typically involves anonymous or unrelated individuals, such as family friends, it is becoming increasingly common, at least in the USA, for first-degree relatives to share ova, sperm or wombs.

The document states that there are some combinations that should be rejected outright because they are consanguineous, such as the pairing of a sister's ova with a brother's sperm. There are also 'incestuous unions', such as a father providing sperm for a daughter, who is using donated ova. On the other hand, the committee is less opposed to arrangements such as a father giving sperm to his son's wife. Such 'intrafamilial arrangements' raise concerns not just about adverse genetic links but also about consent and family dynamics.

The ova donation racket

In early May, *The Daily Mail* published a front-page story about the ethical and exploitative nature of 'egg donation'. The paper's major allegation against the fertility industry, as visited by its undercover journalists, was that women are being persuaded to donate their healthy ova in return for free or discounted IVF treatments, specifically at several clinics in London, Hertfordshire and County Durham. The exposé has cajoled the HFEA into investigating the paper's claims. And Health Secretary, Jeremy Hunt, has said the allegations are 'serious and worrying'.

Human ova are rare, but also at a financial premium. They are needed for IVF and embryo research. The voluntary donation of ova is regarded as an important safeguard which reduces the extent to which a woman's body can be commodified. Thus buying and selling of human ova is generally regarded as unethical. The fertility pioneer, Lord Robert Winston, responded to the *The Daily Mail's* evidence of this practice as, 'I fear that some in my profession have no moral or ethical compass. These women cannot appreciate the consequences of what they're agreeing to. These patients are vulnerable and anxious and likely to be worried about money. The women who are egg sharing are under duress and that's really worrying.'

There are considerable health risks to multiple ova production and donation. It is invasive and often painful. The inevitable process of superovulation can lead to ovarian hyperstimulation syndrome (OHSS), which is hazardous. Follow-up of these women is random. Psychological harm is not uncommon. It is frequently disadvantaged and economically-needy women who are targeted. For example, Newcastle University has advertised that 'Donors will receive £500 compensation for a completed donation cycle.' Is the health of women unimportant? Does research and IVF trump their well-being? Have fertility practitioners lost or forgotten their principles, morals and guidelines? Who will protect these women? Where are the regulators?

On 2 May, the HFEA issued the following statement, 'We have clear rules in our code of practice, enforced by inspectors, that clinics must explain the risks and chance of success of treatment to each patient and donor, and avoid encouraging people to donate eggs and sperm with the promise of financial gain. This investigation highlights potential breaches of our code and our inspectors will be investigating each

allegation presented to us. If we find that a clinic is in breach of our code, we will take regulatory action.' Oh yes? Come on paper tiger, show us some teeth.

'Three-parent' IVF – the details

In April, John Zhang and his team, who created the world's first 'three-parent' IVF baby, published more details about the techniques used in the child's conception (Zhang, J. *et al.* (2017) *Reproductive BioMedicine Online* **34**: 361–368). The essential procedure was already known. It involved removing the nucleus from a healthy donor ovum and replacing it with a nucleus taken from the ovum of the woman who carried the neurological disease, Leigh syndrome. This leaves the donor's healthy mitochondria intact. The scientists then performed IVF by fertilising the modified ovum with the father's sperm before transferring it into the mother's uterus. The resulting baby boy was born in April 2016.

Zhang's new paper reports the more detailed methods used to transfer the mitochondria and how they froze and heated the embryo before using an electrical pulse to fuse the mother's nucleus into the donor ovum. It also reveals that some diseased DNA from the mother was carried over inadvertently into the donor ovum.

But the big questions remain – will the child's health be affected by the procedures and/or by the traces of the mother's diseased mitochondrial DNA that he carries, and will his mitochondria function properly? The percentage of affected mitochondria varies among his tissues. Just 2% of the mitochondrial DNA of cells in the boy's urine came from the mother, but it was as high as 9% in cells from his circumcised foreskin.

But none of these key questions are likely to be answered because his parents have refused any further mitochondrial testing on the baby unless there is a medical need. It is not clear whether the family was ever asked to consent to long-term medical monitoring. There is now no way to assess the long-term health of this uniquely-conceived child and determine if 'three-parent' IVF is indeed safe. What are the risks of this experimental technique of mitochondrial replacement therapy? What is in the best interests of the boy? This is medical science at its worst. This is all most unsatisfactory.

Gene editing

Editing human embryos – the latest

In April 2015, it was reported that researchers in China, led by Junjiu Huang at the Sun Yat-sen University in Guangzhou, used the gene-editing tool CRISPR-Cas9 to edit the rogue gene responsible for the disease β -thalassaemia out of human embryos. The embryos were non-viable because they carried extra chromosomes. These world-first results were published in the online journal *Protein & Cell* under the title, 'CRISPR/Cas9-mediated gene editing in human tripronuclear zygotes.' The world-second report of editing human embryos appeared in the April 2016 edition of the *Journal of Assisted Reproduction and Genetics* by Yong Fan and colleagues from the Guangzhou Medical University. Their paper was entitled, 'Introducing precise genetic modifications into human 3PN embryos by CRISPR/Cas-mediated genome editing.' They introduced a mutated gene, known as CCR5 Δ 32, into some of the embryos, which can confer resistance to HIV. Again, the embryos they used, 'spares' from IVF, were reported to be abnormal and unsuitable for implantation because they also contained an extra set of chromosomes – they were destroyed three days after the experiment began.

So the next tantalising challenge was to try gene editing using viable human embryos. In June 2017, a report in *Molecular Genetics and Genomics*, entitled 'CRISPR/Cas9-mediated gene editing in human zygotes using Cas9 protein' by Tang *et al.* showed, for the first time that mutations in normal human embryos could indeed be corrected. The team, led by Jianqiao Liu at the Third Affiliated Hospital of Guangzhou Medical University, used ova leftover from IVF procedures and fertilised them with donor sperm from two men who suffered from diseases that are common in China. Six embryos were created.

One of the sperm donors had a mutation called β 41-42, which causes β -thalassemia, while the other donor had a mutation in the *G6PD* gene, which is a cause of favism, a disorder which results in the spontaneous destruction of red blood cells after eating, for example, broad beans.

Four of the resulting embryos had the β 41-42 mutation, while two had mutations in the *G6PD* gene. They were subjected to the CRISPR-Cas technique and allowed to develop for two days. Then their DNA was analysed to establish if the mutations had been successfully corrected. The β 41-42 mutation was only partially corrected in one embryo, forming a mosaic embryo. CRISPR-Cas induced an additional mutation in another embryo, and the technique did not work at all in the two remaining embryos. The mutation in the *G6PD* gene was successfully repaired in one embryo. In the other embryo, it was corrected only in some cells, thus also forming a mosaic embryo, that is, with a mixture of edited and unedited cells, a combination of both repaired and unrepaired cells.

This work has been described as ‘promising’ and ‘encouraging’ yet it pointed out serious limitations and complications. The trial was small, the methodology not entirely efficient and it included the continuing worry of ‘off-target’ mutations. The occurrence of mosaicism also needs solving – perhaps by editing ova and sperm, rather than embryos. And, of course, there are all those underlying grave bioethical concerns about genetically editing humans. In fact, this type of germline editing probably will not be the first way CRISPR-Cas9 is used to tackle human genetic diseases. Researchers are already planning experiments to edit genes in the somatic cells of patients. Such experiments come with fewer bioethical questions, but also many remaining technical hurdles. And anyway, almost all inherited diseases can already be prevented for most couples by existing forms of screening, such as preimplantation genetic diagnosis (PGD) of IVF embryos, without any need for CRISPR.

CRISPR, drugs and tumours

Tumours can often become resistant to individual drugs, but it is well known that certain drug combinations can be surprisingly effective in destroying such drug-resistant tumours. Michael Bassik and his colleagues at Stanford University have developed a method based on CRISPR-Cas9 that can offer a way to discover such useful mixtures. The work was reported in *Nature* (23 March 2017, **543**: 467) under the title, ‘CRISPR finds drug synergy.’

Their method systematically disables two genes at a time in cells. They used their system to knock out 21,321 pairs of potential drug targets in leukaemia cells, looking for combinations that work synergistically to kill cancer cells. They found that disabling two genes, called *BCL2L1* and *MCL1*, destroyed drug-resistant cells. Drugs that inhibited these genes killed more leukaemia cells than each of the two medicines did when used individually. It looks like a step forward in cancer treatment.

Stem-Cell Technologies

The Human Induced Pluripotent Stem Cell Initiative (HipSci)

In May 2017, the Wellcome Trust and the Medical Research Council (MRC) announced a £12.75 million initiative to create a catalogue of high-quality adult stem cells, the so-called induced pluripotent stem (iPS) cells. This initiative known as HipSci is the UK’s largest resource of human stem cells and has been heralded as a powerful research tool for studying human development and diseases including cancer, Alzheimer’s and heart disease.

The strategy is to lay the foundations to create a new iPS cell bank, providing a world-class resource for UK researchers. So far, 711 cell lines have been created and detailed information about their genomes, the proteins they express and their cell biology has been generated. This knowledge base is openly available to the research community.

It is significant that this Initiative deals exclusively with iPS cells, produced by that Nobel Prize-winning technology, which is bioethically uncontroversial, and not the once-celebrated embryonic stem cells, which are bioethically objectionable.

'Artificial embryos' from stem cells

Scientists at the University of Cambridge have used two types of stem cells from mice and a 3-D scaffold to create 'artificial embryos', structures that closely resemble natural mouse embryos. Previous work had limited success, but this is believed to be a world first, with the hope of improving fertility treatments (of course) as well as insights into early embryo development (of course).

This work, published in the journal *Science* (2 March 2017) as 'Assembly of embryonic and extra-embryonic stem cells to mimic embryogenesis in vitro', used embryonic-stem cells plus a second type of stem cell, known as extra-embryonic trophoblast stem cells, which form the placenta. Lead researcher, Magdalena Zernicka Goetz said, 'We knew that interactions between the different types of stem cells are important for development, but the striking thing that our new work illustrates is that this is a real partnership – these cells truly guide each other.' Christians will recall Psalm 139: 14, 'I praise you because I am fearfully and wonderfully made.' However, an artificial embryo is unlikely to develop into a healthy foetus as it would probably need the third form of stem cell, which develops into the yolk sac that provides nutrition. And, of course, if such experimental human embryos were created, they would not be allowed to develop beyond 14 days. So, it is obvious that bioethical predicaments are stacking up against this technique.

Blood from stem cells

Could this be the end of the road for all those altruistic blood donors? Over the last twenty or so years scientists have longed to produce 'artificial blood'. Now that goal is apparently within grasp. The breakthrough has centred on a special sort of stem cell known as the haematopoietic stem cell (HSC). From this type of cell all the basic components of blood are generated. And a group, led by George Daley at Harvard University, has seemingly overcome the final technical hurdles. They first took ordinary human adult cells, added a mixture of seven transcription factors which reprogrammed them into induced pluripotent stem cells (iPSC) and then coaxed these into HSCs. The end-product, when injected into mice, produced the complete set of human blood cells – well, almost, though not exactly identical to those found in nature, they were tantalisingly close.

The outlook could be staggeringly good. For instance, take cells from patients with genetic blood disorders including leukaemia, use CRISPR to correct the genetic defect and then make functional blood cells so that patients could receive laboratory-grown versions of their own healthy cells. Also, use cells from universal donors and make limitless supplies of donative blood for everyone. We are not there yet – human clinical trials are needed and safety concerns must be allayed, but it certainly does look promising. This work was reported in *Nature* (online 17 May 2017) under the title, 'Haematopoietic stem and progenitor cells from human pluripotent stem cells.'

Euthanasia and Assisted Suicide

Noel Conway – the latest

Noel Conway is the 67-year-old retired college lecturer, who has motor neurone disease (MND), and is not expected to live for more than 12 months. Mr Conway wants the right to die. He wants a declaration that the 1961 Suicide Act is incompatible with Article 8 of the 1998 Human Rights Act, which relates to respect for private and family life, and Article 14, which protects from discrimination.

On Thursday 30 March 2017, a decision was handed down on the Noel Conway v. Ministry of Justice case denying permission for it to proceed. Noel Conway's legal team appealed this decision and a hearing took

place on Tuesday 11 April 2017. This appeal was successful and the earlier decision was overturned. Noel's case will now proceed to a full hearing in the High Court.

Back in 2014, the case of Tony Nicklinson, who suffered from paralysis after a stroke, was ultimately dismissed by the Supreme Court. Noel Conway's case is considered by Dignity in Dying, his backers, to be different from the Nicklinson challenge in that Noel has a terminal illness and his legal team are setting out strict criteria and clear potential safeguards to protect vulnerable people from any abuse of the system.

These include:

- that the adult is suffering a terminal illness diagnosed with six months or less to live;
- medical evidence confirming the individual has mental capacity to make the decision;
- evidence of the person's wishes and that they were informed, clear, settled and voluntary;
- medical professionals involved would report the assistance given to an appropriate person or organisation;

A High Court judge could be asked to confirm these criteria have been met.

The Not Dead Yet UK organisation is a network of disabled people in the UK who oppose the legalised killing of disabled people. It has issued a statement on the Conway case. It reads, 'While we empathise with Mr Conway in his legal attempt to avoid what he wrongly believes is inevitable suffering at the time of his death we strongly maintain that changing the law to allow physician Assisted Suicide will endanger the lives of the UK's many ill and disabled people who, with the right amount of appropriate care and support can and do achieve a peaceful passing. More importantly, this type of support allows disabled and ill people to live full and enjoyable lives, with no fear of unnecessary death from coercion, error or human prejudice holding them back.'

There is also the associated case of Omid (whose surname cannot be released). He was diagnosed in 2014 with the non-terminal neurological condition, multiple system atrophy. Omid does not have a terminal diagnosis and is calling for assisted suicide to be made available to anyone who is suffering unbearably, not just those who are dying. Omid asked for permission to intervene in Noel's case in March but permission to bring a case was not granted to Noel at the time of that hearing. In order for Omid's case to progress it will need a separate permissions hearing.

Assisted suicide in Washington DC

In mid-February, Washington, DC became the seventh jurisdiction in the US to legalise assisted suicide, as the Republican-controlled Congress failed to block the law. The other members of the infamous US septet are California, Colorado, Oregon, Vermont, Washington state and Montana.

The Home Rule Act of 1973 gives Congress power, under the aegis of the Oversight Committee, to overturn DC laws within a certain time frame after their passage. On 13 February, the Oversight Committee voted 22 to 14 to cancel the District of Columbia's new assisted suicide law, the Death with Dignity Act. The next step in cancelling it would have been to bring the resolution to a full House vote. Because of political bungling, the full House never had the opportunity to vote and so assisted suicide became legal. A wonderful opportunity to block assisted-suicide legislation was missed. Congress messed up, big time!

The traffic is not all one way

The world, including the USA, has not gone assisted-suicide mad. Despite that impression from the media, several anti-life bills have been recently defeated in Indiana, Mississippi, Tennessee and New Mexico. For example, in New Mexico, the state Senate voted 22 to 20 against a bill to legalise assisted suicide for people expected to die within six months. Similar bills have stalled in Hawaii, Maryland, Utah and Wyoming.

USA and Elsewhere

What has Donald Trump done?

This is not the place to provide a comprehensive assessment of President Trump's first few months in the White House. Suffice to say he has made some sweeping, and positive, policy changes in terms of bioethical issues. For example, as recently as 15 May, he expanded the Mexico City Policy, which bans federal funding for abortions outside US borders. And his so-called Protecting Life in Global Health Assistance policy also blocks US funding of foreign aid to non-governmental organisations that provide or promote abortion or mention abortion in connection with family planning. The policy applies to approximately \$8.8 billion of aid.

Furthermore, he has raised the profile of this year's annual National March for Life. He has signed an executive order entitled 'Promoting Free Speech and Religious Liberty'. He has chosen the evidently pro-life Neil Gorsuch for the key role of a US Supreme Court Justice and has also made other strong pro-life appointments including the choice of his vice-president, Mike Pence; Attorney General, Jeff Sessions; Health and Human Services Secretary, Tom Price, and Counselor to the President, Kellyanne Conway. Most recently the pro-life activist Charmaine Yoest has been given the job of Assistant Secretary of Public Affairs at the Department of Health and Human Services (HHS). Yoest is the former CEO of Americans United for Life and regarded as the 'legal architect of the pro-life movement'. The man Yoest is replacing is now a vice-president of Planned Parenthood. And Trump has recently hired another top social conservative, Shannon Royce, former chief of staff at the pro-life lobbying organisation, the Family Research Council, to work in the HHS as the Director of the Center for Faith-based and Neighborhood Partnerships. And so the impressive recruiting list goes on.

And to top it all, Planned Parenthood, the largest abortion provider in the US, is about to be defunded to the tune of an annual \$450 million. At least, President Trump's 2018 budget proposal would withhold all federal funds from Planned Parenthood, if, and it may be a big 'if', the new Republican healthcare legislation, the so-called American Health Care Act (AHCA), which was narrowly approved by the House of Representatives (217 to 213) in early May, also passes the Senate and is signed into law. It would mean that Trump has kept his pro-life promises, including stopping US taxpayers from being forced to fund abortion and abortion businesses. Of course, there have been disappointments, but there is no denying that the President is packing his administration with pro-life, pro-family advocates.

Bad news for France

On Sunday 14 May, the 39-year-old Emmanuel Macron took over as France's new president. His predecessor, François Hollande, was a pro-life, pro-family disaster. He extended abortion rights, legalised gay 'marriage', permitted terminal sedation, and so on. Will Macron be any better? Probably not. His electoral platform certainly did not propose a single pro-life or pro-family measure.

It seems as though the traditional French secular state with its entrenched Enlightenment philosophy is set to continue. Perhaps the most that its minority of pro-life citizens can hope for is a preservation of the status quo and an avoidance of any further sliding into the culture of death.

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

Following the disappointing judgment of the Court of Appeal in Belfast in October 2016, Ashers have been seeking to secure an appeal hearing before the United Kingdom Supreme Court. Finally, in May, the Supreme Court decided it will list a hearing to consider appeal arguments and decide whether to hear the appeal in full. Any full appeal, if granted, would take place immediately.

The Supreme Court will also hear arguments from the Attorney General for Northern Ireland, John Larkin QC, who is party to the case and who has argued in relation to the validity of the laws that were used against the bakery.

This case arose from the bakery's refusal in May 2014 to ice a cake bearing the slogan 'support gay marriage', which was ordered for a political event. The case raises wider concerns about compelled speech and freedom of thought, conscience and religion. The Christian Institute has funded Ashers' case and supported the McArthur family throughout. (*The Christian Institute*)

Named Person scheme

The Scottish Government recently published a Bill to amend the Children and Young People (Scotland) Act 2014, the legislation which sets up a statutory scheme for a state appointed 'named person' for every child and young person in Scotland. Under the scheme, the named person has a duty to promote the child or young person's 'wellbeing' (which is defined very loosely).

Although further changes to the Bill are necessary, not least in relation to new data protection laws coming into effect in the UK in 2018, it is welcome that the Bill will repeal the information sharing provisions in the 2014 Act which were struck down by the UK Supreme Court in the case of *The Christian Institute and others v The Lord Advocate (2016)*.

The new Bill will remove the *duty* on named persons and public authorities to share personal information about children, young people and their families, instead requiring any data sharing to be conducted in line with the principles of consent or necessity set out in the UK's Data Protection Act 1998. Under the Bill, a new legally binding Code of Practice will be issued to professionals. The code should contain safeguards with a view to ensuring that any information sharing is carried out in a proportionate manner.

The Policy Memorandum published alongside the new Bill makes clear that children, young people and their parents can accept or reject advice, information, support and help offered by a named person and that this freedom of choice must be made clear to them. This reflects the view of the Supreme Court that there must be no compulsion and that the voluntary nature of the service should be made clear to ensure that the scheme is operated in a manner compatible with the right to a private and family life. (*The Christian Institute*)

General Pharmaceutical Council

Over recent months the Christian Institute's solicitors have been exchanging pre-action legal correspondence with the General Pharmaceutical Council ('GPhC'). The Institute has been threatening to mount a judicial review in the courts to challenge the GPhC's changes to their professional standards for pharmacists. The new standards, which were consulted on earlier this year and came into effect in May, removed the reference to pharmacists being able to refer customers to other service providers in cases where a pharmacist's values or beliefs prevent them dispensing or providing a service. The old reference to referral to other provides was replaced with a duty to ensure 'person-centred care is not compromised'.

At the same time, the GPhC also consulted on professional guidance to sit alongside the change to the professional standards. The draft guidance left uncertainty as to whether it would still be acceptable for pharmacists to refer on to other providers. This change had multiple implications for Christian pharmacists, including in relation to the right not to supply abortifacients such as the Morning After Pill.

The GPhC subsequently revised its proposed professional guidance after concerns were raised by a number of Christian groups, including The Christian Institute, and after the Institute instructed a QC and engaged in legal correspondence with the GPhC prior to issuing a claim for judicial review.

Helpfully, the final guidance published by the GPhC recognises the 'positive' role of religion in providing pharmacy care and explicitly states that 'Pharmacy professionals have the right to practise in line with their religion, personal values or beliefs' whilst making sure that care is not compromised. In this context, the guidance makes clear that referral to other service providers may be an acceptable option. Although the final guidance is not perfect, it explicitly mentions the place of conscience and should provide a framework for reasonable accommodation in the pharmacy context. (*The Christian Institute*)

Street preachers

Mike Overd & Mike Stockwell

On 29 June, two street preachers were acquitted of public order offences, after previously being convicted at Bristol Magistrates' Court in February.

Mike Overd, Mike Stockwell and two other men had taken it in turns to preach at a Bristol shopping centre on 6 July. The crowd was loud and aggressive towards the preachers, heckling, shouting and swearing at them. There was also some considerable debate between members of the crowd and the men, which usually centred on the differences between Christianity and Islam.

They had been ordered to pay £2016 each following their conviction in the Magistrates' Court, yet with the help of the Christian Legal Centre, the conviction has been overturned and the fine removed. The ruling represents a clear victory for freedom of speech and particularly the freedom of Christians to preach the good news of the gospel. (*Christian Legal Centre*)

Andrew Frost

A street preacher who was charged under the Public Order Act 1986, after entering a discussion with two passers-by about homosexuality, was acquitted on 5 July at Nottingham Magistrate's Court.

Andrew Frost was preaching out on the streets of Nottingham city centre in March this year. He preached on the consequences of sin, quoting Luke 13:1-5 and Matthew 15:19. As he preached, two men in a homosexual relationship walked by, holding hands. The three men entered into a conversation.

Rory Green, a friend of Mr Frost who was preaching alongside him at the time, reported that the two men began to shout abusive comments at Mr Frost. Mr Frost continued to preach from Scripture and told the men that they needed to repent of their sin. The two men left, but approximately 15 minutes later a woman approached Mr Frost and accused him of abusing the men. One of the men then returned and called the police.

The two men claimed that Andrew verbally abused them and directed several lewd comments at them, all of which Mr Frost denies. Mr Frost is motivated by the love of God, and explains that each time he is approached by people in same-sex relationships, he reassures them of his love for them. With the help of the Christian Legal Centre, Mr Frost has now been acquitted. (*Christian Legal Centre*)

Ongoing cases

Religious Freedom at Work and in Education

Victoria Wastenev, a former senior NHS occupational therapist, was disciplined for giving a Christian book to a Muslim colleague and for praying for her. She was suspended by the NHS Trust for almost 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 was granted an oral hearing at the Court of Appeal in May, though this was subsequently vacated and a new date arranged on 27 July. (*Christian Legal Centre*)

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 successfully applied for permission to appeal the Employment Tribunal's decision to the Employment Appeal Tribunal. The hearing took place in April, with the verdict due soon. (*Christian Legal Centre*)

Richard Page 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 for Mr Page has been scheduled for September 2017, with a full hearing due in December 2017.

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. They later decided that it was not in the interests of the health service for him to continue serving as a non-executive director. This is a further example of the way in which Christians are being forced out of public life for holding Bible-based beliefs.

At a preliminary hearing at the Employment Tribunal in January 2017, the judge described Richard Page's case as *'crying out to be heard'*. A full hearing has thus been scheduled from 1– 4 August, and Christian Concern and the Christian Legal Centre are continuing to support Mr Page. (*Christian Legal Centre*)

Felix Ngole was studying at the University of Sheffield on an MA Social Work course. In a Facebook discussion about Kim Davis' case, the 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 about sexual ethics are acceptable.

Felix challenged the University's decision by submitting a complaint to the Office of the Independent Adjudicator which was rejected.

With the support of the Christian Legal Centre, he then appeared in the High Court in late April to seek permission for a judicial review of the decision to expel him from his University. Felix was granted such permission, and his case is expected to be heard in full in Autumn 2017. (*Christian Legal Centre*)

Right to Life (Assisted Suicide)

Nikki and Merv Kenward, who campaign against euthanasia and assisted suicide, have been seeking to challenge the decision of the Director of Public Prosecutions to change the policy on the prosecution of healthcare professionals who assist patients 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 sought to challenge the decision, 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 appealed to the Court of Appeal for permission to appeal the High Court's decision. This application was initially refused, though the Kenwards were granted permission for an oral hearing which took place at the Court of Appeal in January 2017.

Lord Justices Longmore and Kitchin heard the Kenwards' appeal application, but unfortunately refused permission for the appeal to go ahead. A costs order was made against the Kenwards, though the Christian Legal Centre are planning to file an ECHR application on the grounds of discrimination. (*Christian Legal Centre*)

Right to Life (Abortion)

Aisling Hubert began private prosecutions against two doctors who were caught offering sex-selective abortion for baby girls. The CPS had already investigated the case, but decided against prosecution because, whilst there was sufficient evidence, it would 'not be in the public interest'. However, Aisling's attempt to bring the doctors to justice was again halted by the CPS when they intervened and stopped the private prosecutions. As a result, costs orders were made against Aisling, in favour of the doctors. She then faced a further costs order after unsuccessfully challenging the CPS's decision to stop the private prosecutions. The costs orders against her totalled more than £40,000.

Aisling attended court on 17 January 2017 to challenge the costs orders made in favour of the doctors. After the judge ruled that the costs could not be amended, a settlement was reached regarding the amount Aisling had to pay. She now has until mid August to pay the agreed amount (which cannot be disclosed because of the doctors' wish for confidentiality).

While we are very disappointed with the result, the case has achieved much in terms of exposing unlawful abortion procedures and the failures of the CPS to afford justice to the most vulnerable in our society.

The Christian Legal Centre are continuing to support Aisling, and will challenge the costs order in an application to the European Court of Human Rights. (*Christian Legal Centre*)

Family

In November 2015, *Marius and Ruth Bodnariu* had their five young children snatched from their care and scattered across three different households, three hours away from their family home.

Upon a minor complaint being made by the school headmaster that one of the daughters mentioned she had been spanked, Norwegian child and family services began an investigation that was mired in prejudice from its very beginning.

Based solely on the testimony of children elicited through unchecked questioning, which the principle investigator recognised was likely to be untruthful, they were snatched from their parents. After being removed, the children were systematically interrogated for hours without recourse to legal counsel or any other safeguarding supervision to ensure their testimony was not achieved through manipulative questioning. The coercive nature of the investigations led to Naomi exclaiming during her testimony: 'I don't know what else to make up'.

Despite all medical and psychological assessments showing that the children were not subjected to violence or abuse, it took nearly a year for the family to be reunited. Desperate to provide solace to their traumatised children during this period, Marius and Ruth were forced to sign agreements stating that they would not speak their native language whilst communicating with their children. Any conversations would be terminated upon this agreement being breached.

The unnecessarily delayed reunification, coupled with coercive investigations, did serious harm to the interests of the Bodnariu's five children. Iona suffered extensive emotional, psychological and physical harm from being separated from his parents for a prolonged period, and baby Ezekiel was subjected to multiple x-rays, despite there never being any evidence of abuse. Following the trauma, Marius and Ruth moved to Romania, having left their comfortable and prestigious jobs and their family home, to dedicate time to the healing of their family.

Christian Legal Centre is providing close support to the Bodnariu family, and has filed a claim to the European Court of Human Rights about the way that the family was treated.

The European Court of Human Rights has not decided whether to admit their application. (*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 social services concerning their daughter, who, within a few months of returning to school after being home educated, started to dress as a boy and decided that she wanted to be called Gary.

The parents were originally told that their refusal to allow the name change is tantamount to 'neglect'. Although social services have now moved away from that position, they are still very much involved in monitoring the situation.

The Christian Legal Centre continues to work with the family and seek the best professional support for Bethany. Enquiries are being made to find a suitable psychologist for Bethany. (*Christian Legal Centre*)

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