

THE BULLETIN

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How should Christians view paying taxes?

by Thomas Penman

According to R C Sproul, the position we take on taxes is very important. He claims that 'Anytime you vote a tax on somebody else that is not a tax on yourself, you're stealing from your brother.'¹ Voting for the wrong policy would be something to repent of. If the claim of stealing is taken seriously it would lead to church discipline for someone who was unrepentant about the way they voted. If the tax itself were to be viewed as theft this could also have serious implications for welfare claimants, public sector teachers, military personnel, or business who accept government contracts as the Westminster Larger Catechism prevents Christians from 'receiving anything that is stolen'.² Our view of taxes really matters.

Sproul is concerned that in a representative republic, Christians might be tempted to vote for tax policies that enrich themselves at the cost of others. This is why he uses the strong language of theft. Instead Sproul advocates for a flat tax.³ Wayne Grudem also supports a flat tax.⁴ Both Sproul and Grudem base their views on the example of the Old Testament tithe which was set at the same percentage across all sections of society. Grudem also claims the Old Testament view of inheritance makes the US Estate Tax (similar to the UK's Inheritance Tax) deeply immoral and therefore should be abolished on biblical grounds.⁵

This article will examine what is a biblical approach to taxation and will argue that the Bible does not require either a flat tax or the scrapping of inheritance tax. While having sympathy with the positions of Grudem and Sproul (and even agreeing with other parts of their argument) the position this article takes is that the biblical view of tax and economics does not fit easily into existing political categories. It requires a much more radical rethink than the binary choice of traditional left wing and right wing politics. The church should promote biblical principals in these areas while being very cautious of making legalistic demands of its members as to what specific policy or party they should vote for.

New Testament View of Tax

In the New Testament, both Jesus and Paul taught that taxes are to be paid to the government.⁶ When Jesus is asked about the legality of paying taxes he answers 'render to Caesar the things that are Caesar's'.⁷ In Romans 13:1-7 Paul commands the church to pay 'taxes to whom taxes are owed'⁸. The reason for tax is tied to the purpose of government as a whole. Government has been 'instituted by God'⁹ and is 'the servant of God' who bears the sword and 'carries out God's wrath on the wrong doer'¹⁰. The government is also 'God's servant for your good'¹¹. This teaches that the government is not an independent or neutral organisation but one which has been given its purpose by God and will one day be answerable to God for how it has used its power. The government bears the sword in that it can use force. It can also take action to 'promote the common good of a society'¹². The fact that the government is a servant of God and carries out God's wrath implies that its actions ought to be in line with the teachings of the Bible. This does not mean a theocracy – the church having control of the state – nor should the state have control of the church. Reformed

1 R.C. Sproul, *Principals of Voting*, n.p. [cited 5th October 2018] <http://ligonier.org/blog/principles-for-voting/>

2 Westminster Larger Catechism Question 142

3 A flat tax is one where the tax percentage does not change depending on a person's income. R.C.

Sproul, *Principals of Voting*, n.p

4 Wayne Grudem, *Politics*, 292-296.

5 Grudem, *Politics*, 308.

6 John Frame, *The Doctrine of the Christian Life*, 808.

7 Mark 12:17, Luke 20:25, Matthew 22:21.

8 Romans 13:7

9 Romans 13:1

10 Romans 13:4

11 Romans 13:4

12 Grudem, *Politics*, 80.

theology has always seen the church and government as being different organisations with different but complimentary roles to play in society.¹³ Rather it reflects the truth that God has revealed his morality by his word from creation onwards.¹⁴ For governments to carry out God's wrath they need to know what angers him. They are therefore as much under the law as the people they govern. One day Christ, God's Word made flesh, will establish his throne upon the earth where he will judge all evil and establish an eternal kingdom where perfect justice reigns.¹⁵ Until that day arrives good government should point ahead to the coming of Jesus by ruling justly according to the standards revealed in God's word. Taxes are the way in which governments fund themselves for this holy task. As Calvin says, collected taxes are not to be used by rulers however they want but are rather 'treasuries of the entire people which cannot be squandered or despoiled without manifest injustice'¹⁶. Taxes should only be raised for the purposes God has ordained otherwise it is 'tyrannical exhortation'.¹⁷ In twenty first century Scotland, where voters have some say over how taxes are raised and spent, Christians share a moral responsibility to try to ensure that this is being done in line with God's purposes.¹⁸

A Case for Generally Lowering Taxes

Grudem believes that voters should use their power to ensure that taxes are lowered across the board.¹⁹ This is based on the principle of increasing freedom and growing the economy. According to Grudem the Bible promotes freedom and choice.²⁰ As the 'largest loss of liberty by government action is through taxation',²¹ taxes should be cut to increase freedom. Grudem also argues tax cuts increase the economic prosperity of a nation. As taxes are cut, the economy is stimulated, there is more business growth and increased tax revenue for the government.²² Grudem gives an additional argument in his understanding of Genesis 1:28. According to Grudem, God's command to humanity to subdue the earth and have dominion is fulfilled by 'developing and producing more and better goods from the earth'.²³ Economic growth is always morally good and should be promoted by governments.²⁴

Despite Grudem's noble desire to see people freer and more prosperous, his arguments are not persuasive as a Christian approach to taxation. This is because his arguments are largely non-biblical. He does not base his case in scripture. After using the proof-texts noted above to show how the Bible promotes liberty, Grudem asks 'What human freedoms should be protected by civil government?' To which he immediately answers 'The basic freedoms protected by the US Constitution are...'.²⁵ When claiming that taxes erode freedom he recommends reading F. A. Hayek's *The Road to Serfdom*.²⁶ When arguing that cutting taxes will boost the economy he quotes from free market think tanks.²⁷ Grudem's supposedly biblical argument is actually firmly rooted in Classical Liberal thought. For Grudem, these arguments are so obvious that he accuses those who disagree with tax cuts as being motivated by 'envy of the rich, or animosity toward the rich'.²⁸ But he has no right to assume sinful motives from politicians and economists who disagree. Neither is it clear making the church reliant on Classical Liberalism will achieve the aims Grudem wants. Patrick

13 Westminster Confession, Chapter 23.

14 Genesis 2:16-17

15 Revelation 20:11-Revelation 22:5

16 Calvin, *Institutes Book 4*, 496.

17 Calvin, *Institutes Book 4*, 497.

18 It is beyond the scope of this paper to discuss the complicated issue of when Christians may morally rebel against the government. However it is worth remembering that Jesus and Paul lived under an authoritarian, corrupt Roman Empire and still taught that taxes must be paid.

19 Grudem, *Politics*, 284-308.

20 Grudem quotes Deuteronomy 30:19, Joshua 24:15, Matthew 11:28 and Revelation 22:17 to support his claim about human choice. Leviticus 25:10 is used to support human freedom in general. Grudem, *Politics*, 92.

21 *Ibid.* 95

22 Grudem, *Politics*, 290.

23 *Ibid.* 269

24 *Ibid.* 269

25 No assessment is made of how Biblical these freedoms are. *Ibid.* 93.

26 Footnote 12, Grudem, *Politics*, 95.

27 The Heritage Foundation and the Cato Institute respectively. Grudem, *Politics*, 290 and 298.

28 Grudem, *Politics*, 288.

Deneen argues liberalism has ignored the fundamentally relational aspect of humanity in favour of a stark individualism that is disconnected from both the state and the free market.²⁹ From this perspective both the *classical* 'low tax, small state' liberalism which Grudem promotes and the *progressive* 'high tax, large state' liberalism which he condemns are two sides of the same coin. Both are based on a distorted view of humanity and liberty.³⁰ Deneen is making a profound point that is supported by Biblical teaching. From the start, it was not good that man should be alone.³¹ Humans were made as communal creatures in relation with each other and with God. Any view of society and economics which denies this fact and replaces it with individualism is denying what God has created and is deeply unchristian.

Flat Tax and Inheritance Tax

If Grudem's argument for lower taxes in general are inadequate, what about his argument for the abolition of inheritance tax or his and Sproul's support for a flat tax based on the Old Testament example of the tithe? These appear to have some scriptural support. The tithe is described as 10% of the produce of the land for every family.³² Therefore to have a tax rate that varies according to income levels is unjustifiable according to the Bible.³³ Similarly, inheritance is clearly established along family lines in Numbers 27:8-11 and as Grudem points out the ruling prince is not allowed to take any of the inheritance of his people according to Ezekiel 46:18.³⁴ But Grudem's hermeneutic seems inconsistent here when approaching the Old Testament law. Grudem argues that the law from Exodus to Deuteronomy only applied to Ancient Israel. Yet it can provide information for how we are to think about government and taxes today. In contrast other Old Testament literature³⁵ is 'not addressed specifically to the Jewish people'³⁶ and therefore can be applied more easily today. Grudem also sees the Ten Commandments as applying today with the exception of the Fourth Commandment as he views the Sabbath as representative of the entire ceremonial law which has been fulfilled in Christ.³⁷ However there is nothing in this hermeneutic to say how Grudem decides which Old Testament principals he will apply in the twenty first century. Why, for example, is the law on inheritance to be literally implemented but rest days for workers are optional?

The Reformed tradition has a more consistent hermeneutic for reading Old Testament law. The moral law contained in the Ten Commandments is still binding today. However the judicial laws³⁸ expired with the ancient state of Israel and are no longer binding except as required by 'general equity'.³⁹ Equity is a legal term which recognises that the purpose of a law may be distorted if the letter of the law was to be applied in all circumstances.⁴⁰ According to Sinclair Ferguson equity means we must ask 'How would the law-giver apply his law in this situation?'.⁴¹ This moves us away from the idea that we can take a single Old Testament principle and then apply it directly today. Instead we must think in what Christopher Wright calls 'paradigms'.⁴² The principles contained in the Old Testament cannot be separated from each other but rather must be read together as part of a coherent world view.⁴³

If we apply this to the issue of inheritance, we can understand that the reason inheritance was so important was because the land, as a gift from God showed Israel's continued relationship of

29 Patrick Deneen, *Why Liberalism Failed*, 179.

30 *Ibid.* 17.

31 Genesis 2:18

32 Deuteronomy 14:22-23 and Leviticus 27:30-32

33 Grudem, *Politics*, 292.

34 Grudem, *Politics*, 308.

35 Psalms, Proverbs, Ecclesiastes

36 Grudem, *Politics*, 84

37 The ceremonial law includes sacrifices and feast days. Grudem concludes that it 'it is wise for employers to give workers some days off from work as well ... But this is a question of biblically informed human wisdom, not a matter of sinning or not sinning.' Grudem, *Politics*, 85.

38 The national laws of Israel such as land use, or taxation, debt relief, legal punishments, etc.

39 Westminster Confession of Faith 20.4

40 Sinclair Ferguson "An Assembly of Theonomists?" in William Barker & Robert Godfrey, eds. *Theonomy: A Reformed Critique*. 330.

41 *Ibid.* 330

42 Christopher Wright, *Old Testament Ethics For the People of God*, 64.

43 *Ibid.* 71.

faith and blessing in the Lord.⁴⁴ Property guaranteed each family's access to natural resources and the ability to be economically productive.⁴⁵ Therefore for the rulers to take anyone's land was to take both their economic livelihood and their sign of blessing. John Frame gets close to this view when he opposes the injustice of inheritance taxes sometimes causing people to have to sell family homes and businesses to cover the cost.⁴⁶ However, even then the parallel is not exact as the Jubilee celebration guaranteed that property would always be returned to the original family.⁴⁷ No one could accumulate too much of the nation and property as it would be returned from them. Today we have no such reset in place and so there is no break on accumulation. As the reason for the Old Testament ban does not apply today it seems difficult to demand that Christians must oppose all inheritance taxes.

The impact of the Jubilee on tithing must also be understood. The economic system was such that there was a guarantee that everyone will be able to share in private property and there was a limit on both debt and unjust accumulation.⁴⁸ In such circumstances, a flat tax was very fair. However, to implement a flat tax without the guarantee of everybody being able to share in the economy would be a case of picking and choosing your biblical principles.

Reviewing the evidence, we can say that a moral view of taxation is that it is necessary for the financing of God appointed governments. However, it is incorrect to claim that Christians are biblically required to support the cutting of taxes, a flat tax or the abolition of inheritance taxes. R.C Sproul's claim that voting for certain types of tax is theft cannot be supported by biblical evidence either. However, that does not mean the intentions of Grudem and Sproul are wrong. Sproul is right to be concerned about the motives we use when deciding what policies to vote for. Grudem is also right to desire to see the tax, political and economic systems of the West reformed according to biblical standards. And Christians should pursue that goal. Once the paradigm of Israel has been examined it is clear how far short our current tax and economic system falls by comparison. God rewarded productivity and allowed people to earn wealth and luxury for themselves but in such a way that those who worked for them were guaranteed rest and proper provision. The poor in his land were not robbed of their dignity in eternal handouts. Instead, he gave them opportunities to provide for themselves by gleaning.⁴⁹ As George Grant says, 'Biblical charity does not attempt to smooth over economic crisis by making privation somewhat more acceptable. It attempts to solve economic crisis.'⁵⁰ Far from the individualism of modern liberalism, the biblical paradigm recognises both the support and responsibilities a person has with the wider community and family.⁵¹

These values do not fit easily into existing political categories. And this is ultimately the problem with the approaches taken by Grudem and Sproul. A reaction that attacks either the left as anti-freedom statists or the right as uncaring free-marketers is inappropriate for Christians. It is to think about economics and taxes along the lines presented to us by a fallen world. Instead, we must grapple with the radical biblical call to create a community where we all work in order to have something to share and that we share ourselves as much as anything else. It is only in that context that we will see something approaching the true justice of God that societies are meant to aim for.

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44 Jonathan Burnside, *God, Justice and Society*, 188.

45 Christopher Wright, *Old Testament Ethics For the People of God*, 119.

46 John Frame, *The Doctrine of The Christian Life*, 804.

47 Jonathan Burnside, *God, Justice and Society*, 203.

48 Christopher Wright, *Old Testament Ethics for the People of God*, 164.

49 Leviticus 19:9

50 George Grant, "Three Essential Elements of Biblical Charity", in David W. Hall, ed., *Welfare Reformed: A Compassionate Approach*, 81.

51 Christopher Wright, *Old Testament Ethics for the People of God*, 358.

Bad ideas, bitter fruit

by Sharon James

This article was commissioned for the Evangelical Times where it first appeared in February 2022 (<https://www.evangelical-times.org/articles/cultural-and-ethical/bad-ideas-bitter-fruit/>)

Rob Henderson, a PhD student at Cambridge, has become known recently for his theory of 'luxury beliefs'. He remembers, at age three, trying to cling to his mother as two Los Angeles police officers dragged her away. He never saw her again. Sometimes as a child he would eat food foraged from bins. He was smoking weed by the age of nine. He could have ended up in jail instead, he entered the Marines where he learned to take responsibility and his gifts were nurtured.

Rob advanced to further studies, first at Yale, and then at Cambridge where he perceived a ludicrous chasm between many of the ideas advanced by those in academia and the harsh realities of life for those outside that rarefied environment. The elites can promote ideologies such as 'free love', or 'de-fund the police', but Rob had seen from first-hand experience that such 'luxury beliefs' are catastrophic when they impact those at the lowest income levels.

Bad ideas bear bitter fruit

Following our Creator's instructions leads to human flourishing, defying his good design results in disaster. A series of lies have become embedded into the worldview of our culture. Like poison gas, these bad ideas cannot be seen, but they have deadly effects. They have usually been promoted by elites who have not (at first) had to bear the greatest cost, but God is not mocked. Often those who persist in peddling lies are themselves, in time, 'mugged by reality'.

'There is no Creator God'

By the end of the nineteenth century, increased acceptance of evolutionary theory had contributed to a naturalistic worldview. The logical deduction of evolution through random mutation and natural selection is that there is no absolute reason to protect human life above animal life. Jacob Bronowski (1908-1974), presenter of the BBC series, *The Ascent of Man*, insisted that 'man is a part of nature, in the same sense that a stone is, or a cactus, or a camel.'

This naturalistic worldview chipped away at the ethic of life based on the biblical idea that human life is to be afforded dignity because it is created in the image of God. A culture of death gained ground; the provision of abortion is described as 'healthcare' for women. Countless unborn humans are disposed of in the process of artificial reproductive technologies and some 'contraceptive' methods. In many nations, there is pressure to legalise 'assisted suicide', or euthanasia. Some radical environmentalists argue that selective genocide may be needed in order to 'preserve' the planet.

'There won't be a judgement'

Denying the existence of our Creator means that we are not answerable to our Creator: there won't be a judgement and we can decide our own ethical standards. That cleared the way for the 'sexual revolution'.

People such as Margaret Sanger (1879-1966) saw themselves as saviours, liberating people from the repression of traditional morality. Founder of Planned Parenthood, and a supporter of the eugenics movement, Sanger devoted her life to the cause of sexual liberation. Her personal life was disastrous: failed marriages, neglected children, numerous affairs, attempts to cover up her complicity with the Nazi regime, and desperate attempts to find meaning via occult activities.

David Cooper (1931-1986) was one of many twentieth-century academics who insisted that the married family stifled personal independence and sexual freedom. While writing *The Death of the Family* (Penguin, 1971), he suffered a mental and physical breakdown. His brother and sister-in-law cared for him devotedly through the crisis yet Cooper continued to demand the abolition of the very institution to which he had turned in his hour of need.

In a fallen world, freedom without boundaries ends up in dystopia, not utopia. Sexual 'liberation' has resulted in family breakdown, historically unprecedented global rates of fatherlessness, and communal weakening. Children are at the highest risk of harm when there is a revolving door of father figures, or when family breakup means they are taken into state care. The vast scale of human trafficking and modern-day slavery created by the global pornography industry creates immeasurable misery.

'Truth claims are power grabs'

The current worldview denies the moral claims of our Creator, so everyone must do what is right in their own eyes. Autonomy is the supreme value (from the Greek words *auto* for self, and *nomos* for law). Each person is to choose their own law; any refusal to affirm their moral choice is taken to mean that we do not respect them as human beings, or even that we hate them. Many hesitate to express views about morality in public. 'Criticism is violence' is a mantra used to shut down debate on university campuses.

Students may be told that truth claims are just grabs for power, used by oppressor groups to keep minorities oppressed. Those in 'victim' groups have access to 'their' truth, which the privileged are not allowed to comment on. The victim's individual experience can never be contradicted. What if you use reason, logic and science to make a truth claim? Some claim that they are tools of oppression. Professor Garth Cooper, a distinguished scientist in New Zealand, is currently under disciplinary investigation for objecting to the idea that schools should give as much weight to Māori mythology as to science in the classroom. Such an objection, it's said, hurts the feelings of indigenous people.

According to this worldview, Christianity is viewed as the religion of the 'majority' culture, which has oppressed minority groups, so Christians share the collective guilt of the privileged class.

This may sound bizarre and many would prefer to pretend it's not happening, but that is just a vignette of the culture of identity politics that many today are having to navigate. We have to understand what is going on – and how we got here – if we are to equip our young people (and others) to be confident in the truth of God's Word.

'Words have no universal meaning'

By the end of the nineteenth century, revolutionaries were calling for equality; not equality of opportunity, but absolute equality – equality of outcomes.

Given that people are all different, exactly equal outcomes can never be achieved if individual liberty is respected. In societies influenced by the biblical worldview, inequalities have been mitigated by the Christian virtues of generosity, compassion, and social responsibility, and injustices have been addressed by a variety of reform movements.

Radical activists of the twentieth century viewed reform movements as papering over the cracks of the corrupt edifice of a hopelessly unequal civilisation. It needed to be pulled down, not reformed.

The first generation of Marxists pushed for violent revolution. Later, a number of 'critical thinkers' took a different tack. Italian revolutionary thinker Antonio Gramsci set out to trigger a slow-burning, long-term, intellectual revolution which would undermine the presuppositions which propped up the establishment. Institutions, values, family, church, morality, philanthropy, law, and government

– even ‘common sense’ – were all viewed as the means by which groups with power and privilege oppressed everyone else.

They could be toppled – if you could get people to doubt the concept of truth and the meaning of language. Persuade them that ‘freedom’ and ‘dignity’ are ‘just words’, and ‘words have no universal meaning’. Convince them that transcendent and religious ideals are a fraud exploited by the powerful elites (the ‘hegemony’) to sustain their own selfish interests. They are ‘false consciousness.’

The virus of radical doubt

A leader of the deconstructionist movement was French philosopher and author Michel Foucault (1926–1984). He celebrated transgressiveness, regarded Christian morality as toxic, and claimed that knowledge is merely a ploy used to keep the privileged in positions of power.

Foucault believed that authorities exert domination through the ‘gaze’, whether of the warden in the prison, or the medics in a hospital or mental asylum. When, however, he himself was dying of AIDS, he was cared for with compassion in the Salpêtrière: a hospital he had previously dismissed as a bourgeois authoritarian institution. The theory had been mugged by reality.

But the damage has been done. First universities, then all the institutions of Western society, have been invaded by the ‘virus’ of radical doubt. Critical theory has hijacked certainty about everything.

Truth claims are routinely shouted down by those who view the West as inherently evil (racist, patriarchal, heteronormative, capitalist). Some want to destroy the very structures which have created freedom and prosperity: ‘Smash the patriarchy’ (aka the family), ‘Smash capitalism’ (aka wealth creation and private property), ‘Smash heteronormativity’ (aka biological reality), ‘Smash the police’ (aka law and order); ‘Smash down the statutes’ (aka our collective memory and history).

‘The truth will set you free’

God is the Creator, and the ground of truth, justice, and morality. The only firm foundation for the defence of human rights is the truth that we are all created in God’s image. The Bible affirms the essential unity of humanity (rather than absolute racial divisions): we all share the same first parents; we are all endowed with a conscience; all must give account to our Maker. We are all guilty (guilt is not restricted to certain privileged groups); but forgiveness is offered to all in Christ.

God designed family and work: sexual complementarity is his good design; the married family should not be undermined. Property should be protected, and work should be rewarded. Our sovereign God is in control of history. He has promised that the seasons will endure until the coming of his Son. He calls us to be responsible in the stewardship of creation, but he has richly provided the resources of this earth to be developed for our blessing (Psalm 104).

In a fallen sinful world, where oppression and suffering are realities, we are all called on to love our neighbour and do good to others. God appoints rulers to do justice, and civil authorities should be supported. They will be answerable to God for how they fulfil their trust. We need to learn from the past with gratitude and humility, but also recognise that all human endeavours are affected by sin. The division of the world into nation states offers protection from the threat of global tyranny.

Today in the West, many have been deceived by lies: all those foundational biblical truths are under attack. But defying God ends in disaster for individuals and societies (Psalm 12). As it becomes ever more apparent that bad ideas bear bitter fruit, we are to be confident that living according to God’s truth leads to individual and societal flourishing. Jesus Christ is the way, the truth, and the life, and he promises to all who come to him: ‘Then you will know the truth, and the truth will set you free.’ (John 8:32)

Sharon James ([The Christian Institute](#)).

How to successfully raise your concerns as a Christian parent

by Steve Beegoo

This article appeared on the Christian Concern website in February 2021 (<https://christianconcern.com/resource/how-to-successfully-raise-your-voice-as-parent/>)

At Christian Concern, we often find that parents are unsure as to what can be done when they have issues with practices at their child's school which are in conflict with their Christian faith.

There are specific policies and procedures for bullying or safeguarding issues which will be available on the school website. You should familiarise yourself with these, should they be your issues. At any point you can activate the complaints policy, which should also be on the school's website. However, we share some further, more detailed advice on how to handle other issues which might arise, such as if you are concerned about the promotion of LGBT ideology.

1. Try to process your issue in the least confrontational way

Teachers and leaders in schools, by and large, want to support and understand you and your child. As a first step, don't write long emails to the school, addressing the highest authority you can. If you want to work relationally and productively with the school, start with your child's teacher or tutor and ask to have a personal chat, an online face-to-face conversation, or a telephone conversation, where tone can be moderated and body language can be read. If you have to email, make it short to agree on a time to meet or telephone. Do this the first time you have a concern, and do not wait for several issues to arise which results in a backlog of issues. In the process, listen carefully to the school staff acknowledging that your own perception or understanding may be wrong. Your child's perception may also be wrong, and it is important to be aware that you are highly likely to be predisposed to believe the totality of what your child says. Try not to come to conclusions about attitudes or motivations, until you have spoken with the right member of staff at the school and established the facts.

In all your communications, pray. Pray that your own attitude will not be aggressive or too defensive, but constructive. And pray for the staff members you will speak to. The enemy delights in quarrelling and discord – do not allow him to get a foothold in your relationship with teachers or other staff at the school, especially over a potential misunderstanding, or over something which can be rectified easily through having the right conversation.

As conversations develop, accept and offer any apologies necessary, in a humble spirit. Teachers and school leaders are human beings, with a lot of responsibility and pressure. They will inevitably make mistakes – recognising this can help your relationship with them in the long term while your children are at the school. Most parents find that issues can be quickly and easily resolved at this stage, through humility, wisdom and prayer, and don't need to take things any further.

2. Know your rights and know the law

You may need to take things further, however. Therefore, before engaging with the school, it is extremely helpful to know what the law says on the matters in view. Christian Concern can support you to know the latest legal circumstances and it is important to recognise that your school may not even be fully appraised as to what the law actually says, as compared to what they think it to be.

For example, in regards to Relationships and sex education (RSE), if the school has not yet adopted RSE, opt-outs should be available to you for any morally sensitive issues which are not a mandatory part of the national curriculum, whereas if they have already adopted the new regulations, then opt-outs for relationships education are not available (although they are still

available for anything which you feel could be described as sex education). In addition, the schools themselves may not be aware that LGBT elements need not be taught at the primary level, but if the school has already properly consulted then they have the right to introduce these elements without a right of opt-out.

If you wish to safeguard your rights, it is useful for you to understand that the law requires schools to respect the manner in which parents wish to raise their children, so that it is in accordance with their own religious and philosophical convictions. The amount of deference shown to parents is not absolute and is determined on a case-by-case basis, so take every opportunity to resolve the situation informally.

3. Taking things further

So, you have engaged in step 1 and now know the law and your rights. Having tried to handle issues as peaceably as possible, where the result remains unsatisfactory, you should then escalate to the next person responsible. This escalation may be a department head or senior manager. You should ask the school office who to address concerns to, so as to prepare them for your communication. In this period of time, they are likely to investigate what is happening, informally interview staff referenced, and may deal with the issue concerned well. Additionally, don't underestimate the power of a physical letter, 'for the attention of the headteacher'- this often carries more weight than an email.

If you still feel you are being welcomed into a dialogue and process, but feel they are not taking you seriously enough then you should allude in your communications that you are wondering about carrying out something specific from step 4 (activating the complaints policy). Sometimes this can speed up the process of getting to speak to the right person, especially the busy headteacher, and can still promote coming to a resolution with as little tension as possible in a 'informal' way. Suggesting, that you may wish to inform the Department for Education, Ofsted or ISI (the relevant inspectorate for independent schools), often gets a Headteacher's attention as, should you do this, it is likely to speed up the date of their next inspection, and your information will provide 'evidence papers' which will be considered as part of that inspection! This matters significantly to any Headteacher.

Hopefully, this will bring the issue to some sort of agreed resolution, but you can escalate again if necessary, taking it to a formal stage. Even if you do come to a resolution, ask for evidence that agreed actions have been carried out. It will help the process for you to monitor in this way.

4. Pressing the complaints buttons

At any point you can make a formal written complaint, which must be handled by the school according to its mandatory complaints policy. This is recommended if the school repeatedly does not address concerns raised. The complaints policy should always be present on the school website and will tell you precisely what you should do to activate this and the timescales of actions. You can ask Christian Concern for support with this, especially should there be the potential to reference laws that may have been broken.

This is likely to then result in the informing of governors, and planned formal meetings which have to occur in strict timescales which you can monitor. The fact you have made a formal complaint goes on the school's formal records and has to be reported to inspectors and any multi-academy trust or broader board. In these formal meetings, it is sensible to take someone else along with you for moral support, and if the complaints policy does not state this provision then you should politely request permission to do so. This is a Matthew 18:16 approach, where you provide yourself with moral support and a further witness.

You may also wish to write to the governors directly to express your concerns, and ask that specific governors who have responsibility for, say, pupil welfare, parental engagement or religious faith, are

informed. The headteacher is responsible to the governors for the activities of the school. Even at this stage, you can be prayerfully seeking a positive resolution. This process may be necessary for a significant positive change to occur in the school culture, and not just a resolution for your own specific issue.

If a school wide issue is at stake, involving other parents in writing their own formal complaint can also stir a cultural change in the school – schools need to deal with each parent separately and confidentially, so this is not something to write a ‘joint’ complaint about. Do keep your own records and accounts of meetings as best you can. If you ask to have the meeting audio recorded, this can give you some greater potential for being taken seriously but may add tension, as clearly this recording could be used as evidence later, and the request suggests an intention to take things even further. At the end of the formal complaints process, you should be informed in detail of decisions and actions in writing.

5. The final straw

Should a school continue to be unresponsive, unreasonable or potentially discriminatory, then legal action should be considered. Even the threat of this can produce very quick results. If you, with our support, are able to recognise that the law may be being broken by the actions of a school (for example in regard to illegal indoctrination counter to your religious beliefs), then you may have been able to include this in your concerns in earlier communications. You can contact Christian Concern for legal support and advice at any stage if you wish to quote your specific legal rights as an informal or formal complainant in any letters or verbal communications. Christian Concern can also help you write letters to the governors and headteachers.

It may be that you have a legal case against the school. Legal support and advice are essential at this stage, and sometimes such cases can lead to not just change in an individual school, but in the law itself. Although challenging, your case may become a test case for an important issue. This clearly requires a lot of prayer and the support of others around you.

A Godly approach

Jesus doesn't lead us into an attitude of repeated unjustified accusation or a seeking of revenge. There is no mandate to 'Get even!' or 'Strike back!'. He asks his servants to seek resolution and reconciliation wherever possible. In Matthew 5:5 'meekness' means putting aside your self-justification long enough to express yourself respectfully and factually, and to open yourself to others' perspectives. However, sometimes there is a need for more of a battle.

Our children are so precious, and we steward them for the Lord. In these times it is essential to recognise that even though 'people' may seem to be against you, the real battle is 'not against flesh and blood, but against the principalities and powers of this dark world' (Eph 6:12). Prayer, praise, fasting and receiving the support of others, helps us to recognise that such battles 'belong to the Lord' (1 Sam 17:47).

Steve Beegoo is the Director of Education at Christian Concern. He has worked in the educational world for over 25 years. He has been a teacher in state, special and independent schools, and was principal at The King's School Witney over a period of 8 years. Steve pastored Bicester Community Church for 9 years, where he pioneered a Christian pre-school as a part of a community outreach project.

The ‘gay cake case’ is finally over

by Ciarán Kelly

Seven-and-a-half years on and the so-called ‘gay cake case’ is finally over.

In January the European Court of Human Rights in Strasbourg, France, threw out Gareth Lee’s challenge to the UK Supreme Court’s unanimous 2018 ruling in favour of Ashers Baking Company.

The Court ruled the application to be ‘inadmissible’ and said Mr Lee was asking the Court ‘to usurp the role of the domestic courts’. The decision is final.

For anyone not familiar with this headline-grabbing epic here is a brief history:

- May 2014: Ashers Baking Co., a small bakery in Northern Ireland run by the McArthur family, declines an order by LGBT activist Gareth Lee for a cake with the slogan ‘Support Gay Marriage’ due to the owners’ sincere Christian beliefs.
- November 2014: The taxpayer-funded Equality Commission for Northern Ireland (ECNI) brings legal action against Ashers.
- May 2015: The Belfast County Court rules the bakery has discriminated against Mr Lee and orders it to pay £500 damages for injuring his feelings.
- October 2016: The Court of Appeal rules against Ashers, but criticises the ECNI’s handling of the case.
- October 2018: The Supreme Court rules unanimously (5-0) in Ashers favour, recognising the family’s objection was ‘to the message, not to the man’.
- 6 January 2022: The European Court of Human Rights rules Gareth Lee’s appeal against the UK ruling, ‘inadmissible’.

Let no one be in any doubt, this case was never about Christians vs gays. It was about freedom of conscience and freedom of expression. As the Supreme Court put it so succinctly: ‘it was about the message, not the man’.

Can equality law be used to compel people to say something with which they profoundly disagree? The answer from the highest court in the land remains clear, unanimously so, ‘no it cannot’.

A judgment that is good for everyone

It is not a ruling that protects only religious beliefs – yes, these were Christian bakers refusing to endorse a message, ‘Support Gay Marriage’ with which they profoundly disagree. But equally, it protects a T-shirt company owned and run by lesbians who decline to print T-shirts with a message describing gay marriage as an ‘abomination’. It protects the Muslim printer who refuses to print a satirical magazine containing cartoons of Mohammed and the atheist web designer who refuses to create a website promoting the belief that God made the world in six days. In short, it is a judgment that is good for everyone.

Which makes it all the more strange, and dare I say disappointing, that Mr Lee’s lawyers had tried to argue that the decision had failed to safeguard his human rights. It is hard to understand why anyone would want to overturn a ruling that protects the owner of a small business – whether Christian or gay – from being forced to promote views they disagree with.

Strasbourg ruled the case inadmissible because Mr Lee had not invoked his rights under the European Convention of Human Rights ‘at any point in the domestic proceedings’ in the UK courts. This is far from being a ‘technicality’ as some have suggested, in fact, the UK Supreme Court engaged at length with the human rights arguments. That is why it upheld the McArthurs’ rights to

freedom of expression and religion – something the lower courts had failed to do.

Mr Lee's lawyers had plenty of opportunities to argue that his convention rights were being undermined, they never did so. Perhaps that is because there is no conventional right to force a private individual – on pain of legal penalty – to go against their deeply held convictions in order to help you promote your opinions.

In 2018, the UK Supreme Court took the right decision. This year, the European Court has now taken the right decision, but my word it has all taken a long time.

Ciarán Kelly is Deputy Director of The Christian Institute which has supported the McArthur family since 2014. christian.org.uk

The treatment of people with disabilities or learning difficulties in churches

by Heidi Crowter

Hi, my name is Heidi, I am 26 and I happen to have Down's syndrome but that doesn't hold me back from living a fun and vibrant life. I live on my own, in my own flat in Coventry and I can cook beef crumble, lasagna, three cheese pasta and toad in the hole. I have a husband called James who I love with all my heart and there is nothing that he could do to stop me from loving him. We met through family relatives. I have a great family who I love to pieces and they love me. I support Liverpool and my favourite player is Mohammed Salah. My second team is Crystal Palace and my favourite player is Conor Gallagher.

How I came to faith In Jesus

I was brought up in a Christian family, praise God! The first year of my life was very difficult as I was dangerously ill with heart failure and leukaemia, I could have died but thankfully God healed me. The doctor said at the time: 'I have no human explanation of why there are no leukemic cells today'. This proves that God works in mysterious ways, he healed me even though I didn't know him. I have been going to church since I was born, I loved singing all the hymns and singing about Jesus.

As I was getting older I wanted to know more about this God who healed me. I wanted to go to church more and learn more about Jesus so I went along to some youth groups and I loved it! Mainly because I made a lot of friends and I could see a little glimmer of Jesus in the leaders. I also attended the youth group for people with and without disabilities which I loved as well and that also helped me to learn more about Jesus.

I have a lot of friends in my church family, but my best friend in church is my pastor Paul Watts, he was the third person to hold me when I was born. When I first met him we struck up a friendship, we are very close friends; he dedicated me, baptised me and he married James and me, which was very special to me because Paul is very special to me.

I came to faith through Paul Watts as I saw Jesus in that great man, and through his sermons, I could tell that he really loves the Lord and how gently he speaks to me. When I was 12 I put my faith in the Lord Jesus and the verse that changed my life was John 3:16: 'For God so loved the world that he gave his one and only Son, that whoever believes in him shall not perish but have eternal life.' It was then my eyes were opened to who I was before the Lord and that frightened me to the very core.

I knew that I had to put my hope in Jesus otherwise I would be heading to a lost eternity without the God who healed me and who died to save me. I was baptised when I was 13 on the 8th June 2008. I chose the song: 'The Power of the Cross' because it reminds me of what Jesus went through just to make me his precious jewel.

My amazing church

Since I stepped into my church I have been overwhelmed at the love they have shown me, I have made a lot of friends who have helped me in my walk with the Lord. My church is very welcoming to all sorts of people with and without disabilities and learning difficulties, the thing that I love about my church is that my church accepts everyone no matter who they are, regardless of race, gender or disability because we believe that the gospel is for everyone.

I think that churches all around the country should put things in place for people, who have speech

impediments and disabilities. My church has a lift for those who are in wheelchairs or have back problems, churches should be accessible for all no matter what additional needs they have.

Taking the UK government to court

I took the UK government to court over their discriminatory laws. At the moment the law states that a baby without Down's syndrome can be aborted up to 24 weeks, but a baby with Down's syndrome can be aborted up to birth. Which is downright discrimination in the womb, this is a landmark case I am the first woman with Down's syndrome to challenge the government. On the 6th July 2021, we had the hearing and it went really well. We went back on the 23rd September 2021 and we found out that the court ruled against us, so I was so upset. I lost my confidence in fighting for this, I felt that all my fighting was for nothing and that I let everyone down.

Then I remembered that I had changed people's perceptions and raised awareness about the law, which cheered me up. The love of Jesus convinced me to carry on, I will not give up on fighting for equality for me and my husband and others with Down's syndrome. We are now appealing to the court of appeal and we will see where it goes from there. The hearing date is the 8th March 2022.

Conclusion

Thank you for reading my article hope you enjoyed it. Please pray for me; for my court case and ask all your churches to pray for me and the judges. Please pray that I will be like Abraham, Moses, David and Esther and I won't give up. If you want to donate to the court case visit: www.crowdjustice.com/case/downrightdiscrimination/ or Google 'Downright Discrimination'.

Stay Happy

Heidi

Heidi Crowter is a disability rights campaigner who is bravely challenging the UK's discriminatory abortion laws. You can follow her on Twitter: @HeidiCrowter95.

Governments across the UK respond to calls to ban conversion therapy

by Simon Calvert

If banning conversion therapy simply meant protecting people from abuse and coercion, few would object. But those agitating for a ban want it to include biblical teaching on sex and sexuality – or at least, any attempts to persuade LGBT people to embrace that teaching.

This means evangelism, pastoral care, praying with friends, and even raising your children in the faith, are all in the firing line.

Some readers will be among the 7,000-plus people who supported a letter, co-authored by Affinity Director Graham Nicholls, to Westminster's Equalities Minister. The letter warns that the category of 'conversion therapy':

has the effect of implying an equivalence between calling people to conversion to Christ, which is our duty as Christian ministers, and evil and disreputable past practices which are already illegal and which Christians are the first to condemn.¹

But activists on the other side cynically argue that Christian teaching is 'harmful'. Some even maliciously accuse those who disagree with them of being 'perpetrators of abuse'. If these activists get their way there could be very serious consequences for Christian freedom in the UK. So how are governments around the UK responding?

England

Westminster has just concluded a consultation on its proposals and pledged a Bill in Spring 2022. But the proposals so far are vague and worryingly short on detail. The document does contain this welcome pledge:

The policy approach set out below will not impact everyday religious practice. An adult who wants to be supported to be celibate will be free to do so; parents will remain able to raise their children with the values of their faith, and simply expressing the teachings of a religion will not constitute conversion therapy. The Government will continue to work with faith communities to develop an approach that is effective in protecting people from harm, whilst also respecting the right to freedom of religion and belief. (Paragraph 25)²

The problem is, it is not at all clear from the rest of the document how the legislation will deliver on this pledge. Indeed, it appears that the threshold of the offence, in relation to under 18s, may be nothing more than doing something with an 'intention' to change someone's sexual orientation or gender identity. It is easy to see how urging a young person to obey biblical mandates on sexuality or gender could be deemed as 'intended' to change them.

The UK Equality and Human Rights Commission unexpectedly endorsed the concerns of Christians when it warned the Government of 'unintended consequences', arguing:

conversion therapy will need to be carefully defined in any legislation in order to ensure that harmful practices are caught whilst mainstream religious practices such as preaching, teaching and praying about sexual ethics or gender roles, including in relation to children and young people under 18, are not criminalised. (Para. 16)³

1 <https://ministersconsultationresponse.com/>

2 <https://www.gov.uk/government/consultations/banning-conversion-therapy/banning-conversion-therapy>

3 <https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.equalityhumanrights.com>

Scotland

In Scotland, MSPs on the Parliament's Equalities Committee have called for a far-reaching ban, echoing the demands of LGBT activists. In a half-hearted response to concerns about religious freedom they say:

...legislation should not pose any restrictions on ordinary religious teaching or the right of people to take part in prayer or pastoral care to discuss, explore or come to terms with their identity in a non-judgmental and non-directive way. However...most conversion practices take place within a religious setting including in the form of 'talking therapy' which is used with the intention to 'correct' sexuality or gender. The Committee believes and recommends that such practices should fall within a ban.
(Para. 3)⁴ (Emphasis added)

Parsing the odd grammar, it is clear they want to ban 'directive' teaching, prayer or pastoral care. But how can Christians faithfully teach and pray in a 'non-directive' way when we believe we must follow the commands of God and gently encourage others to do the same? Such a ban would be a fundamental breach of our human rights.

The Committee calls controversial legislation in Victoria, Australia, which expressly bans prayer, 'one of the best practice examples' (Para. 17). There, the state has issued guidance on its ban, which came into effect on 17 February, stating that prayer is not banned 'unless it is directly used to change or suppress sexual orientation or gender identity'.⁵

The Committee also says:

...conversion therapy is an umbrella term for a therapeutic approach, or any model or individual viewpoint that demonstrates an assumption that any sexual orientation or gender identity is inherently preferable to any other, and which attempts to bring about a change of sexual orientation or gender identity or seeks to suppress an individual's expression of sexual orientation or gender identity on that basis.
(Para. 21) (Emphasis added)

Again, we would not analyse ordinary church work or parenting in these terms, but our opponents – those who will make complaints about us to the authorities – most definitely will.

The Equalities Committee issued its report in response to a petition from the End Conversion Therapy (ECT) campaign. Astonishingly, seven out of ten members of the Committee had already signed a pledge to ban conversion therapy drawn up by ECT. As we asked in a letter to the Parliament's Presiding Officer:

How can the Committee be expected to exercise impartial, critical judgement when most of its members have given assurances directly to the campaign group whose claims they are scrutinising and have promised to enact the very policies being sought?⁶

This bias is apparent in the way the Committee scheduled its proceedings. Out of eight evidence sessions, only one gave opportunity for church groups with concerns about the scope of the ban.

[%2Fsites%2Fdefault%2Ffiles%2Fconsultation-response-banning-conversion-therapy-26-january-2022.docx&wdOrigin=BROWSELINK](#)

⁴ <http://www.ow.ly/insh50HCang>

⁵ https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.vic-engage.files/5716/1232/3170/FACT_SHEET__Change_or_Suppression_Conversion_Practices_Prohibition_Bill_2020.pdf

⁶ https://www.christian.org.uk/press_release/conversion-therapy-christian-campaigners-warn-msps-they-will-face-court-action-due-to-bias-and-inadequate-scrutiny-if-holyrood-passes-proposed-ban-law/

On 10 February the First Minister, Nicola Sturgeon, pledged to:

...work with the Parliament's Equalities, Human Rights and Civil Justice Committee to introduce legislation that is as comprehensive as possible within our devolved powers to ban conversion practices by the end of next year.⁷

Northern Ireland

In 2021, the Northern Ireland Assembly voted by 59 votes to 24 in favour of a motion calling for a ban on conversion therapy. Some MLAs did raise concerns that it could have negative consequences for churches, but others demanded that any law must give no protections for church activities.

During the Stormont debate, Communities Minister, Deirdre Hargey, promised to bring forward legislation to ban conversion therapy. Her department says it is developing plans as part of wider LGBTQI+ Strategy, and stresses she is 'working closely' with LGBT groups.

We expect to see legislation in Stormont after the elections in May 2022.

Wales

The Welsh Government has also promised to ban 'all aspects of LGBTQ+ conversion therapy', but the powers needed are not devolved.⁸ Wales and England will both be included within the Westminster legislation. It is possible the Welsh Government will bring in other measures as part of its wider LGBTQ+ Action Plan – perhaps within the remits of education, health or communities.

What can we do?

There are several Christian groups actively campaigning on this issue and providing their supporters with materials to equip them to pray and take action. Do get involved.

My own organisation, The Christian Institute, has instructed lawyers in England, Scotland and Northern Ireland to write to the respective governments warning them that a ban on prayer, preaching, pastoral care and parenting would put the UK in breach of its obligations under the European Convention on Human Rights.⁹ This is in preparation for a potential judicial review.

Do pray that politicians and journalists would give a fairer hearing to the legitimate concerns of Christians and that God would grant wisdom to all those Christians who are speaking out.

We must not lose our confidence in God's word, or in the work of the Spirit amongst us and through us. The truth is that LGBT people who come to a Bible-believing church get the same warm welcome as anyone else. And most of them are not surprised to find that the church believes things that they don't. That's what freedom of religion means.

But some of the activists who oppose biblical teaching, having failed to win the argument by persuasion, want the criminal law to settle these theological disputes in their favour. Politicians must not to give them what they seek.

Simon Calvert is a Deputy Director at The Christian Institute.

Follow the Let Us Pray campaign (letuspray.uk) on social media for regular updates on this issue.

⁷ <https://www.theyworkforyou.com/sp/?id=2022-02-10.15.0#g15.3>

⁸ <https://gov.wales/help-us-achieve-our-ambition-become-most-lgbtq-friendly-nation-europe>

⁹ The UK has been a signatory of the Convention since 1951. It is entirely separate from the European Union.

Book Review: Beyond The Odds

by David Foster

Beyond the Odds: Providence in Britain's Wars of the 20th Century
John Scriven and Tim Dieppe
Wilberforce Publications, 2021, 717 pages, £15

The purpose

John Scriven read history at Trinity College, Cambridge and was chairman of the Lawyers Christian Fellowship from 2003 to 2011. Tim Dieppe is Head of Public Policy at Christian Concern. Both have sought to show the wartime providence of God in the two World Wars and the Falklands conflict. Acts of God have been airbrushed from history so this work is timely.

The authors also wish to portray the Christian faith of the ordinary soldier and many commanders with some poignant examples of faith in the most difficult circumstances.

The Content

This is a serious read which sets out to be credible – it has over 75 pages of annotations. Those who enjoy the works of Anthony Beevor and the like will appreciate the detail.

War is never easy and the book highlights that at times success hinges on particular battles of strategic importance. John Scriven illustrates this by both acknowledging the goodness of God in those times where there are no apparent supernatural acts and those where there have been witnesses to seeing the supernatural. A good example is the white cavalry at Bethune where the British line was crumbling and the Germans were advancing to certain victory: suddenly a brigade of all white cavalry are seen and a Prussian officer reports:

We saw the shells bursting among the horses and their riders, all of whom came forward at a quiet walk-trot, in parade-ground formation, each man and horse in the exact place.

Shortly afterwards our machine guns opened a heavy fire, raking the advancing cavalry with a hail of lead; but on they came, and not a single man or horse fell.

Steadily they advanced, clear in the shining sunlight, and a few places in front of them rode their leader, a fine figure of a man, whose hair, like spun gold, shone in an aura around his head. By his side was a great sword, but his hands lay quietly holding the reins, as his huge white charger bore him proudly forward.

...Then a great fear fell on me and I turned to flee...and around me were hundreds of terrified men, whimpering like children, throwing away their arms and accoutrements in order not to have their movements impeded...all running.

Secondly, the book highlights the Christian faith in an era when that faith was valued. Tim Dieppe's chapter on Malta recalls the governor General William Dobbie who was a member of the Plymouth Brethren. His strength of faith proved an inspiration for the islanders. Apart from a daily quiet time he referred to God's help in his communications to the people and every evening after dinner would pray in his drawing room with guests over the general position.

Thirdly, there are interesting questions posed as to why certain obvious happenings never occurred such as moves by the enemy: Malta was utterly surrounded with nearest friendly forces over 1000 miles away and at the outset of war only 5000 service personnel and four fighter planes. William Dobbie's firm belief was 'God's restraining hand kept them from attacking us at a time when we

were very ill-prepared to meet such attacks.’ Or the enormous bomb that landed on the Rotunda church when 300 people were worshipping and did not explode.

Downsides and upsides

Some of the historical detail, whilst admirable, is heavy to read. It does set the context and makes the reader appreciate that miracles can happen because of what does not happen as much as what does. This is a worthy life lesson!

Some of the examples of the miraculous which are well documented are delightful and a real encouragement to the reader’s faith. Yet there is a real challenge set out in acting out our faith no matter how difficult the circumstances.

In conclusion

Beyond The Odds is to be warmly recommended. It is a work that will make you think, wonder in awe and encourage you to be faithful no matter our current cultural challenges: the book is rare in acknowledging God is in control and His will shall be done. Amen.

Book Review: How Christianity Transformed the World

by *Tim Dieppe*

Sharon James

Christian Focus Publications, 2021, 208pp, £6.79 10ofThose

In today's upside down, topsy-turvy, confused, and increasingly anti-Christian culture, people actually believe Christianity has been bad for the world. Not only do they believe it, but they actively teach it to our children. Christianity is taught as outdated, backward, superstitious, discriminatory and dangerous. It is believed that Christians are obviously on the wrong side of history. As a consequence, Christians often feel like they are on the back foot, having to defend the track record of the church or making excuses for what Christians have done.

Sharon James turns all this on its head and the right way round in this handy little book. Christians have a lot to be proud of when it comes to what the church has done for society. Christians should not be on the back foot, but on the front foot when it comes to the track record of their religion. Far from being on the wrong side of history, we are very much on the right side. The world should be grateful for the impact of Christianity and Christian values on Western society which continues to this day.

The book contains ten short chapters covering topics like freedom, religious liberty, justice, protecting life, philanthropy, and education for all. James explains that 'the liberties and rights that we value in free societies are to a great degree based on the biblical conviction that all humans, made in God's image, are equal in dignity (Gen 1:26-7)' (p22). She reminds us that 'Where no God is acknowledged, the State can all too easily "become God", with appalling consequences.' (p23). Only in Christianity, for example, did the idea develop that slavery was sinful and must be abolished. All other cultures, with all sorts of other worldviews and religions, accepted slavery as justified.

In the chapter on religious freedom, we are reminded of the biblical basis for the separation of church and state, and the role that Christians played in establishing the principles of freedom of conscience and freedom of religion. In the chapter on justice, James explains the biblical foundations for Magna Carta, with a helpful table showing how biblical teaching is reflected in this historic charter of freedom (p64-66). A chapter on the dignity of women shows how much Christianity improved the rights and freedoms of women, and how various Christians campaigned for women's rights through church history. The advance of Christianity dispelled sexual slavery, but now that we are turning away from our Christian roots, this trade is increasing again (p98).

Christians founded hospitals, hospices, care for the mentally ill, schools, universities, and all sorts of charities and philanthropic organisations. There are lots of helpful stats and quotes in the book. One that stood out for me is the appalling track record of Marxism, killing nearly 110 million people between 1917 and 1987. This compares with all the domestic and foreign wars of the twentieth century which were responsible for around 35 million deaths (p24). James also brings the various subjects right up to date with contemporary examples and cases like that of Dr Mackereth who lost his position for his belief that sex is immutable (p53-54).

Each chapter has recommendations for further reading, and there is also a list of further resources at the end of the book. There is a foreword by Baroness Cox who warmly commends the book. I join her commendation. I teach on the legacy of Christianity at the Wilberforce Academy where I make many of the same points that James makes in this book. You can see the impact of the presentation on the young people who have been taught to be defensive about their faith. Sadly, many of them had no idea about the many ways in which Christianity positively impacted the world. The increase in confidence in the impact of Christianity is almost tangible once the presentation ends. The message of this book is one that Christians of our generation and the next desperately need to hear. I hope it gets a wide readership.

Book Review: That Hideous Strength

by *Tim Dieppe*

That Hideous Strength: A Deeper Look at How the West Was Lost (Expanded Edition)

Melvin Tinker

Evangelical Press, 2020, 191 Pages, £9

Melvin Tinker has written an excellent short primer on the contemporary influence of cultural Marxism and how we can respond to it.

Inspiration from C.S. Lewis

Tinker draws inspiration from C.S. Lewis's novel, *That Hideous Strength*, which was the third of Lewis's three-part science fiction space trilogy published in 1945. The novel is an exploration of the possibility of an intellectual elite imposing a Godless ideology that runs counter to common sense on the masses. Tinker sees Lewis as ahead of his time in foreseeing how the increasing influences of materialism, scientism, and naturalism would naturally progress.

Tinker also draws inspiration from the story of the Tower of Babel which he describes as 'an exercise of collective rebellion' against God (p44), in an attempt to set up a rival cosmology to that of the creator.

What is cultural Marxism?

Tinker then takes a look at neo-Marxism, also called cultural Marxism, or libertarian Marxism. This can be defined as a philosophy of human liberation from all repressive social institutions. Hidden behind this definition, which sounds uncontroversial at first sight, is the understanding that family is seen as a repressive institution, as is the church, business, any authorities, and traditional perspectives. In what Tinker describes as 'a semantic sleight of hand', those who disagree are labelled 'fascist' even though this strays far from the original meaning of the term.

Key thinkers in this rebellious school of thought include Herbert Marcuse with his idea of 'repressive tolerance' which is really 'totalitarian tolerance' that aims to silence any dissenting views. There is also Antonio Gramsci with his concept of 'hegemony'.

Political correctness as an example

'Political correctness' is actually a manifestation of cultural Marxism. Political correctness is totalitarian in seeking to stigmatise and shut-down dissenting opinions. Cultural Marxism is not open to reason or debate. Certain opinions are unacceptable and should not be expressed. This is linked to what C.S. Lewis labelled 'Bulverism' whereby an opponent's dissenting beliefs are assumed to be the result of some bias and can be discredited merely on that basis rather than with reason and logic.

Tinker elaborates on the strategy to push this rebellious agenda by normalising homosexuality and promiscuity and desensitising people to immorality. This has been done very successfully in the media where there are disproportionate portrayals of homosexuality and other sexual immorality. Tinker highlights the case of Felix Ngole who was expelled from Sheffield University for expressing on Facebook that homosexual practice is sinful. Non-conformity with this radical agenda can now cost you your job or your career.

How do we respond?

Society is being pressured to conform to this cultural Marxism, even when it flatly contradicts science and common sense – as in the case of transgenderism. So how do we challenge this

‘hideous strength’ in the form of cultural Marxism?

Tinker urges Christians to contend for the truth. He reminds us that the early heresies involved blurring the boundaries of truth, and this is what we face again today: Arianism blurred the deity of Christ; Gnosticism blurred the humanity of Christ; Transgenderism blurs gender differences; Cultural Marxism more generally seeks to blur the nature of authority.

Tinker also calls for cultural engagement which will result in being willing to embrace courageous refusal. There is a need for a new resistance movement – of people who are not willing to be conformed to the ideology of cultural Marxism. Tinker draws parallels with the situation in Nazi Germany in the 1930s where the church largely capitulated or remained silent. Will we be amongst the resistance, or will we allow ourselves to be compromised?

Expanded edition

The expanded edition contains around 60 more pages than the original and is much better formatted with footnotes on the page so that references can easily be followed up. There is also a Postscript that discusses the rise of Black Lives Matter (BLM) and the politicisation of the death of George Floyd. Tinker explained that the Marxist basis of BLM was very clear from its website, though that has since been edited to remove references to eradicating capitalism and patriarchy, and disrupting the nuclear family structure.

Conclusion

Sadly, Melvin Tinker passed away in November 2021 after a short battle with pancreatic cancer. He has many legacies, not least this book. That Hideous Strength is a very helpful introduction to the challenge posed by cultural Marxism to the church and society. It provides a timely and insightful critique of our rapidly changing culture, which deserves to be widely read. It is time for the people of God to expose and defeat this ‘Hideous Strength’.

Coronavirus - Part 15 (January 2022)

by John Ling

Previous editions of this update may be found on John Ling's personal website: www.johnling.co.uk

Covid-19 numbers

Welcome to the third year of the Covid-19 plague. At last, there is some cautious optimism about the virus is perhaps beginning to become endemic, at least in the UK. It also looks as though those harsh lockdowns and other severe restrictions are no longer likely to be introduced and enforced. Yet just another variant or stupid behaviour could trigger a further pandemic.

Meanwhile, Omicron is still whizzing through the population. That key metric, case numbers, are reportedly falling, but that is debatable. Are those apparent falls an artefact of a struggling testing system? Are fewer people self-testing and are they now less inclined to report positive results? After all, on 4 January, the highest ever UK figure of a whopping 218,724 cases was reported. But that included a backlog of data from the four home nations delayed over the New Year holiday period. Cases have since declined, plateaued and even increased to approximately 90,000 per day during the second half of January.

Covid-19 deaths, namely those reported within 28 days of a positive test, and though erratically relayed at weekends, they increased in early January and then plateaued at about 300 each day. Patients in hospital currently number 17,000 with around 550 on ventilators. Hospitalisations remain well below the peak of nearly 40,000 in January last year. Since the start of the pandemic, the UK's death toll has reached a sad 155,000. The only other European country with a higher death toll is Russia with a total of 320,000.

Vaccination roll-outs continue but their media campaigns have started to wind down – they are no longer particularly newsworthy. However, the total numbers of first, second and third jabbed people are reported as 52.3, 48.4 and 37.3 million respectively. Overall, 77% of the UK population have received at least one dose, including 61% of children aged 12 to 15 years. Even so, there are still some 5 million people in the UK who remain unvaccinated.

Globally, many countries are resolutely stuck in a pandemic crisis. Total global cases are approaching 400 million with 6 million deaths. The USA still tops the daily infection table with an average of 800,000 cases, followed by France with 400,000, India with 300,000 and the UK in eighth place with 90,000. The USA also still dominates the total death table at 885,000, followed by Brazil (630,000) and India (500,000) with the UK in seventh place at 155,000.

What to conclude? Speaking in Geneva on 24 January, Tedros Adhanom Ghebreyesus, the Director-General of the World Health Organization (WHO), declared that, 'The world must accept that Covid-19 is with us for the foreseeable future, even if it is possible to end the acute phase of the pandemic this year.' He noted that 100 cases were now reported every three seconds, and someone lost a life to Covid-19 every 12 seconds. He added, 'It is still dangerous to assume that Omicron will be the last variant, or that we are in the endgame of the pandemic. On the contrary, globally, the conditions are ideal for more variants to emerge.'

Nota bene, neither the pandemic nor the endemic is over – far, far from it.

From Plan B to Plan A

Reducing the required self-isolation period after a Covid-19 infection has been a useful indicator of the government's strategy and its determination to press towards a return to some sort of normality. From 22 December, the isolation period for infected people was cut from 10 to 7 days as long as (lateral flow tests (LFTs) were negative on days 6 and 7. Then from 17 January, the self-isolation

period was cut from 7 to 5 days.

The justifications for these changes have depended on a combination of scientific facts and computer modelling. For example, research by the UK Health Security Agency (UKHSA) had shown that 6.2% of people would still be infectious after two negative LFTs by day 7, which was nearly the same as the 5% of infectious cases if released from isolation after 10 days with no testing. However, testing after 5 days of isolation resulted in 31.4% of people still being infectious. Or as the health secretary, Sajid Javid, put it more positively, 'around two-thirds of positive cases are no longer infectious by the end of day five.' In addition, people without Covid-19 symptoms who have a positive LFT no longer need to take a confirmatory PCR test.

However, because of the continuing pressure to alleviate the staffing crisis in the NHS and other workplaces caused by high numbers self-isolating, the government reckoned that the risk of viral spreading after day 5 was proportionate and responsible. So, from 17 January, people could leave self-isolation 5 full days after experiencing symptoms or receiving a positive test result, whichever was first, provided they had negative Covid-19 tests on days 5 and 6. Nevertheless, they should remain cautious around others and avoid those who are vulnerable.

This was a pragmatic move, which has been largely welcomed, as long as more workers can safely return and it does not significantly add to the risk of viral transmission. Governments sometimes resort to such pragmatism and to knee-jerk policies. An example of the latter occurred in early January. At that time, there were apparently serious LFT kit shortages. They were simply unavailable via the NHS website or from many chemists or other regular outlets. On 9 January, The Sunday Times ran a feature suggesting that free LFTs would soon no longer be available. Up went the maroon. Talk about hyped journalism!

It was all something and nothing. Yet the government felt under pressure to act decisively. So early in January, it announced a new initiative affecting some 100,000 critical workers to include those employed in the national infrastructure, national security, transport, food distribution and processing. Police and fire and rescue services' control rooms, electricity generation, test kit warehouses and test surge laboratories were also included. These employees would start to receive free, daily LFTs in an effort to reduce the spread of Covid-19 within this essential workforce. Supply and delivery of LFTs had suffered a major, albeit temporary, glitch over the Christmas and New Year holidays and so this knee-jerk initiative was more style over substance. Supplies were soon restored. Indeed, it truly was something and nothing.

However, on 26 January, something far more weighty was announced, namely, that the restrictions of Plan B had expired and those of Plan A were to be restored, at least in England. The four home nations have different Covid-19 rules, but these are gradually aligning. The move to Plan A involved lifting some principal curbs, such as working from home, wearing masks for indoor settings and the need for vaccine passports at large events. Other restrictions were also relaxed. For example, from 31 January, care home residents have been able to receive unlimited visitors rather than the three-person limit brought in under Plan B.

As well as pragmatism and knee-jerk initiatives, governments sometimes resort to policy U-turns. In December, it was announced that front-line NHS workers in England must be fully vaccinated by 1 April, meaning they would need a first jab by 3 February. On 31 January, the health secretary, Sajid Javid, announced in the Commons that the mandatory vaccination strategy for NHS and social care workers was to be reconsidered with a view to axing it. The anticipated exodus from among the 77,000 or so unvaccinated NHS workforce would apparently create a major staffing shortage crisis. And he added that because Covid-19 immunity was rising and Omicron was intrinsically less severe, the mandatory policy was no longer proportionate. This U-turn shift will be subject to a consultation.

Herein lies the hope of the government, industry and the public for a return to something 'much closer to normality'. But are these radical moves too slow or too fast? Or are they basically a

shambles? Surprise, surprise, opinions differ. Time will tell. For the moment, it certainly seems as though the dreaded Plan C has been ditched.

From pandemic to endemic?

The Covid-19 question of January has been, 'Are we there yet?' No, not that children's chorus from the back seat of the car, but the genuine request from a world weary of Covid-19. The straightforward answer, if you mean, 'Are we now virus free?' is, 'No.' Overall, the world is still in pandemic mode, and for some, the worst is definitely yet to come. For others, the future looks somewhat brighter, that is, 'It could be ... very soon.' In fact, a rather different question is now beginning to be asked, namely, 'How are we to live with Covid-19 in 2022 and beyond?' At least in the UK, there are growing calls for an alternative future approach to Covid-19, one that stresses living with it rather than constantly fighting it. Indeed, Michael Gove, the levelling-up secretary, declared on 10 January that 'the UK had to learn to live with Covid-19.'

But there will be no overnight viral vanishing like a morning mist. Instead, we will move slowly from pandemic to endemic. In other words, Covid-19 is here to stay, but its influence will be less malicious, more benign. Endemic means that the virus will constantly continue to circulate in a region, but with a relatively low spread of infection among the population so that social isolation, illness and death will continue, but at much reduced and at mostly static rates. Infection case numbers will be more consistent and predictable. Communication care is needed. Misuse of the word endemic in relation to Covid-19 may encourage a misplaced complacency. Endemic does not necessarily mean local and mild. Endemic diseases can be both widespread and deadly. For example, malaria is an endemic disease that killed more than 600,000 people worldwide during 2020. Policymakers, scientists, citizens take note. We need to continually tackle this virus head-on, effectively and globally.

The two big unknowns are first, how immunity, derived from either infection or vaccination or both, will play out, and second, how the virus will evolve into other variants. Influenza is a useful template – immunity and vaccines keep it largely endemic with no official requirement for masks, social distancing or lockdowns. Moreover, this move from pandemic to endemic will not occur all at once across the globe, but rather nationally or regionally – inequity of vaccine distribution will make sure of that.

Incidentally, in epidemiological parlance, there is an in-between state known as an epidemic, whereby a sudden increase in cases spreads through a large population. It is a term rarely used. In truth, the world will probably never be Covid-19-free, there will always be the distinct possibility of sudden increases or local outbreaks. That is not necessarily scary – we already live with a host of endemic diseases such as common colds, measles, malaria, tuberculosis, and expectantly around the corner, Covid-19.

Listen to some experts. Professor Julian Hiscox, Chair in Infection and Global Health at the University of Liverpool, said in mid-December 2021, 'I think life in 2022 will be almost back to before the pandemic.' And Professor David Heymann of the London School of Hygiene and Tropical Medicine, who again stated in mid-December that, 'the UK is the closest to any country in being out of the pandemic if it isn't already out of the pandemic and having the disease as endemic.' Such boffins could, of course, be entirely mistaken. But the optimists' ace card is immunity – it will be THE game-changer. Just two years ago an unknown virus flew out of Wuhan and zipped around the world. None of humankind's 7 billion individual immune systems had ever seen anything like it. And there were no Covid-19 vaccines or drugs in our armamentaria. We were vulnerable. Now in 2022, we have effective ways and means of making us all immune, so now we are far less vulnerable. The major obstacle would be a new variant that could outcompete others, in particular Omicron, and cause significantly more severe disease, hospitalisations and deaths.

So what about the UK – are we there yet? We have already paid a terrible price with severe illness and over 155,000 Covid-19 deaths, though all such numbers are likely to be significant

underestimates. Yet paradoxically, these infections and associated vaccinations have left a legacy of high immunity. But that immunity will wane. So, with Omicron as the principal transmissible variant, we are still likely to catch endemic Covid-19, though as a less severe disease. Nevertheless, deaths will still occur, especially among the old and vulnerable. Fewer deaths could occur if harsh lockdowns were again enforced. But society will probably not stand for a return to such restrictions. Thus a balance has to be struck. How many deaths are tolerable? During a bad winter flu season, some 200 to 300 people die each day. Is that where the line should be drawn? Will lockdowns, restrictions on large gatherings and mass testing disappear this year? And the compulsory wearing of face masks too? Many think so, though even more hope so. More certain is the use of booster vaccines, especially among the vulnerable, in order to maximise those antibodies before winter 2022 sets in. Autumn 2022 is going to be a time of double jabbing for Covid-19 plus influenza. Maybe autumn 2022 will look more like autumn 2019.

Those are some predictions for an endemic UK. What about the rest of the world? According to the World Health Organization (WHO), a different long-term policy is needed. Giving repeated booster doses of existing Covid-19 vaccines, as already happening in some rich, developed countries, is not a sustainable global strategy for tackling the pandemic. Instead, the WHO argues that the focus should shift towards producing new vaccines that work better against the transmission of emerging variants.

Make no mistake, the poor and undeveloped world is still in a pandemic, far, far from an endemic. These countries are also vaccine poor. Many, including the vulnerable and front-line healthcare workers, have yet even to see a vaccine syringe. For countries that have locked down and closed their borders and successfully minimised deaths now have less immunity across their populations as they seek to re-join the rest of the infected world. The WHO has concluded that the world is a long way off describing Covid-19 as an endemic. Without doubt it is still in a pandemic and an acute medical emergency. Some even predict that the darkest days are yet to come. May they be proved wrong.

LFT and PCR testing

Millions upon millions of us have been through the rigours, discomfort and inconvenience of Covid-19 testing using LFTs (lateral flow tests). We have dutifully stuffed little sticks down our throats and up our noses for a good reason, or so we thought. Fewer of us have been through a PCR (polymerase chain reaction) test, yet again we thought it must be a useful exercise. But do we know how they work? An excellent question! Are we sure we know what they tell us? Another excellent question! And beyond the how and what of testing there is THE fundamental rationale of testing. It is not how well Covid-19 molecular fragments can be detected in a single sample, but how effectively infections can be detected in a population by the repeated use of such tests as part of an overall testing strategy – ultimately it is about the sensitivity of the entire testing and subsequent treatment regime that counts.

These two tests obviously measure different parameters. LFTs are rapid antigen diagnostic tests that use immunoassay technologies to produce results, in a similar way to pregnancy tests. The LFTs contain antibodies designed to recognise and bind to the Covid-19 antigens produced on the outer surface of the virus. As the sample moves along the nitrocellulose strip by capillary action, it encounters coloured nanoparticles and it reacts with other reagents. If a coloured band appears, the person being tested has been infected by Covid-19. And these LFTs have been ingeniously developed so testing can be done in the kitchen, at the bedside, or in the field. In other words, they do not need sophisticated laboratory settings to conduct them. They are not as accurate as PCR testing, but they are a simple and fast way to test people who do not have symptoms of Covid-19, but who may still be spreading the virus. As such, they are an important tool in the control of the Covid-19 pandemic.

By contrast, PCR testing screens directly for the presence of viral RNA, which is detectable before antibodies form or symptoms of the disease are present. PCRs can tell whether or not someone

has the virus very early on in their illness. The tests are quite sophisticated and therefore need to be carried out in a laboratory, hence the delay and typical turnaround time of several days.

Even if you have been triple-jabbed, a positive LFT means you are infectious because viral protein is present in your throat or nose – the virus is still multiplying inside your body. By contrast, a PCR test can be positive for days or weeks after infection because it detects small amounts of the viral RNA that are not necessarily infectious.

Here is a typical comparative timeline. Start with the time (day one) when our patient, Scott Dive, an anagrammatical imaginary friend, is exposed to the Covid-19 virus. His viral load, the amount of virus in his body, begins to increase on that day. And the higher the viral load the more infectious he is likely to be. A PCR test is able to detect that upsurge of antibodies by day two, before Mr Dive becomes infectious. It is only by day three that the LFT would be positive. Mr Dive is infectious from day three to day eight. LFTs would return test positives throughout this five day phase. By contrast, PCR tests would be positive from day two through to day 13, that is, not only one day before but also five days after Scott is no longer infectious.

T cells

This is not the place for a tutorial on this wonderful, but complex, piece of bodily equipment we all carry around – the human immune system. First, a general observation. With respect to Covid-19, antibodies have been regarded as our main line of defence against its upper respiratory tract symptoms. Antibodies have stolen the limelight. But the immune system has numerous other components including T cells.

T cells, also called T lymphocytes, are a type of white blood cell and an essential constituent of the human immune system. T cells originate in bone marrow and migrate and mature in the thymus – hence they are called thymus-dependent (T) lymphocytes, or T cells. They then multiply and differentiate into various types of T cells, such as helper, regulatory, or cytotoxic T cells, until required by the immune system. Fascinating and complex.

However, during the Covid-19 pandemic T cells have been the poor cousins of neutralising antibodies, the unsung members of the immune system. T cells are now making a comeback. It is well-known that neutralising antibodies can bind to sites on the Covid-19 spike protein – these features have been used as templates for several Covid-19 vaccines. But if those sites mutate then antibody protection can wane. Yet T cells are more resilient. Among their immune functions, they can act as cytotoxic, or ‘killer’, T cells that seek out and destroy virus-infected cells. So, by annihilating infected cells, T cells can limit the spread of infection and potentially reduce the possibility of serious illness.

Moreover, T-cell levels tend not to decline as quickly as antibodies do after either infection or vaccination. And because T cells can recognise more sites along the spike protein than antibodies can, they should be better able to recognise mutated variants.

And that is the case with Covid-19. Recently, it has become clear that T cells can recognise Covid-19 variants, including Omicron, even when antibodies cannot. So here is a fundamental question. Have those researchers, who have been assessing the efficacy of Covid-19 vaccines, mistakenly concentrated on measuring antibody responses while ignoring important T-cell responses? True, antibodies are easier to study, making them simple parameters to measure in those large, international, Phase 3-type clinical trials. But Covid-19 variants remain highly susceptible to T-cell attacks. Surely they too should be assessed. Moreover, while antibody efficacy can fade, that of T cells can last for years providing long-term immunity.

In this war against Covid-19, T cells have perhaps come of age. Maybe. Whatever, don't diss T cells!

R numbers

The R, or reproduction, number is a way of estimating how a viral disease is spreading within a population. The government has said that R numbers for Covid-19 are one of the most important factors in its policy-making decisions to control the pandemic.

In statistical theory, R numbers are estimated by independent computer modelling groups based in UK universities and the UK Health Security Agency (UKHSA). They typically use a variety of data sources. For example, some groups will use epidemiological figures, such as testing data, hospital admissions, ICU admissions and deaths. This is a backward-looking approach that typically takes up to 3 weeks to assess changes because of the time delays between initial infections and the need for hospital care. Other groups use data from contact pattern surveys that gather information from participants. These can be rapid, but because these rely on self-reporting, they are susceptible to bias. And there are household infection surveys where swab testing is performed by individuals and reported for collation. They are direct, but again dependent on patient collaboration.

Whatever the method used all these sources have inherent uncertainties, so estimates can vary between the different models. Moreover, estimates of R values are usually shown as a range because of statistical unevenness across a region caused, for example, by local outbreaks. A single value would not necessarily reflect the variations of infection rates within that particular area.

In statistical practice, the R value represents the average number of people a Covid-19-infected person will pass the disease onto. If R is below 1, then the number of people contracting the disease will fall and the pandemic will be shrinking. If R is above 1, the number of infected people will be growing. So, an R value between 1.2 and 1.5 means that, on average, every 10 people infected will infect between 12 and 15 other people.

In the early days of the Covid-19 pandemic, the government would regularly publish R numbers for the whole of the UK. However, nowadays, because of the increasingly-localised approach to managing the pandemic, values are published for each of the four home nations. The latest R values (released on 27 January) for England were between 0.8 and 1.1, for Scotland they were 0.7 to 1.1 and for Wales they were 1.1 to 1.5 and for Northern Ireland they were 0.7 to 0.9.

R values cannot be measured directly. However, they are useful estimates of the spread and intensity of Covid-19, but they have their limitations. For instance, they convey little about geographical differences – the smaller the subsection sampled, the greater the potential variation and the less reliable they become. And they say nothing about different viral variants. Nevertheless, despite such shortcomings R numbers are valuable guides to the general developmental trends of Covid-19. In summary, with respect to R numbers, less is best.

mRNA vaccines

The Pfizer-BioNTech and Moderna vaccines are messenger RNA vaccines, also known as mRNA vaccines. These were among the first Covid-19 vaccines authorised and approved for use in the United States and elsewhere. mRNA vaccines prompt the human body to make a protein that is part of the pathogen, triggering an immune response.

The development, approval and use of mRNA vaccines have been staggeringly successful. According to a recent Commonwealth Fund study, in the absence of such vaccines there would have been approximately 1.1 million additional Covid-19 deaths in the US and 10.3 million more hospitalisations by November 2021. In other words, mRNA vaccines have saved lives and prevented severe disease with comparatively few adverse events.

Yet mRNA vaccines have suffered bad press, especially among a vociferous minority. Anti-vaxx individuals and groups have persistently referred to mRNA vaccines as 'experimental gene therapies'. These people are gravely mistaken. Vaccines that use mRNA technology do not alter

a person's genes, therefore their use cannot be considered as gene therapy. Nor are mRNA vaccines particularly novel, or 'experimental'. It was in 1961 that mRNA was discovered and so for decades, well before Covid-19 appeared, hundreds of scientists have rigorously studied and worked on mRNA vaccines. Its first human clinical trial as a vaccine was against rabies in 2013.

Pfizer-BioNTech and Moderna mRNA vaccines contain the genetic code for cells to produce the spike protein that the Covid-19 virus uses to enter cells, to elicit an immune response in recipients. More precisely, the Pfizer-BioNTech and Moderna vaccines use mRNA that has been chemically modified to replace the uridine nucleotide with pseudouridine. This change is thought to stop the immune system from reacting to the introduced mRNA.

The Covid-19 pandemic has allowed Pfizer and BioNTech to develop a strong partnership, with Pfizer providing its antigen research and BioNTech providing its proprietary mRNA platform technology. Such has been the success of their mRNA Covid-19 vaccine that the two have agreed to develop an mRNA-based vaccine for another viral infection, shingles. This is a widespread and painful condition triggered by the same virus that causes chickenpox. Clinical trials are expected to start in the second half of 2022.

This will be the third collaborative project for the two companies – in 2018 for influenza, 2020 for Covid-19 and now 2022 for shingles. Pfizer is making an equity investment worth \$150 million for this latest deal and BioNTech will receive \$225m upfront. BioNTech is also currently developing an mRNA vaccine targeting malaria. And in late January, Pfizer and BioNTech announced they have begun enrolment for a clinical trial to evaluate their novel, Omicron-specific vaccine for Covid-19. A day later, rival Moderna did the same.

These mRNA vaccines – big business using startling technologies with life-enhancing and life-saving possibilities.

One new vaccine

Pfizer-BioNTech and Moderna are not the only duos in the Covid-19 vaccine trade. Recently, two other companies, the manufacturer, Bharat Biotech and Ocugen, the distributor, based in India and the US respectively, have applied for regulatory approval of their Covaxin vaccine by the US Food and Drug Administration (FDA).

Covaxin appears to have at least four advantages. First, it has already, on 3 November 2021, received authorisation for emergency use from the World Health Organization (WHO). Second, Covaxin has been shown to possess high antibody neutralising activity, similar to the mRNA vaccines, against both Delta and Omicron. Third, for those who are cautious about the newish technology of mRNA vaccines, Covaxin is an old-school, inactivated virus vaccine. Fourth, while some other vaccines have a remote link to abortion via testing on foetal cell lines, Covaxin has no such connection in production, development, or testing.

Dr Krishna Ella, the chairman and managing director of Bharat Biotech, declared in an upbeat statement, 'Our goals of developing a global vaccine against Covid-19 have been achieved with the use of Covaxin as a universal vaccine for adults and children.'

However, controversy has arisen. According to Bharat Biotech, the vaccine was more than 90% effective in a late-stage, Phase 3, US-based clinical trial, but this was even before the Indian regulators had approved its use. The company has since published data suggesting 78% efficacy against Covid-19 of any severity. And a real-world study, published in *The Lancet* (23 November 2021), gave Covaxin even lower effectiveness against symptomatic Covid-19 at 50%.

Not all vaccine trials are the same – treatments, dosages, patients, variants and other variables make testing and comparing vaccines a thorny problem. Manufacturers and regulators would do well to confer and to increase transparency and to assist with the proper interpretation of their data.

One new Omicron variant

On 21 January, the UK Health and Security Agency (UKHSA) announced that it was investigating a sub-lineage of the Omicron coronavirus that it had formally designated as a 'Variant Under Investigation' (VUI). It is known as Omicron BA.2 and nicknamed by some scientists as 'stealth Omicron'

The UKHSA has reported that 'Early analyses suggest an increased growth rate compared to BA.1 [the original Omicron variant], however, growth rates have a low level of certainty early in the emergence of a variant and further analysis is needed.' However, BA.2 appears to be outpacing other forms of the variant around the world and is raising fears of an even more transmissible strain of the virus. By 21 January, some 426 cases of BA.2 had been detected in the UK, with the earliest dating back to 6 December. According to Dr Meera Chand, Covid-19 Incident Director at UKHSA, 'So far, there is insufficient evidence to determine whether BA.2 causes more severe illness than Omicron BA.1, but data are limited and UKHSA continues to investigate.'

Meanwhile, according to scientists in Denmark, where BA.2 is dominant, it appears to be more contagious but not more severe than the more common BA.1 sub-lineage. Moreover, the UKHSA has recently reported that BA. 2 has now been identified in 40 countries.

Three new doubtful variants

With the possible exception of BA.2, so far in 2022, there have been no reports of new variants, or at least the potentially dangerous variants of concern (VOC). However, there have been three interesting and seemingly false alarms of such variants nicknamed 'Deltacron', 'Flurona' and 'IHU'.

During the first week of January, a team of scientists from Cyprus reported the existence of 'Deltacron', this novel Covid-19 variant that combines characteristics of Delta and Omicron. However, the claim has been widely dismissed as being a result of contaminated laboratory samples or laboratory processing errors, though some suggest that it could be due to a genuine mutation caused by a recombination of the two viruses.

According to Leonidos Kostrikis, professor of biological sciences at the University of Cyprus, he and his colleagues identified 25 cases of the so-called 'Deltacron' variant, which had resulted in the hospitalisation of 11 patients and 14 with less severe Covid-19. On 7 January, the scientists submitted their data to the GISAID global surveillance database which tracks changes in viruses – a further development is awaited.

Meanwhile, in Israel, a 31-year-old pregnant woman contracted Covid-19 and seasonal influenza at the same time. It has been reported as the world's first case of 'Flurona', a neologism of flu and coronavirus. The patient, who was only mildly ill, was not vaccinated against either Covid-19 or influenza. She was discharged without complications. However, this incident has led to fears of a possible 'twindemic', but in truth, it seems like a false media story that should worry no one.

'Flurona' is neither a new, nor a single, viral variant. It is two viruses acting in tandem. It is a two-viruses-at-once condition. Indeed, such infections with two or more disease-causing organisms at the same time, correctly called a co-infection, are not uncommon. Specifically, cases of flu and Covid-19 appeared together in the USA during the spring of 2020. And in the same year, a Chinese study reported that 7 out of 257 Covid-19 patients also tested positive for influenza. If viral co-infections occur, the best advice is, to get both treated, get both vaccinated.

The third suspected Covid-19 variant was first detected in October 2021 and was thought to have been introduced into France by a traveller returning from the Cameroons. The World Health Organization (WHO) classified it as B.1.640.2 and on 22 November 2021 designated it as a variant under monitoring (VUM), meaning its spread and severity would be repeatedly scrutinised and assessed.

By December 2021, it was reported to have infected 12 patients in France. It was temporarily dubbed the ‘variant IHU’ because a team from the Méditerranée Infection University Hospital Institute (IHU) in Marseilles, France were the first to report the variant in a pre-print paper entitled, ‘Emergence in Southern France of a new SARS-CoV-2 variant of probably Cameroonian origin harbouring both substitutions N501Y and E484K in the spike protein’ by Philippe Colson et al., in MedRxiv on 29 December 2021. Variant ‘IHU’ apparently has 46 mutations and 37 deletions in its genetic code, many of which affect the biologically-significant spike protein, including the familiar N501Y and E484K. Further testing to assess the virological, epidemiological or clinical features of this ‘IHU’ variant are ongoing. The French researchers, rather disrespectfully, did not submit their data to GISAID, the global surveillance database.

Both ‘Deltacron’ and ‘Flurona’ are less about serious aspects of Covid-19 and influenza than about the power of social media to create hyped stories based on meagre evidence. The WHO has subsequently reported that ‘IHU’ or B.1.640.2 has been spreading more slowly than Omicron and so it was of relatively little concern, so far. This is not unusual. There are scores of new Covid-19 variants frequently being discovered, but the vast majority are of no or little consequence with respect to human health.

Whatever the eventual outcome of these three reports about ‘Deltacron’, ‘Flurona’ and ‘IHU’ so-called ‘variants’, they can all be largely avoided by getting both Covid-19 and influenza jabs – ask your doctor for details!

And another antiviral

In mid-January, Molecular Partners, a small Swiss biotech company, agreed with Novartis, the giant Swiss drug maker, to in-license its Covid-19 antiviral drug known as Ensovibep for 150 million Swiss francs (£120 million). It is being promoted as the first antiviral to attack the coronavirus’s spike protein not in just one, but in multiple ways. This multipronged attack suggests that it might work well against future highly-mutated variants.

In mid-December, Novartis had released some preliminary Phase 2 results that showed Covid-19 patients who took the therapy achieved a statistically significant reduction in their viral load over an eight-day study period and also had a 78% lower risk of being hospitalised or dying. Novartis had already reported that its Phase 1 laboratory studies indicated that Ensovibep could neutralise variants of concern including Alpha, Beta, Gamma, Delta and Omicron.

However, while these results look encouraging, there is a lack of information on safety data and protocols for use, such as dosage and timings of administration. But perhaps the biggest downside of Ensovibep is that the therapy needs to be given via an intravenous infusion, hence only in a medical environment. Whereas the Merck and Pfizer antivirals, molnupiravir and Paxlovid, as more convenient pills, can be administered anywhere.

On the plus side, Ensovibep belongs to a new class of drugs called DARPins (Designed Ankyrin Repeat Proteins), which can be manufactured relatively simply, cheaply and in bulk. Novartis is therefore emphasising the potential of Ensovibep for large volumes at lower cost, for equitable access across Africa, Asia and Latin America.

Novartis is now preparing for a 1,700-patient clinical trial of Ensovibep around the world. And there are plans to apply for emergency use authorisation in the US and for talks with European agencies too.

And another antibody

Covid-19 treatments as alternatives to vaccines are big business. Think of the potential number of patients. The hunt is up and running. Antibodies seem like sensible candidates since they are dominant components of the remedial immune system.

David Veessler thought so too. He and his colleagues at the University of Washington, Seattle, have taken a pragmatic approach to find a suitable monoclonal antibody. They searched the blood of an infected person, the so-called convalescent plasma approach, for antibodies that bind to the Covid-19 spike protein, the gateway which lets the virus enter human cells. They found one particularly potent antibody, called S2K146, which protected cells from infection by the original strain of Covid-19 as well as the Alpha, Beta, Delta and Kappa variants and more recently, in a separate study, the Omicron variant too.

This is very preliminary work. However, administering S2K146 to hamsters infected with Covid-19 greatly reduced or eliminated replication of the virus. In addition, the team found that mutations that prevented S2K146 from binding to spike protein also rendered Covid-19 much less effective at infecting cells. Maybe variants will be less likely to mutate in order to escape the effects of S2K146.

This research has been reported as 'Antibody-mediated broad sarbecovirus neutralization through ACE2 molecular mimicry' by Young-Jun Park et al., published in Science, 6 January 2022.

So, here is S2K146, another monoclonal antibody treatment, maybe, along with GlaxoSmithKline's Sotrovimab and AstraZeneca's Evusheld, and numerous others already in early trials. S2K146 may yet prove to be effective in treating and preventing Covid-19. Time and money and commitment and enthusiasm are required to bring it to fruition, but S2K146 does appear to be an ideal candidate for clinical development.

The nocebo effect

Nobody likes having a vaccination jab. And vaccinations often come with adverse effects. Common reactions to Covid-19 jabs are headaches, short-term fatigue and arm pain. Now American scientists have reported that more than two-thirds of these side effects can be attributed to a negative version of the placebo effect rather than the vaccine itself. They call it the nocebo effect.

The scientists examined data from 12 clinical trials of Covid-19 vaccines and found that the nocebo effect accounted for about 76% of all common adverse reactions after the first dose and nearly 52% after the second dose. These reactions were evidently caused not by the vaccine per se, but by other factors including anxiety, expectation and wrongly attributing various ailments to having had the jab.

This work has been reported as, 'Frequency of Adverse Events in the Placebo Arms of COVID-19 Vaccine Trials: A Systematic Review and Meta-analysis' by Julia Haas et al., in JAMA Open Network (18 January 2022).

The researchers think that better public information about nocebo responses may improve Covid-19 vaccine uptake by reducing the concerns that make some people hesitant. 'But', they say, 'we need more research.'

Four Covid-19 jokes

It is said that humour is an essential coping tool for surviving tough times. On the basis that shared laughter can apparently give strength in adversity, here are four Covid-19-related jokes. Sincere apologies to those who may find them gratuitous – they are included with only good intentions:

1. I would make a Covid-19 joke, but it would be tasteless.
2. Has Covid-19 forced you to wear glasses and a mask at the same time? You may be entitled to condensation.
3. What's the difference between Covid-19 and Romeo and Juliet? One is the coronavirus and the other is a Verona crisis.
4. Day 7 isolating at home and the dog is looking at me like, 'See? This is why I chew the furniture!'

Update on Life Issues - February 2022

by John Ling

Previous editions of this update may be found on John Ling's personal website: www.johnling.co.uk

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Abortion

Abortion global statistics

Consider this: during 2021, more human beings died by abortion than any other cause of death. Statistics compiled by Worldometers indicate that there were over 42.6 million abortions worldwide last year. This independent organisation collects data from governments and other sources and then reports the figures, along with estimates and projections. It estimated that the overall global abortion figure was this huge 42,640,209.

By contrast: 8.7 million people died from cancer in 2021; 5 million from smoking; 13 million from various other diseases and 1.7 million from HIV/AIDS. With 58.7 million people dying during 2021 from a cause other than abortion, means that abortions accounted for 42% of every death around the world.

Of course, the accuracy of these data can be questioned. Many are true, some are guesstimates, while others are probably dubious. But what is not in doubt is the overall trend. In any table of 2021 deaths, abortion will come top. Even compared with the 5.5 million Covid-19 deaths since the pandemic started two years ago in 2020, abortion is the big killer.

Abortion in the USA

The two BIG challenges to abortion in the USA, and by repercussion also to abortion worldwide, are still bound up in the forthcoming US legal case emanating from Mississippi of Dobbs v. Jackson Women's Health Organization and its ban on abortions after fifteen weeks, plus the contentious 2021 Texas Heartbeat Act and its ban on abortions after six weeks.

First, after several complex rulings in lower courts, Dobbs v. Jackson Women's Health Organization has eventually arrived at the Supreme Court of the United States (SCOTUS). Oral arguments were heard on 1 December 2021 – judgement is expected by the Summer of 2022, perhaps in June. In other words, a decision is pending. Pro-life advocates hope, even expect, the SCOTUS will overturn or, at least, scale back Roe v. Wade and again allow individual states to protect their unborn children.

Second, the 2021 Texas Heartbeat Act has also been subject to numerous legal disputes aimed at overturning this law. On 22 October, the SCOTUS agreed to review two challenges – one brought by the US Department of Justice and the other by an abortion provider. The cases were argued on 1 November. The SCOTUS rejected the former case and voted to remand the other case back to the Fifth Circuit. On 9 December, a district court judge, David Peebles, ruled that portions of the Act violate the Texas Constitution, but he did not insist on enforcing the law. That ruling was appealed. On 20 January, the SCOTUS voted 6 to 3 to reject a plea to return the case to US District Judge Robert L Pitman, who, in October, had issued a ruling blocking the Texas ban. In other words, the Texas Heartbeat Act remains in force – it is estimated that it has already save the lives of as many as 10,000 unborn children.

Meanwhile, Americans have been surveyed. In a Marist poll, published in January, respondents self-identified as 55% 'pro-choice' and 40% as 'pro-life, yet 61% want Roe v. Wade overturned. Only 17% agreed that 'abortion should be available to a woman any time she wants one during her entire pregnancy.' In other words, 83% of US citizens want some kind of limitation on the current US pro-abortion legal policies.

DIY abortion dangers

Chemically-induced abortions, also known as medical abortions, involve taking two tablets. The first, mifepristone, is taken at a hospital or clinic. It is designed to kill the developing baby. The second, misoprostol, can usually be taken at home where it induces a miscarriage to expel the unborn child from the womb. In the UK, 85% of all abortions are now medically induced.

From March 2020, in response to restrictions imposed because of the Covid-19 pandemic, the government introduced telemedicine and 'emergency' measures to allow both abortion pills to be taken at home, with no direct medical oversight. In other words, medical abortions became DIY abortions. These measures were regarded as stopgaps.

Kevin Duffy, an independent public health consultant and former director of abortion at Marie Stopes International, has led a freedom of information (FOI) investigation into what the government promised would be a temporary change to the medical abortion rules. The report is available online under the title, FOI Investigation into Medical Abortion Treatment Failure.

Duffy and his team garnered responses from 85 NHS Trusts in England, representing about 80% of the population. He discovered that between June 2019 and May 2021 at least 10,000 women, or about 6% of abortion pill users, had reportedly needed to attend hospital suffering from serious side effects. More than half of these women required surgical intervention, mainly for retained products of conception (RPOC), and over a third needed medical help because of severe haemorrhaging.

Duffy has said, 'This is the disturbing truth of abortion care during the pandemic that has not been reported to the government by providers. This investigation exposes the reality of what thousands of women experiencing crisis pregnancies have been through during the pandemic. It demonstrates clearly what needs to change and why the government must not make DIY home abortion telemedicine permanent. The time to end it is now well overdue.'

In November 2020, the government launched a public consultation entitled, Home use of both pills for early medical abortion, on whether to make these new rules permanent. The closing date was 26 February 2021 but the government has yet to declare its policy intentions. The GOV.UK website merely states, 'We are analysing your feedback.' Could it be that the government wants the 'emergency' measures made permanent? Probably. But on the basis of the results from Kevin Duffy's investigations, the government should decide and act, pronto.

Abortion as a perk

All sorts of jobs have all sorts of perks. Of course, there are wages and holidays and protective clothing and some companies will even pay for IVF treatments. Step up the City of Boston, Massachusetts. Its employees can now apply for up to 12 weeks of paid leave after an abortion.

This is quite the opposite of the traditional maternity leave, which has also morphed, in an age of equality, into paternity leave. The Boston perk, approved at a City Council meeting last September, applies to both women and men. How woke! But hey, men can also be profoundly affected by abortion. Allowing time to bond with baby and the physical and emotional disruptions the little tot brings is a sensible and practical perk. But post-abortion? With no baby? Perhaps abortion is not just that quick lunchtime op as it has been advertised. Perhaps it really does adversely affect both women and men so that they need time to recuperate.

As Patricia Stewart, of Massachusetts Citizens for Life, commented in The New Boston Post the move supports the pro-life argument, 'Ironically, the grant of abortion leave reinforces the pro-life view that abortion is a serious medical choice with potentially life-altering consequences for a woman's physical, emotional, and psychological health.' Maybe Boston really is the 'Cradle of Modern America'.

Abortion bill in Northern Ireland

Like the rest of the UK, abortion in Northern Ireland is legal up to birth if a serious handicap is suspected, not necessarily proved. Such conditions would include Down's syndrome, spina bifida and cleft palate. Disability campaigners have long recognised the inequality of such a measure and therefore supported Paul Givan as he sponsored and introduced the Severe Foetal Impairment Abortion (Amendment) Bill on 16 February 2021. It would have prevented abortion up to birth for babies with non-fatal disabilities. There were high hopes of legislative success.

But those hopes were dashed on 14 December, when Members of the Legislative Assembly (MLAs) voted by 45 to 42 to reject a key clause in the Bill at its Consideration Stage.

Supporters of the Bill were aghast. The Moderator of the Presbyterian Church in Ireland (PCI), the Right Reverend Dr David Bruce, expressed the dismay of many at the Bill's defeat. He stated, 'We are deeply disappointed that this legislation was rejected by a very narrow majority of MLAs. The decision by MLAs sends a profound message to society about the value that is placed on all human life. Within PCI we affirm that all human life has value and dignity, because of our belief that we are all made in the image of God. We believe that our worth and identity derives from this principle, rather than a subjective judgement about the quality of life, and the ability to make a contribution to wider society.'

Lynn Murray, from the disability rights' charity, Don't Screen Us Out and the mother of a daughter with Down's syndrome, said, 'There's been very overwhelming public support for this law to change and almost 100% of the submissions to the Northern Ireland Committee for Health Consultation on the Bill supported this important law change. Any law that should be brought about now should consider the fact that a life of disability is as equal to any other life, and we should not discriminate against it in any law.'

Opponents of the Bill and pro-choice campaigners have argued that the Bill was an attempt to erode women's reproductive rights. Oh, my heart sinks.

IVF and ARTs

Changes to fertility law and practice

There is always, quite rightly, considerable nervousness in the air when the HFEA (Human Fertilisation and Embryology Authority) begins to publicise its plans to tinker with the 1990 Human Fertilisation and Embryology Act, the law that governs human embryo research and fertility treatments in the UK. Such occasions usually presage a loosening of the current legal and bioethical boundaries.

And so it was on 1 December 2021, at the annual conference of the Progress Educational Trust (PET), with its stated 'mission is to educate and debate the responsible application of reproductive and genetic science.' In other words, it wants to liberalise most aspects of the 1990 HFEA Act.

Top of the list of the twenty or so speakers was Julia Chain, since April 2021, the chairwoman of the HFEA. She is a qualified corporate lawyer and active in the charitable and public sector, especially with Jewish organisations. There is some hope that she can sort out the problems at the HFEA in terms of its unbridled procedures and lack of conservative bioethical practices.

During her PET speech, Mrs Chain clarified her view that much of the 1990 HFEA Act remains suitable for purpose. Phew, so no wholesale revision is envisaged. However, she claimed that the fertility and research sectors had become increasingly difficult to regulate, given the substantial medical advances and changes in social attitudes. So is the 1990 Act suitable, or is it creaking a little?

Prior to her speech, Mrs Chain had asserted, 'It's time we really had a look at what needs to be modernised.' In her address, she pointed out that the 1990 Act does not contain 'any words in it relating to patients, patient safety, or even outcomes of treatment.' As a regulator, she argued that it was the duty of the HFEA 'to keep all those three things at the front of our work.' OK-ish, so far.

Nevertheless, there seems to be some friction between PET and the HFEA. Another speaker, Sarah Norcross, director of PET, welcomed the HFEA's call for modest modernisation. She continued, somewhat provocatively, that, 'The law and regulation that govern fertility treatment and related research are showing their age.' Hers was clearly a call for more fundamental changes to the 1990 Act.

Chain continued in her speech, by highlighting several other areas of the 1990 Act that require attention. The first concerned patients' protection and maintaining the quality of care provided for them. This would address poor performance, such as economic sanctions against non-compliant fertility clinics. This would also include addressing the increasing commercialisation of the fertility sector, where 65% of treatments are self-funded and public funding is poorly distributed, resulting in the infamous 'postcode lottery'. However, she explained that the HFEA currently has little power over this particular aspect of fertility treatment.

Chain also tackled the issue of fertility treatment 'add-ons', and the long-known possibility that these can contribute to patient confusion and to financial exploitation by clinics. In addition, she touched on several other areas where she considered the 1990 Act to be out of step with modern families and medicine, including the definition of a mother as 'the woman who is carrying or has carried a child'. This, she explained, effectively excludes some same-sex couples, transgender parents and single parents.

Finally, Mrs Chain singled out the 14-day rule, which currently requires human embryos used in research to be destroyed within 14 days of their creation. This is a present-day hot potato with research scientists increasingly calling for an extension of this upper time limit.

Somewhat regretfully, Chain anticipated that quick progress could be made to bring about some of these controversial changes, saying, 'We are not starting with a blank sheet of paper and much of the Act remains fit for purpose.' She added that her aim is 'to reach an outline agreement with the Department of Health and Social Care next year on what needs to change.' This speech was a curate's egg lecture – good and bad in parts. The good bits are to leave the 1990 Act intact despite its utilitarian agenda and anti-life stance. It could be made worse. The bad bits are the push for ever more fertility treatments and lengthier research – in other words, more deliberate destruction of human embryos.

Well, whatever next?

When are genes first active in newly-formed human embryos? A good question to which all worthy pro-life people will intuitively reply, 'On day one, of course.' And they are right, both bioethically and scientifically, but it is only recently that some scientists are catching up on the correct science.

A recent study has shown that human embryos begin to display gene expression [the process whereby the information contained in a gene is converted into a gene product, usually a protein] at the single-cell stage, during day one, immediately after fertilisation has commenced, and called a zygote. Well, whatever next? So what have pro-life people been maintaining for decades? Explicitly and exactly that. It is the way the zygote divides and grows into the next essential stage of human

development, the morula and then the blastocyst and so on. Apparently, previous studies could not detect genetic transcription, [the process whereby DNA is read, messenger RNA molecules produced and proteins synthesised] until the embryo had grown to four or eight cells, around two or three days after fertilisation. So when does human life begin? Come on you casuists and sophists and doubters, speak up.

A team of scientists, co-led by Professor Tony Perry at the University of Cambridge and Dr Matthew VerMilyea from Ovation Fertility in the USA, used high-resolution single-cell RNA-sequencing methods to measure genetic transcription in 12 human ova donated by seven women and 12 human embryos provided by six different donors. The work, entitled, 'Human embryonic genome activation initiates at the one-cell stage', by Maki Asami et al., has been published in *Cell Stem Cell* (2022, 29: 1-8).

Interestingly, the researchers found that gene expression continued from the single-cell embryo until the two, four and eight-cell stages when activity substantially diminished. Perry suggested that 'a sort of genetic shift-work starts soon after fertilisation' and a second shift takes over by the eight-cell stage. Or, of course, this observed diminution of gene expression could have been due to an experimental artefact.

Bioethically, the results of this work are 'old hat'. Scientifically, it is somewhat novel. It may lead to, for example, a better understanding of what triggers the activation of transcription, another poorly-understood process, though perhaps to be triggered by the ovum. There are many details around the early days of human life that are unknown and even baffling, but the basic foundations are clear. As Asami and colleagues have confirmed, 'Gene expression initiates at the one-cell stage in human embryos.'

Another bizarre case

From time to time the most uncanny examples of assisted reproductive technologies (ARTs) come to light. Here is another. Carole Horlock is probably the UK's, maybe even among the world's, most prolific surrogate mother. She has carried 13 babies for others and then given them away. Ten years ago, at the age of 49, she decided to stop surrogacy.

But there is more. In June 2021, she confirmed that in June 2004 she inadvertently gave away one of her own children – born as a 9lb 4oz boy. She believed he was conceived using her own ovum and the sperm of a client. But some six weeks after the birth, the commissioning couple undertook DNA testing and discovered that the baby was hers and her husband's, Paul. However, they still chose to hand over their son.

As Mrs Horlock stated, 'We agonised over what to do, but in the end decided to let them keep him.' In the meantime, contact and communication with the commissioning parents and their son had broken down. It is a recurring story. As she confirmed, 'But there is a darker side when it goes wrong – the heartbreak, emotional roller-coaster and acrimony are devastating.' And yet, 'We live in hope he is aware of us and, when he turns 18, (in June 2022) he'd like to see us.'

Is surrogacy good? See how ARTs can wreck the wholesome, tried-and-tested patterns of traditional reproduction and parenthood?

ART adverse birth outcomes

There have been a plethora of studies examining pregnancies, births and outcomes associated with assisted reproductive technologies (ARTs). Here is the latest to join that oeuvre. It is entitled, 'Medically Assisted Reproduction Treatment Types and Birth Outcomes: A Between-Family and Within-Family Analysis' by Alina Pelikh et al., and published in *Obstetrics & Gynecology*, (2022, 139: 211-222).

The authors' objective was to compare the risks of adverse birth outcomes among pregnancies conceived with and without medically-assisted reproduction treatments. They used the birth certificates of all babies born in Utah between 2009 and 2017 – a total of 469,919 deliveries of which 248,013 were studied further and of which 5.2% were conceived through ARTs, subdivided into 'minor' forms, such as fertility-enhancing drugs and 'major' forms, such as artificial insemination (AI) and in vitro fertilisation (IVF).

Those babies conceived through ARTs had lower birth weights (LBW), were smaller for gestational age (SGA) and more likely to be preterm (less than 37 weeks) than those neonates who were conceived naturally. When the cohort who had used more invasive methods of ARTs, such as AI and IVF were studied, the outcomes were worse. For example, the proportion of LBW and preterm birth was 6.1% and 7.9% among neonates conceived naturally and 25.5% and 29.8% among neonates conceived through ARTs, respectively.

After statistical allowances were made for various neonatal and parental characteristics, the differences in birth outcomes were less but still statistically significant. For instance; ART-neonates were at 3.2% higher risk for LBW and 4.8% higher risk for preterm birth. Unsurprisingly, when within-family analyses were made, that is among siblings, the differences in the frequency of adverse outcomes between natural and ART-conceived babies were small and statistically insignificant for all types of treatments.

Alina Pelikh and her colleagues concluded that 'Medically assisted reproduction treatments are associated with adverse birth outcomes; however, those risks are unlikely to be associated with the infertility treatment itself.' Overall, this research adds little to what is already known. Yes, babies conceived by ARTs, and especially IVF, display more and greater adverse outcomes than their naturally-conceived counterparts. And different studies report different figures for adversity. And many other studies have concluded that the physical and chemical manipulation of ARTs, as well as the health problems of infertile couples, are likely causes of adverse outcomes. This current study assessed none of these directly or in detail, only by deduction.

ARTs are always problematic. And that applies not just to their bioethical dilemmas. Or their costs. Or their failures. Or their stresses. But also to their adverse outcomes. Yes, again, ARTs are best avoided.

Euthanasia and Assisted Suicide

Baroness Meacher's Bill

This Assisted Dying Bill is still awaiting its day in the Committee Stage, where Peers will discuss and vote on amendments to the Bill. However, opponents have added nearly 200 amendments, many intended merely to frustrate the process and essentially ensure the Bill will run out of time before it can proceed in the Parliamentary process. It is another waiting game.

The UK is slipping

The UK's Crown Prosecution Service (CPS) seems intent on moderating the rules governing the prosecution of those involved in so-called 'mercy killing' and suicide pact cases. The upshot is that they will be less likely to face criminal charges. A 12-week public consultation on the new draft guidance, entitled, 'Consultation on public interest guidance for suicide pact and "mercy killing" type cases' and consisting of nine questions, was launched in mid-January and will run until 8 April 2022.

Current guidance states that, where there is enough evidence, 'a prosecution is almost certainly required, even in cases such as the "mercy killing" of a sick relative.' 'Mercy killing' is usually, and rather vaguely, defined as the killing of someone who is very old or infirm. Under the new draft guidance in cases where a suspect is 'wholly motivated by compassion' or where the person

had reached a 'voluntary, settled and informed decision to end their life', CPS prosecutors will be told that such cases may not be in the public interest. Such changes would also apply to cases when someone has tried to take their own life as part of a suicide pact. The Director of Public Prosecutions, Max Hill, has said that in certain cases, sometimes 'justice can be achieved by not prosecuting.'

There are enormous dangers by introducing changes in this sensitive and emotive area. As it stands, the law acts as both a protective and deterrent. Any liberalising changes and the vulnerable are most likely to be at heightened risk. Senior prosecutors insist that the proposed guidance 'specifically states that it is not intended to decriminalise murder, manslaughter or attempted murder.' However, to many observers, these proposals look as though 'mercy killing' is being gradually legalised.

England, Wales, Scotland and Jersey are on thin ice

On Wednesday 26 May 2021, Baroness Meacher introduced her Assisted Dying Bill in the House of Lords. It aims to change the law in England and Wales to legalise assisted suicide for terminally-ill patients who have six months or less to live. On 22 October, at its Second Reading debate, the Bill, as is the convention, was passed unopposed. As mentioned above, it now moves to the Committee Stage which is a line by line scrutiny of the proposals. No timetable or publications have yet been forthcoming.

Meanwhile in Scotland, Liam McArthur MSP, of the Scottish Liberal Democrats, is sponsoring his Proposed Assisted Dying for Terminally Ill Adults (Scotland) Bill. This is a proposal, an unusual procedural route, for a Member's Bill to enable competent adults, who are terminally ill, to be provided at their request with lethal drugs to end their life. It has been strongly criticised by healthcare staff, academics, disability campaigners and faith groups. These groups believe it will lead to serious harm against the most vulnerable, undermine palliative care, and create an ever-widening law. They also stress that the process of assisted suicide itself is both painful and undignified.

The draft proposal was subject to a public consultation that closed on 22 December 2021. An unprecedented in excess of 10,000 responses were received – the most replies to a member's consultation ever recorded at Holyrood.

A spokesman for CARE commented, 'The huge response to this consultation underlines just how alarming and controversial Liam McArthur's proposals are in Scotland and more widely. Many people are deeply upset at the prospect of legislation that would see suicide normalised in healthcare, with all the resultant harms for patients, medics and wider society.'

'Good societies treat suicide as a terrible act, to be mourned and prevented. We want to see a Scotland where hope and help are at the centre of our response to human suffering, not lethal drugs. And we want to see excellent end-of-life care for every person. When assisted suicide is legalised, this goal is undermined. We call on MSPs in every party to carefully review the evidence of assisted suicide's harms and reject this latest attempt to change the law, as parliament has done on more than one occasion in the past.'

No further information, such as procedural timetables or the various parties' policies, has been issued.

And the politicians of that tiny UK Crown Dependency in the English Channel, known as the Bailiwick of Jersey, have voted to approve in principle the legalisation of assisted dying. They voted on 25 November by 36 in favour to 10 against with 3 absentees. A further debate is to be held in 2022 after details of the processes and safeguards have been presented. A draft law could be debated and voted on in 2023.

Austria capitulates

On New Year's Day assisted suicide became legal in Austria. The Austrian Supreme Court had declared that the country's former ban was unconstitutional – apparently it violated a citizen's right to self-determination.

The substance of the new law is fairly conventional. A patient must be over 18 and chronically or terminally ill. Each case is to be assessed by two doctors, one of whom must be an expert in palliative medicine. There is a mandatory 12-week 'cooling-off' period, but if the patient is terminally-ill, that period can be reduced to two weeks. The patient would then draw up an advance directive, or 'death will' with a lawyer or a patient advocate before being able to obtain a lethal drug from a pharmacist.

Until now, under Austrian law, anyone who assisted someone to kill themselves faced up to five years in prison. However, and this is the unconventional bit, within the proposed regulations is an important rider. The advance directive can specify a person who is authorised to assist the patient to end her life by helping her ingest the prescribed lethal drug. This 'assistance' includes actively administering it, even if the patient loses decision-making capacity. In other words, Austria has become the first jurisdiction to legalise euthanasia by laypersons, namely non-healthcare practitioners and family members. Such assisting in the death of a person who is unable to self-administer the lethal poison is full-on euthanasia.

Assisted suicide and euthanasia are spreading across Europe. The countries where one or the other or both are currently legal include Belgium, Luxembourg, the Netherlands, Switzerland and Spain. Germany and Portugal have also legalised, but not yet implemented, these gruesome procedures.

Portugal and Colombia survive

Marcelo Rebelo de Sousa, the president of Portugal, has refused to sign a bill even though euthanasia and physician-assisted suicide have already been legalised in his country. This is the second time he has rejected such a bill. Last February, he vetoed the original bill because its wording was too imprecise. However, this revised measure, which no longer requires patients to be terminally ill means, he insists is, 'a considerable change of weighing the values of life and free self-determination in the context of Portuguese society.' This euthanasia bill is now abandoned until a new parliament and government are chosen early in 2022.

Colombia is another story. Bewildering is a good descriptive word. In November, the country's House of Representatives voted on a bill sponsored by the euthanasia campaigner, Congressman Juan Fernando Reyes Kuri. It failed by 65 votes in favour and 78 against. Yet way back in 1997, Colombia's Constitutional Court ruled that euthanasia was legal. However, the Court insisted that the county's legislature must draft a suitable law. In the supervening 25 years, no such law has been tabled. Apparently, Colombia's lawmakers have been resolutely against euthanasia. Indeed, in the debate that preceded this recent vote, Congressman Buenaventura León declared, 'The practice of euthanasia constitutes a serious offence against the dignity of the person and encourages the corrosion of fundamental values in a social order. It would be very dangerous for the most fragile. The Law is made to protect life.'

This section on 'Euthanasia and Assisted Suicide' in these Updates on Life Issues is always the most dreary and worrisome to write and read. There is rarely anything positive to affirm. When such unnatural deaths are authorised by law and performed by fellow citizens, it sends a clear message that civil society is crumbling.

Genetic Technologies

The CRISPR babies

Remember Lulu and Nana? They were the twin girls who were at the centre of the shocking news that He Jiankui had used CRISPR editing to produce the first germline genome-modified human babies in 2018. A recent article in *Nature Biotechnology* (2021, 39: 1486-1490) and entitled 'The CRISPR children' by Vivien Marx gives an update on the girls' welfare.

However, the update is not very comprehensive. It says, '... their fate remains shrouded in secrecy amid swirls of rumours. Many people contacted for this story refused to speak about the babies.' What is known is that medical examinations have been performed on Lulu and Nana, including blood tests. These were conducted at birth, at one and six months and at one year. Liver function tests will follow at age five and IQ tests at age 10. And there will be HIV testing. Dr He's original reason for using CRISPR-Cas9 was to alter the girls' DNA to give them immunity from HIV.

Nevertheless, as laudable as this testing regimen appears to be, no results have yet been publicised. And what about their mental health? Perhaps this silence is all a case of medical confidentiality. But these are special toddlers and the world is watching and waiting for information. We know that CRISPR can be associated with mosaicism and very serious risks caused by genetic mutations and unexpected off-target modifications. In other words, certainties about the potential risks of gene-editing and the uncertainties about Lulu's and Nana's health and welfare should prevent any further trials of human germline CRISPR editing.

A genetically-modified pig's heart

David Bennett, a 57-year-old resident of Maryland, USA, has suddenly become famous. He is the first person to receive a genetically-modified pig's heart as an alternative solution to his cardiac problems. For decades, doctors and scientists worldwide have dreamed of transplanting animal organs into people, a process known as xenotransplantation. Pigs have similarly-sized organs to humans. If porcine hearts could be used for transplants, the lengthy human waiting lists would shrink.

Bennett's first signs of heart disease were in October 2021 when he began having severe chest pains. In addition, he was suffering from fatigue and shortness of breath. His uncontrollable arrhythmia prevented him from being fitted with a conventional artificial heart. The transplant process began on 15 December, when Bennett agreed to be part of this experimental surgery. Maryland officials submitted an application to the US Food and Drug Administration (FDA) on 20 December, requesting 'compassionate use' authorisation to proceed. It was granted on New Year's Eve.

So on 7 January, during surgery that lasted nine hours, a team of doctors, led by Muhammad Mohiuddin, attached Bennett to the heart of a one-year-old, 240-pound, gene-edited pig that had been bred explicitly for this purpose at the University of Maryland Medical Center. Three days later, Bennett was breathing independently without the need of a ventilator. However, he was still hooked up to an extracorporeal membrane oxygenation (ECMO) pump that assisted the circulation of blood around his body. Doctors plan to wean him off it gradually.

Rejection is THE big obstacle in such transplants. The pig was genetically prepared by Revivicor, a subsidiary of United Therapeutics and based in Blacksburg, Virginia. Ten genetic modifications were carried out before the pig's birth. These involved turning off three porcine genes that typically trigger immediate rejection by the human immune system. In addition, six human genes were added to prevent blood clotting in the heart and to improve molecular compatibility, thus further reducing the risk of rejection. And one final gene was knocked out to keep the pig's heart from responding to growth hormones so that it remained human sized. No details of these modifications have been released for reasons of commercial secrecy and scientific competition.

Such innovative and controversial medicine is inevitably surrounded by clinical, regulatory and technical hurdles. In addition, ethical objections come from animal rights activists, who are opposed to the use of pig organs, and from a growing cohort concerned about the ethics of producing these human-animal hybrids and their use in animal-human surgical procedures.

The immediate future of pig-human xenotransplantation depends on the recovery and future health of David Bennett. Many already consider his surgery a success. The intermediate future depends upon a supply of these specially-bred and genetically-modified pigs. The longer-term future depends upon overcoming those clinical, regulatory, technical and ethical hurdles.

Meanwhile, as a postscript, Bennett has said that his favourite food is bacon!

Base-editing precision

CRISPR-Cas9 is a well-known and proven method for gene editing. Base editing is somewhat different. Instead of cutting and replacing a section of DNA, the enzyme DNA deaminase in conjunction with CRISPR–Cas9 can be used to change a target DNA base into another. The disadvantage is that unregulated DNA deaminase activity can result in unwanted mutations, some of which can be hazardous. To overcome this promiscuous shortcoming, scientists at the University of Pennsylvania have devised a method to split the DNA deaminase into two inactive parts. These two components can then be safely introduced into a cell and triggered, by a cell-permeable compound called rapamycin, to reassemble and become the activated enzyme.

This work was published as ‘Controllable genome editing with split-engineered base editors’ by Kiara Berríos et al., in *Nature Chemical Biology* (2021, 17: 1262-1270).

The study’s senior author is Rahul Kohli, associate professor of medicine at the Perelman School of Medicine. He has stated, ‘Our newly created split-engineered base editors really offer new potential for both research and therapeutics.’ The method seemingly allows for more controlled, more precise changes to be made at the target gene. And it is thought that the technique now has the potential to be used in vivo. Maybe it can be used to model diseases by altering a key gene. And maybe it can offer doctors an option for editing a patient’s genes for therapeutic purposes.

Stem-cell Technologies

Blood stem-cell treatment

Stem-cell treatments have, over the last 20 years or so, proved to be biologically startling, but also safe and efficient. Yet, like all medical therapies, they can be improved.

Here is a typically small, but maybe significant step towards improvement. It has been reported as, ‘Syndecan-2 enriches for hematopoietic stem cells and regulates stem cell repopulating capacity’ by Christina Termini et al., in *Blood* (2022, 139: 188–204).

The researchers, from the Department of Medicine, Cedars Sinai Medical Center, Los Angeles, discovered that a certain protein was expressed significantly higher in early, pluripotent blood stem cells than in later, more differentiated cells. The team showed that this protein, syndecan-2, can identify primitive blood stem cells and also regulate stem-cell function, what they called ‘repopulating capacity’.

OK, this is a preliminary study in mice. Nevertheless, when bone marrow cells were extracted from adult mice and their surface proteins categorised, the researchers discovered a population of hematopoietic stem cells (HSC) that could synthesise syndecan-2. When these were transplanted into mice after irradiation (to mimic chemotherapy) the numbers of long-term blood stem cells increased by a factor of up to 10-fold, whereas when transplants of HSCs that lacked syndecan-2 were undertaken, the stem cells stopped replicating.

HSCs make all the blood and immune cells in the body. Yet they make up less than 0.01% of the cells in bone marrow and peripheral blood. They are essential in the treatment of cancers, such as leukaemia and lymphomas, yet they are typically destroyed by chemotherapy. In other words, infusions of bone marrow and blood cells contain only a small concentration of therapeutic stem cells. Maybe syndecan-2 can be used to select the best functional stem cells when carrying out stem-cell transplants. For mice and for men. This work has resulted in perhaps just a minor observation, but in the future, if you need an effective bone marrow transplant, after cancer treatment, this could be very welcome news.

Stem-cell gene therapy for Hurler syndrome

Hurler syndrome, formerly known as gargoylism, and technically referred to as mucopolysaccharidosis type I, Hurler variant [MPS1-H], is a rare genetic disease characterised by skeletal abnormalities, cognitive impairment, heart disease and a reduced life expectancy. It is caused by the incomplete removal of glycosaminoglycans (GAGs) from the body because of a lack of an enzyme, alpha-L iduronidase that breaks down GAGs. The enzyme is encoded by the IDUA gene. In other words, Hurler syndrome patients are IDUA-deficient.

An allogeneic hematopoietic stem-cell transplant, also known as bone marrow transplantation, is the standard therapy for Hurler syndrome. However, this stem-cell treatment is only partially curative and associated with complications.

A team of researchers, mostly affiliated with the MPS1 team at the San Raffaele University, Milan, have been studying a group of eight children diagnosed with MPS1-H. All of these patients lacked suitable allogeneic donors but had IQ scores above 80, meaning none had moderate or severe cognitive impairment. The children received autologous (meaning from self, so the patient was the donor) hematopoietic stem and progenitor cells (HSPCs) that had been infected with an alpha-L-iduronidase (IDUA) gene using a lentiviral vector. The planned duration of the study is 5 years.

An interim report has been published as, 'Hematopoietic Stem- and Progenitor-Cell Gene Therapy for Hurler Syndrome', by Bernhard Gentner et al., in New England Journal of Medicine (2021, 385: 1929-1940).

The children's mean age at the time of HSPC gene therapy was 1.9 years. After about 2 years of the trial, the procedure appeared to be safe. All the patients showed rapid and continued engraftment of the gene-corrected cells. In addition, they exhibited above normal physiological concentrations of blood IDUA activity within a month, which has been maintained. Urinary glycosaminoglycan (GAG) excretion decreased steeply, reaching normal levels after 12 months in four of five patients who could be assessed.

Previously undetectable levels of IDUA enzyme activity in the cerebrospinal fluid became detectable after the gene therapy and were associated with local clearance of GAGs. Furthermore, patients showed stable cognitive performance, stable motor skills corresponding to continued motor development, improved or stable findings on magnetic resonance imaging of the brain and spine, reduced joint stiffness and normal growth.

The authors concluded, 'The delivery of HSPC gene therapy in patients with MPS1-H resulted in extensive metabolic correction in peripheral tissues and the central nervous system.' Stem cells and gene therapy – what a powerful medical twosome!

Miscellaneous

Peter Singer wins the Berggruen Prize

That Aussie, utilitarian philosopher Peter Singer has won US\$1 million just for thinking! He was recently awarded the Annual Berggruen Prize for Philosophy & Culture. The prize is given to a thinker 'whose ideas have profoundly shaped human self-understanding and advancement in a rapidly changing world.' Singer was cited as 'an influential thinker whose practical ethics provided a framework for animal rights, effective altruism, and the global eradication of poverty.' The selection jury of the Berggruen Prize chose him for his 'widely influential and intellectually rigorous work in reinvigorating utilitarianism as part of academic philosophy and as a force for change in the world.'

All that praise may well be true, perhaps, even justified, but Singer has a darker side. The Berggruen jury failed to mention his extreme views on bioethical issues, such as abortion, infanticide and euthanasia.

I have rarely agreed with Singer's views. Indeed, I have outlined several such disagreements in my 2014 book, *Bioethical Issues*. For example, (on infanticide, p. 168), 'Two other famous backers of infanticide are the bioethicists Helga Kuhse and Peter Singer. In their notoriously shocking book, *Should the Baby Live?*, they presented their case for a twenty-eight-day period after a child's birth during which treatment could be legally withheld. Throughout this period, the child could be clinically assessed by an independent review panel, eerily reminiscent of the Nazi child euthanasia committees of the 1930s, before the verdict of life or death is pronounced. These authors recommended the latter course when the child's 'life will ... be one of unredeemed misery.'

On the beginning of human life, (p. 221), Singer writes in *The New York Times*, "'The crucial moral question is not when human life begins, but when human life reaches the point at which it merits protection. Unless we separate these two questions ... we are unlikely to achieve any clarity about the moral status of embryos.'" 'Such an approach fails to appreciate that it is factual evidence that determines the ethical practice – information decides policy, knowledge predicates deed.' And again (p. 229), 'Peter Singer and Deane Wells have argued the case in their book *The Reproduction Revolution*: 'We suggest that the embryo be regarded as a thing, rather than a person, until the point at which there is some brain function. Brain function could not occur before the end of the sixth week after conception.'

And there is more. In his famous 1979 book, *Practical Ethics*, Singer argues in favour of abortion because foetuses are neither rational nor self-aware, and can therefore have no preferences. As a result, he contends that the preference of a mother to have an abortion automatically takes precedence. He has also argued in favour of voluntary euthanasia and some forms of non-voluntary euthanasia, including infanticide in certain instances, but he opposes involuntary euthanasia.

Peter Singer was born in Melbourne, Australia, in 1946, and educated at the University of Melbourne and the University of Oxford. After teaching in England, the United States and Australia, he has, since 1999, been the Ira W. DeCamp Professor of Bioethics in the University Center for Human Values at Princeton University. Singer intends to donate most of the Prize money to 'The Life You Save' charity and other organisations working towards ending animal suffering, especially in factory farming. He will receive his Berggruen Prize at a ceremony to be held in Los Angeles in Spring 2022.

Sarah Weddington 1945 – 2021

Most have heard of *Roe v. Wade*, the legal case that in 1973 granted American women a constitutional right to abortion. Few will have heard of one of the principal lawyers who successfully argued this landmark case. She was Sarah Weddington, born Sarah Catherine Ragle in 1945 at Abilene, Texas. She died, aged 76, on 26 December 2021.

Her father, Herbert, was a Methodist minister and as a child, Sarah was president of the Methodist youth fellowship at her church, played the organ, sang in the church choir and rode horses.

In 1964, she entered the University of Texas Law School and graduated three years later. In 1967, during her third year of law school, Catherine Ragle became pregnant by Ron Weddington and she travelled to Mexico for an illegal abortion. From 1968 to 1974, she was married to Weddington. After her divorce, Sarah continued to live alone in Austin, Texas.

After University she joined with a group of graduate students who were researching ways of challenging various abortion laws. It was not long before she met a 21-year-old mother of two who was pregnant again. Her name was Norma McCorvey. She had visited a local attorney seeking help in obtaining an abortion but instead, he assisted McCorvey with handing over her third child for adoption and after doing so, he referred her for additional advice to Weddington and Linda Coffee. The latter fellow lawyer was to become co-counsel with Weddington in *Roe v. Wade*.

The two lawyers were looking for somebody – anybody – to further their own pro-abortion legal ambitions. They managed to persuade McCorvey to become the plaintiff in a test case alleging that the Texas anti-abortion law of 1959 was unconstitutional. And so between 1970 and 1973, Weddington and Coffee argued for their client Norma McCorvey, who, to protect her identity was referred to in the legal documents as 'Jane Roe'. Weddington's opponent was Henry Wade, the Dallas district attorney. After winning and then losing on appeal, the case arrived at the US Supreme Court (SCOTUS) which, in 1973, voted 7 to 2 that access to abortion was a constitutional right and struck down conservative state laws. Later McCorvey believed that she had been set up by the pro-choice movement and especially by the two women lawyers. At just 26, Weddington was one of the youngest lawyers ever to win a case before the SCOTUS.

That SCOTUS ruling on abortion has stood for nearly 50 years but it remains a bitterly-contested issue with access to terminations now varying across different states. In 1998, Weddington voiced her concerns as state-led abortion limitations began to spread across the United States. She reasoned, 'I think of *Roe v. Wade* as a house that's sitting on the edge of a beach, where the water is coming under it and taking the sand out. The house is still standing there, but it is more and more in danger of collapsing in the water.' Weddington's analogy may well have been prescient – observers are currently expecting that the SCOTUS may overturn the federal *Roe v. Wade* later this year, which in turn will lead to several total abortion bans at the state level soon after.

After arguing *Roe v. Wade*, Sarah Weddington was elected to three terms, from 1972 to 1977, in the Texas House of Representatives before serving as general counsel to the US Department of Agriculture under the Jimmy Carter administration from 1978 to 1981 and then becoming a lecturer at Texas Woman's University from 1981 to 1990.

Sarah Weddington died on Boxing Day 2021 'after a series of health issues'. Some have noted that her death occurred shortly after the SCOTUS had heard the oral arguments in *Dobbs v. Jackson Women's Health Organization*, the upcoming case reconsidering that key decision in *Roe v. Wade* in which Weddington had played such a decisive part.

The first Tesla baby

Joined-up happy stories, however contrived, can be amusing. Here is one featuring Elon Musk, the billionaire CEO of Tesla Inc., and Yarin Sherry, a young mother from Wayne, Pennsylvania.

In a recent interview with *The Wall Street Journal*, Elon Musk dismissed the concerns of many about world overpopulation. He, rightly, expressed the view that people should actually be concerned about rapidly declining birth rates across much of the world. As he said, 'Depopulation is the real problem.' Look at the data. According to a 2020 study in *The Lancet*, 183 of 195 countries are expected to have a fertility rate below replacement level by the end of the century. Already in almost all of the rich, developed countries, birth rates are less than 2.1 children per

woman, less than needed to maintain stable populations. Or as Mr Musk put it rather more bluntly, 'Please look at the numbers. If people don't have more children, civilisation is going to crumble. Mark my words.'

At about the same time, but way across the other side of the USA, the pregnant Yarin Sherry and her husband, Keating, were getting their 3-year-old son, Rafa, ready for preschool when her waters broke. Thinking she still had time before their daughter's arrival, Yarin told her husband to drive their son to school first. Keating disagreed. 'She was telling me to drop Rafa off to school. But I figured time was of the essence,' he said. So he began driving his wife to the hospital, but they got stuck in morning traffic. Help! Suddenly, Yarin gave birth in the front of the car! But this was not any ordinary car. This was a Tesla – one of Elon's autos. So when Keating switched it to autopilot mode it allowed him to focus on his wife and calm the tension of that frenetic morning. And it got Yarin and her newborn, Maeve Lily, to hospital securely.

Thank you, Elon. Your smart car helped the declining birth rate, just a teeny-weeny bit. Thank you, Yarin. Your daughter is the first Tesla baby, born safe and sound. OK, so this happy link is a little tenuous. But it proves that the versatile Tesla can also act as an ambulance.

USA and Elsewhere

Pushing back on abortion in the USA

According to the results from the pro-life Operation Rescue's annual survey, the number of abortion facilities in the USA increased in 2021. Today there are 720 abortion clinics in the US – 14 more than were operating in 2020. During 2021, a total of 41 new abortion locations opened or resumed abortions in 2021, while there were 27 abortion facilities that closed or halted abortions. This total of 720 represents the largest increase in abortion services since 2016, but it is still far below the all-time high of 2,176 abortion facilities in 1991. So this news is patchy – good and bad – but always life-threatening.

And at the other end of abortion activism, according to a report from the pro-abortion Guttmacher Institute, 19 states passed a record 106 pro-life laws, including several abortion bans, during 2021. There were more abortion restrictions in 2021 than in any other year – the previous record was in 2011 when states passed 89 pro-life laws. If and when *Roe v. Wade* is overturned, these state-wide bans could protect tens of thousands of unborn children every year. Elizabeth Nash, the author of the report, described 2021 as 'the worst year for abortion rights in almost half a century.' On the other hand, this means that 2021 was an excellent year for unborn babies and their mothers.

In addition, 2021 has proved to be an historic time in the fight to restore unborn children's right to life in America. Most notably, the Texas Heartbeat Act, which bans abortions once an unborn child's heartbeat is detectable, at about six weeks, went into effect on 1 September. And there is the Mississippi case of *Dobbs v. Jackson Women's Health Organization* which recently reached the Supreme Court of the United States (SCOTUS). With its upper abortion limit of 15 weeks, it is a direct challenge to *Roe v. Wade* though the Court's ruling is not expected until Summer 2022.

These activities are giving Americans hope that the SCOTUS may overturn the federal *Roe v. Wade* and allow individual states to protect the unborn from abortion again. Even abortion activists are admitting that, while some women are travelling to other states for abortions, many others are having their babies instead. The year 2022 could well turn into a celebration for the unborn and their mothers.

UPitt and foetal research

The University of Pittsburgh is still in trouble. For months it has been accused of operating a foetal research programme with allegations that include the illegal harvesting of kidneys from aborted babies while their hearts were still beating. Moreover, this research project at the University is also claimed to have been unlawfully supported by taxpayer's money.

UPitt has continued to defend these alleged experiments. The university has hired the Washington DC law firm of Hyman, Phelps & McNamara to conduct an investigation. In mid-January, its report found that UPitt's research is 'fully compliant' with state and federal laws.

However, many observers are critical of UPitt's decision to hire a law firm as if that somehow counts as an 'independent' review. In addition, there has been further evidence of gruesome experiments, such as the scalping of second-trimester aborted babies and the subsequent implanting of their scalps onto rodents in order to study the human immune system. This research, including numerous pictures of the tufts of growing hair, was published as 'Development of humanized mouse and rat models with full-thickness human skin and autologous immune cells' by Yash Agarwal et al., in Scientific Reports (3 September 2020).

State and federal lawmakers, pro-life organisations and others have been calling for a robust and impartial investigation of the university for months. In reply, UPitt continues to call the allegations 'irresponsible and false.' This case could run and run.

IVF in Spain

Single women and members of the LGBTQ+ community will now be able to use IVF financed through Spain's public health care system. Since 2013, access to state-funded fertility treatment was limited to heterosexual women who had a male partner, forcing everyone else to pay for private treatments.

On 5 November, the Spanish health minister, Carolina Darias, signed an order allowing 'people with a uterus' to access free assisted reproductive technologies irrespective of relationship status. She said, 'We have restored rights that should never have been abolished.'

This measure will not apply to male same-sex couples or transwomen who want to become parents, as surrogacy remains illegal in Spain. This is not the only controversial change in Spanish law. This past summer, the government approved a draft bill that gives people over the age of 16 the ability to change their gender without approval from either parents or doctors.

Abortion in Poland

Poland has some of the strictest abortion laws in Europe – they consist of a near total ban. In January 2022, tens of thousands of Poles took to the streets to protest a Constitutional Tribunal ruling from October 2020. It declared that terminating pregnancies with foetal defects was unconstitutional. As the new ruling came into effect, it eliminated the most frequently used reason for obtaining a legal abortion.

In addition, the death of a pregnant Polish woman has reignited the country's debate over abortion. Activists say Izabela, a 30-year-old woman in week 22 of her pregnancy, died of septic shock after doctors apparently waited for her unborn child's heart to stop beating. She is allegedly the first woman to die as a result of the ruling. The government, Poland's ruling Law and Justice party, says the new ruling was not to blame for her death, but rather it was an error by doctors.

Izabela went to the hospital in September 2021 after her waters broke, her family said. Scans had previously shown numerous defects in the foetus. Izabela said in a text message to her mother, 'The baby weighs 485 grams. For now, thanks to the abortion law, I have to lie down. And there is nothing they can do. They'll wait until it dies or something begins, and if not, I can expect sepsis.' When a scan showed the unborn child was dead, doctors at the hospital in Pszczyna, southern Poland, decided to perform a Caesarean. The family's lawyer, Jolanta Budzowska, said Izabela's heart stopped on the way to the operating theatre and she died despite efforts to resuscitate her. In a statement on its website, the Pszczyna County Hospital said it shared the pain of all those affected by Izabela's death, especially her family.

On 19 November, the Hospital said it had suspended two doctors who were on duty at the time of the death. The Hospital has also declared, 'It should ... be emphasised that all medical decisions were made taking into account the legal provisions and standards of conduct in force in Poland.' As for the protestors claim that it was the country's anti-abortion laws that were responsible, Poland's government rejects such claims that the Constitutional Tribunal ruling was to blame for Izabela's death, instead attributing it to a mistake by doctors. The Polish prime minister, Mateusz Morawiecki said, 'When it comes to the life and health of the mother ... if it is in danger, then terminating the pregnancy is possible and the ruling does not change anything.'

This is a sad and complex case. Abortion, with the one intended death of the unborn child, is bad enough. But when a second death, that of the mother, also occurs, it is an even greater tragedy. Who is to blame? The law, the doctors? Maybe neither, maybe both depending primarily on your stance on abortion. But there is no denying that the very best medical law and practice will always defend and uphold the dignity and worth of all human life, of both unborn children and their mothers. This Polish case regrettably failed both.

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. All these cases are being supported by either The Christian Institute or Christian Concern.

Cornerstone (North East) Adoption & Fostering Service

For well over a decade The Christian Institute has been supporting Cornerstone, a Christian Fostering and Post Adoption Support Agency. It only places children with carers who are evangelical Christians who can sign its statement of faith and biblical code of conduct. The latter includes a requirement to living consistently with biblical teaching on marriage. In 2011, the Charity Commission said this policy was lawful under exceptions in equality law.

Following an inspection of Cornerstone's fostering service in February 2019, Ofsted downgraded the service from 'good' (in 2015) to 'requires improvement to be good'. Ofsted claimed that the charity's recruitment policy for carers unlawfully discriminates on grounds of both sexual orientation and religion.

In July 2020, the High Court held that Cornerstone's fostering policy was not unlawful religious discrimination (and so quashed part of Ofsted's fostering report) but held that the restriction on sexual behaviour constituted unlawful sexual orientation discrimination. The court effectively substituted its own opinions about what evangelical sexual ethics should be.

The judge's ruling on sexual orientation discrimination relied on his finding that, in selecting foster carers, Cornerstone performs functions on behalf of a public authority and under contract with them. He ruled that this means the exception for religious organisations in the Equality Act which would otherwise allow them to impose restrictions based on sexual orientation does not apply.

Cornerstone was permitted to appeal the sexual orientation ruling but only on narrow grounds. Significantly, it was prevented from relying on the exception for religious organisations in the Equality Act. The restricted nature of the appeal meant it was only open to Cornerstone to seek to justify the restriction on sexual behaviour in its code of conduct by reference to matters other than the charity's religious ethos.

Cornerstone's appeal was dismissed by three Court of Appeal judges in September 2021. However they ruled that the High Court had still erred in several respects. The High Court had been wrong to conclude that Cornerstone's recruitment policy did not amount to a manifestation of religion and fall within the protection of Article 9 of the European Convention on Human Rights. However, the Court of Appeal said that the restriction on sexual behaviour could not be justified, despite the fact there were no evidence that anyone had ever been discriminated against on grounds of it.

Cornerstone has applied to the Supreme Court to challenge the lower courts' rulings. It awaits a decision as to whether permission to appeal is granted. The nub of the appeal is that it is not for the State to determine the definition of an evangelical Christian. The appeal also seeks to reopen the grounds which Cornerstone was not permitted to pursue in the earlier appeal.

Kenneth Ferguson

The Christian Institute has been supporting Kenneth Ferguson in his successful claim against The Robertson Trust and its former Chair for religious discrimination and unfair dismissal. Kenneth is an elder of Stirling Free Church of Scotland and, until 16 March 2020, he was the CEO of The Robertson Trust. The Trust is the largest independent charitable funder in Scotland. It also hires out meeting rooms to charities.

Kenneth was subjected to an investigation and disciplinary procedure after the Trust's Chair discovered that Stirling Free Church had entered into a licence agreement with the Trust to use meeting rooms for its Sunday services. The Chair objected to the beliefs of the Church in relation to same sex marriage. Following the outcome of the disciplinary, Kenneth's relationship with the Chair deteriorated badly. At his appraisal in February 2020, the Chair put numerous performance issues to him, contradicting all of Kenneth's previous appraisals which had been very positive. Kenneth was eventually dismissed on 16 March 2020.

We helped him bring a claim and judgment was handed down on 28 July 2021. It was unanimously held by the three members of the Employment Tribunal that Kenneth was unfairly dismissed. It was further held by a majority that Kenneth's dismissal constituted unlawful discrimination on grounds of his religion. Kenneth was treated less favourably because of his association with his church and their beliefs about same-sex marriage. Kenneth's dismissal had flowed from this.

A remedy hearing in the Employment Tribunal is scheduled to take place on 26 and 27 April 2022. This hearing will consider what level of damages Kenneth will receive from the Trust.

The Institute has also been supporting Stirling Free Church and the Billy Graham Evangelistic Association in religious discrimination claims against The Robertson Trust for cancelling their hire of Trust premises. In December 2021, a successful settlement was negotiated with the Trust in relation to each claim. A joint minute was agreed and lodged with the Glasgow Sheriff Court. The Trust fully accepted that they had "failed to meet their duties to the Free Church in terms of the Equality Act 2010, and therefore acted unlawfully. The Trustees apologise to the Free Church." A similar statement was agreed in relation to the Billy Graham Evangelistic Association. The Trust has paid a substantial contribution towards the legal costs of both organisations. They have also since announced that they are reviewing their rental policy.

Ashers Baking Company

In October 2018 Ashers Baking Company won its appeal in the United Kingdom Supreme Court. The court ruled that the Northern Ireland based company, owned by the McArthur family, had not discriminated unlawfully by refusing to ice a cake with the slogan "Support Gay Marriage" for Mr Gareth Lee. The slogan conflicted with the family's Christian beliefs.

In the three years since, Mr Lee has been pursuing a complaint against the UK at the European Court of Human Rights (ECtHR), to challenge the Supreme Court judgment. In September 2020, Ashers Baking Company and The Christian Institute were permitted to intervene in the case. The Christian Institute intervention asserted that Mr Lee has failed to demonstrate that there was any failure on the part of the UK in its positive obligation to promote European Convention rights as between private individuals, and that Mr Lee had not exhausted his domestic remedies because he had never pleaded his Convention rights in the earlier proceedings before the UK courts.

The ECtHR published its judgment on 6 January 2022. The court held Mr Lee's application to be 'inadmissible' because he had not exhausted his domestic remedies. By not doing so, he deprived the domestic courts of the opportunity to assess whether any rights had been breached in regards to the European Convention on Human Rights. But in any event, the ECtHR said in its judgment that it was "not self-evident" that Mr Lee's human rights were engaged on the facts. The judgment states:

The [UK] Supreme Court found on the facts of the case that the applicant was not treated differently on account of his real or perceived sexual orientation, but rather that the refusal to supply the cake was because of the defendants' religious objection to gay marriage. What was principally at issue, therefore, was not the effect on the applicant's private life or his freedom to hold or express his opinions or beliefs, but rather whether Ashers' bakery was required to produce a cake expressing the applicant's political support for gay marriage. (para 73 of the judgment)

The ECtHR pointed out that Mr Lee did not provide a satisfactory explanation as to why he didn't seek to advance any claim regarding his Convention rights in the UK courts, especially since he had access to extensive legal expertise throughout the proceedings.

Street preachers and evangelists

The Institute continues to help churches and individual Christians who face opposition to their evangelism.

In December 2021, the Institute supported several members of an evangelical Church who were each issued with a Fixed Penalty Notice by their local council for distributing free gospels and a Christian tract in their local town centre in the run up to Christmas. Council officials attended and issued each of the members with a Fixed Penalty Notice pursuant to sections 63 and 67 of the Anti-social Behaviour Crime and Policing Act 2014. This relates to Public Spaces Protection Orders (PSPOs). It was alleged that the church members had committed an offence by distributing books in a public place without permission. They had 14 days to pay the £100 fine or face court proceedings.

The Institute supported the church to instruct solicitors to write to the council challenging the lawfulness of the Fixed Penalty Notices in light of both the wording of the relevant PSPO and the powers of the council to make PSPOs under the 2014 Act. The following week, the council enforcement unit backed down and said they would cancel the Fixed Penalty Notices.

Keith Waters

Pastor receives death threat for tweet about Pride

Background to the case:

Keith Waters was pastor of a small independent church in Cambridgeshire. In 2016, to enable him to concentrate more energy in his duties as a pastor, Keith took a 60% pay cut from his role as an Estates Manager at one of Cambridge University's largest colleges to work as a caretaker at the Isle of Ely Primary School. He took the job with the agreement that he would combine the role with his duties as Pastor of Ely's New Connexions Church.

As a liked and respected member of staff, in his final appraisal he was described as "an asset to the school". Keith also went above and beyond his duties as caretaker, drawing on his expertise to put in place fire safety regulations, and organising gardening lessons for troubled pupils who were physically threatening teachers.

On 1 June 2019, Keith posted a Tweet aimed at Christians which warned them to steer clear of Pride events that month. He stated simply:

A reminder that Christians should not attend LGBTQ 'Pride Month' events held in June. They promote a culture and encourage activities that are contrary to Christian faith and morals. They are especially harmful for children.

Keith had copied the tweet from a US Catholic Bishop. He said his intention was to address Christians about gay pride events across the UK, particularly as they often involve nudity, people in sadomasochistic outfits and displays of an overtly sexual nature.

Within minutes of posting the tweet, Keith received a response from a local journalist and LGBT activist accusing him of attacking the local LGBT community in Ely ahead of Pride events that month.

The following morning, as Keith was preparing for a Sunday service at his church, a Cambridge based journalist arrived, harassing him and pressuring him to apologise for the tweet, which Keith

refused to do. By Monday morning, he was on the front page of the Cambridge Evening News, and the online abuse continued to grow.

Harassment followed at his home and on the streets of Ely. On one occasion, his wife answered the door to funeral directors who had been sent to 'arrange his funeral'. Estate agents also contacted him, having been told he was moving from the area 'in a hurry', and he was at one point nearly knocked off his bike by an angry local resident in her car who wanted to remonstrate with him. False rumours were also spread that he was a child molester and there were calls from local councillors for Keith to be investigated by police for a 'hate incident.' Fearing for his, his family's and his congregation's safety, Keith decided to delete the tweet.

School investigation

Following on from this abuse and harassment, his caretaker role at the local primary school now came under threat as he was told he was being investigated for 'bringing the school into disrepute'.

One letter sent to the school claimed that Keith's tweet had called for 'violence against people who support the Ely Pride Festival' and an anonymous teacher claimed that his tweet fell "within the British government's definition of extremism" so action needed to be taken against him.

During the investigation, however, the school's headteacher caved to a number of demands from a handful of LGBT activists, including some parents. As a result, Keith believed he could no longer combine his roles as pastor of his church and caretaker of the school, and decided there was no alternative but to resign. Despite his resignation, the investigation continued and Keith was issued with a final warning for allegedly bringing the school into disrepute and breaking the school's code of conduct. Keith appealed the decision to impose the warning. The school appointed an appeal panel which included a governor of the school who was a well-known LGBT activist and also a friend of one of the complainants. Keith questioned the governor's impartiality but his concerns were ignored. His appeal was unsuccessful and the final written warning remained on his record.

Keith, supported by the Christian Legal Centre, filed a claim in the Employment Tribunal for constructive dismissal, indirect discrimination and breach of public sector equality duty. He also believes that the school has interfered with his rights to freedom of religion, expression and thought.

Keith commented:

Anyone who believes in freedom of religion and expression should be very concerned about my story. This was an attack, not just against my Christian beliefs, but against anyone who dares to question these matters in public. The biggest concern should be that a story like mine is becoming normal.

I maintain that my tweet did not discriminate against anyone. It was directed to Christians and it did not criticise individuals or the LGBT community, only Pride events. Other people have been mortified at how I have been treated but are too fearful to speak out.

Children should never be exposed to nudity or sexual acts, whether that's at Gay Pride or anywhere else. I am determined to fight for the freedom to say that, and believe that no one should lose or be forced out of their job for holding and expressing legitimate views.

The case was heard at the Employment Tribunal, sitting in Cambridge from 17 – 21 January and Employment Judge King reserved the judgment, with a determination expected by the end of February.

Dr Dermot Kearney

Dr Dermot Kearney is an experienced medical consultant and former President of the Catholic Medical Association (UK). He was providing emergency abortion pill reversal treatment for women who have taken the first abortion pill. Many women experience strong regret immediately after taking the pill and search for help on the internet.

Dr Kearney was blocked from providing the abortion reversal pills for up to 18 months and an investigation was ordered. It is believed to be the first time a medical doctor has been prohibited from providing a treatment that saves lives.

Complaints were raised with the GMC about Dr Kearney by the abortion provider, Marie Stopes International, openDemocracy (a pro-choice campaigning organisation), Safe Abortion Action Fund (UK) and the Royal College of Obstetricians and Gynaecologists.

The emergency abortion rescue service is provided to women who regret taking the first of two abortion pills, Mifepristone, which usually kills the baby, and want to try to save their pregnancies.

Use of the natural hormone progesterone inhibits the effects of Mifepristone, and the latest evidence suggests that the success rate in abortion pill reversal can be as high as 68% if treatment is started within 72 hours.

When women attend an abortion clinic in several states in the US, they are generally told that abortion reversal is possible after taking the first pill, whereas in the UK women are often told the pregnancy cannot be saved.

Since the introduction of the government's DIY home abortion telemedicine service there has been a spike in women, often vulnerable and without access to proper medical care, quickly regretting taking the first abortion pill and seeking urgent help.

Several women have spoken out in support of Dr Kearney, including women who very grateful to have given birth to a healthy baby after taking the abortion pill reversal treatment. Their testimonies show that this treatment is highly valued and needed and is indeed life-saving.

On 12 May an Interim Orders Tribunal imposed restrictions upon Dr Kearney's practice. Despite the safe delivery of a significant number of babies who would otherwise have been terminated, Dr Kearney was told *inter alia*, that 'He must not prescribe, administer or recommend progesterone for abortion reversal treatments'.

This decision was upheld at a further Interim Orders Tribunal in August 2021 and a review of the conditions was scheduled for early in the New Year.

On 26 January 2022, the Medical Practitioners Tribunal Service reviewed Dr Kearney's case and once again the decision to impose restrictions on his practice were upheld.

Throughout the process, Dr Kearney was supported by the Christian Legal Centre, who made representations on his behalf. On 15 February, the GMC concluded that no further action should be taken against Dr Kearney and that all restrictions on his practice should be removed.

Nigel & Sally Rowe

Nigel and Sally Rowe are bringing a legal challenge against the Secretary of State for Education following their sons' former Church of England primary school telling them that 'misgendering' a child could be considered a form of bullying.

When a six-year-old boy in their son's class started to come to school sometimes dressed as a girl, Nigel and Sally Rowe, who live on the Isle of Wight, raised concerns with the Church of England

school. They say that their son, also six years old, came home from school upset and saying that he was 'confused' by the situation.

Nigel and Sally met with the headteacher and class teacher, and followed up with a letter setting out some of the questions that they had. But the school's formal response was 'cold', they say, and didn't address their concerns. In the letter, the school suggested that an "inability to believe a transgender person is actually a 'real' female or male" and the refusal to 'acknowledge a transgendered person's true gender e.g. by failing to use their adopted name or using gender inappropriate pronouns,' was 'transphobic behaviour'.

The policies adopted by the school were originally published in 2015 as the Cornwall Schools Transgender Guidelines, and have since been held up as best practice by other schools and local authorities, and even the Department for Education.

Nigel and Sally, who are currently home-schooling their two children, are now pursuing a judicial review over the Department for Education's refusal to intervene in their case and its promotion of the transgender guidelines in primary schools.

In support of their challenge, Nigel and Sally have sought opinions from three eminent experts, Dr Paul McHugh MD, Dr Quentin Van Meter MD FCP and Graham Rogers. Copies of their expert opinions can be found at christianconcern.com/cccases/nigel-and-sally-rowe/

Supported by the Christian Legal Centre, Nigel and Sally applied to the High Court for permission to judicially review the Secretary of State for Education's decision not to exercise powers under the Education Act to challenge the school's approach to children identifying as transgender.

On 9 February, Mr Justice Lane granted permission for the review to proceed.

Mary Onuoha

Christian nurse Mary Onuoha was employed as a theatre nurse at Croydon University Hospital.

Supported by the Christian Legal Centre, Mary challenged her former Hospital Trust after being forced out of her job because she refused to remove her small, gold cross necklace, which she had worn for 40 years as a symbol of her deep Christian faith.

Mary was told that the necklace was a health and safety and a hygiene risk and "must not be visible", however no good reason was shown as to why Mary's cross was a risk, and people of other faiths and none were allowed to wear jewellery, lanyards, saris, turbans and hijabs without incident.

Mary commented:

This has always been an attack on my faith. My cross has been with me for 40 years. It is part of me, and my faith, and it has never caused anyone any harm. All I have ever wanted is to be a nurse and to be true to my faith. I am a strong woman, but I have been treated like a criminal. I love my job, but I am not prepared to compromise my faith for it, and neither should other Christian NHS staff in this country.

Mary was even interrupted whilst attending to a patient who was recovering after an operation and told to remove her cross.

Mary's case was heard at the South London Employment Tribunal from 4 - 14 October 2021 where Judgment was reserved, however, on 4 January 2022 judgment was finally handed down and Employment Judge Dyal found in Mary's favour.

The Employment Tribunal held that the Trust:

- A. Directly discriminated or harassed Mary because of her Christian religion,
- B. Victimised her because she raised a grievance about that discrimination,
- C. Breached her right to freedom of thought, conscience and religion,
- D. Constructively dismissed her 'without a reasonable and proper cause',
- E. The dismissal was unfair and discriminatory.

Further, the policy which prohibited the wearing of a small cross worn on a fine chain around an employee's neck was held to be discriminatory, with EJ Dyal adding; 'Applying common sense, it is clear to us that the infection risk posed by a necklace of this sort was very low'.

The Tribunal concluded that the Trust had applied its policy 'in an arbitrary way and in a way that was not proportionate'; there was 'no cogent explanation' why plain rings, neckties, kalava bracelets, hijabs and turbans were permitted but a cross necklace was not.

The pressure put on Mary to remove or conceal her cross was on other occasions considered 'overly threatening', 'high-handed', 'humiliating and offensive'; it created 'a threatening and offensive environment' and a 'hostile and threatening environment'.

As a consequence of the discrimination that she suffered, Mary will be entitled to compensation which has yet to be agreed.

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