

# Election Briefing 2010



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CHRISTIAN INFLUENCE IN A SECULAR WORLD

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# Introduction

A General Election has been called for 6 May 2010. As Christian citizens, we should think carefully about how we should vote.

The Christian Institute is a registered charity and cannot endorse any political party or candidate in the Election. We cannot tell you who to vote for. That is a matter for you. What we can do is provide you with factual information about the policies of the political parties and key background information on legislation and public policy. This is set out in this *Election Briefing*.

In addition on our website you will find the voting records of all MPs on a specific range of moral issues – see [christian.org.uk/election](http://christian.org.uk/election). You may wish to use this information to help form an opinion about your MP. There may be other issues that you wish to consider.

Since our website votes database only applies to MPs from the Parliament just dissolved, it will not help inform you about the other candidates for your constituency. Neither will it help if your MP is standing down. To help Christians find out the views of the candidates standing in their constituencies we have provided *Questions for Candidates* in the centre of this briefing.

Further copies of the *Election Briefing* are available on our website [christian.org.uk/election](http://christian.org.uk/election) and from our office on request – telephone **0191 281 5664**.

## Election 2010

Since its inception The Christian Institute has promoted the Christian faith in the public square in six main areas – marriage and the family, medical ethics, education, religious

liberty in the UK, matters of public morality, and the constitution.

Within these broad areas, this *Election Briefing* highlights some of the policies of the three main political parties at Westminster – Labour, the Conservatives and the Liberal Democrats. We also include some of the known policies of those parties which have significant representation at national or European level – the SNP, Plaid Cymru, UKIP and the Greens. Many Christians ask us about the policies of the Christian Peoples Alliance and the Christian Party. These have also been included. Space and time constraints have not permitted us to cover other parties fielding candidates at the General Election.

In a collapsing culture, public policy is increasingly affected by secular values. The main political parties are by no means immune to this. All three main parties have policy positions with which biblical Christians strongly disagree, such as the endorsement of civil partnerships.

In casting a vote Christians are not necessarily endorsing every item of policy of the party they vote for. They are exercising judgment which can often boil down to deciding what is the least worst option.

Certain parties have an overriding central principle. For example, UKIP believes that the UK should leave the European Union and the SNP holds that Scotland should be independent from the rest of the UK. Of course, Christians who agree with the central principle can vote for these parties in good conscience.

But when it comes to the BNP the situation could not be more different. It seems to us that the central principles of that party enshrine beliefs which completely contradict the

Christian faith.<sup>1</sup> For example, their ‘whites only’ membership policy. What could be more central than that? The membership policy has only been changed following recent court action.

The deputy leader of the BNP recently attacked the democratic rights of Christians. Simon Darby said: “Well, there’s an issue here that the church consistently, every time there is an election, interferes in the electoral process. Perhaps if the church took the attitude that they’ve got a problem with falling congregations and the fact that churches are being rapidly turned into mosques all over this country, people would, would listen to them.”<sup>2</sup>

Our *Election Briefing* does not consider the policies of the BNP.

This *Election Briefing* covers many issues where important Christian principles are at stake. There are many other issues about which Christians show a particular concern and where much material is available (like the Developing World), but we know that many are concerned with issues such as those covered by this briefing.

We have to have laws to restrain evil and policies to commend what is good (1 Peter 2:13-14), but the Government is not responsible for everything. Indeed if there is to be freedom, it must not be. Many Christians are gravely concerned about legislative proposals which intrude into ordinary family life, evangelism and the running of the local church.

As we pointed out in our 2005 Election Briefing, it is important to say that society is more than the state. Society is made up of families and many institutions and organisations between the state and the citizen. Government by itself cannot solve all our problems or even come remotely close.

The issues we have highlighted are those where we believe the Bible is clear. They tend to be issues where biblical principles, and in particular the Ten Commandments, directly apply. We cannot break God’s law without there

being consequences – to a degree in this life, and fully in the life to come. God cannot be mocked. A man reaps what he sows (Galatians 6:7). A nation will never be blessed by breaking God’s laws.

## Christian citizenship

The state is a means of God’s ‘common grace’. The Bible is very clear that the governing authorities act on God’s behalf to restrain evil (see Romans 13 and 1 Peter 2). This is for the good of all people in this world – not just Christians.

The Christian has dual citizenship: of heaven (Philippians 3:20); and of an earthly nation (usually that in which he was born). The Christian’s duty is to obey the governing authorities, except where they forbid what God requires, or require what God forbids (Acts 5:29). It is the Christian’s heavenly citizenship which commands the ultimate loyalty.

As well as duties, being a citizen gives us certain rights. The Apostle Paul was prepared both to use *and not to use* his rights as a Roman Citizen depending on which option most benefited the gospel cause. (Acts 16:37-39; 21:39; 22:25-29; 25:10-12).

In 21<sup>st</sup> Century Britain, we live in what is historically a relatively unusual situation – we live in a democracy. Unique responsibilities and privileges flow from living in a democracy. One is that we have the right to vote. Surely Christians should use this privilege.

Christians in Britain today live in a collapsing culture in which God’s moral law is openly flouted. Things will not get better unless this is addressed. The only lasting and real solution to the problem of man’s sin is uniquely provided in the Gospel of our Lord Jesus Christ. The Gospel denies that there can ever be political salvation in this life. Nevertheless, we are to pray that our authorities would provide freedom for the Gospel and freedom for Christians to live

“peaceful and quiet lives in all godliness and holiness” (1 Timothy 2:1-2). We are to pray that the governing authorities will fulfil their God-given mandate and govern according to God’s moral law (Romans 13:1-7 and 1 Peter 2:13-14). The General Election provides an opportunity for Christians to speak out and play their part.

## **Biblical priorities**

The Bible gives a clear basis for knowing right from wrong. God’s moral law is laid down for everyone – not just for Christians.

Jesus criticised the Pharisees and told them “you have neglected the more important matters of the law – justice, mercy and faithfulness” (Matthew 23:23). This included “setting aside the commands of God” by neglecting their parents (when they needed financial support) in order to observe a man-made tradition (Mark 7:9-12). For Jesus, and for us, it is God’s commands which set out what constitutes justice, mercy and faithfulness.

Whilst we are obligated to obey God in everything, certain parts of the moral law are absolutely foundational and fundamental. That is why God has been pleased to give us the Ten Commandments.

When it comes to votes in Parliament, there are cases where MPs vote for or against what is taught in the Commandments. For example, a vote for abortion is a vote to break the 6<sup>th</sup> Commandment (Exodus 20:13). Similarly it is a breach of the 7<sup>th</sup> Commandment (Exodus 20:14) to promote homosexuality to young people in schools or to equate homosexual unions with marriage. These are not matters of political opinion, but straightforward issues of right or wrong.

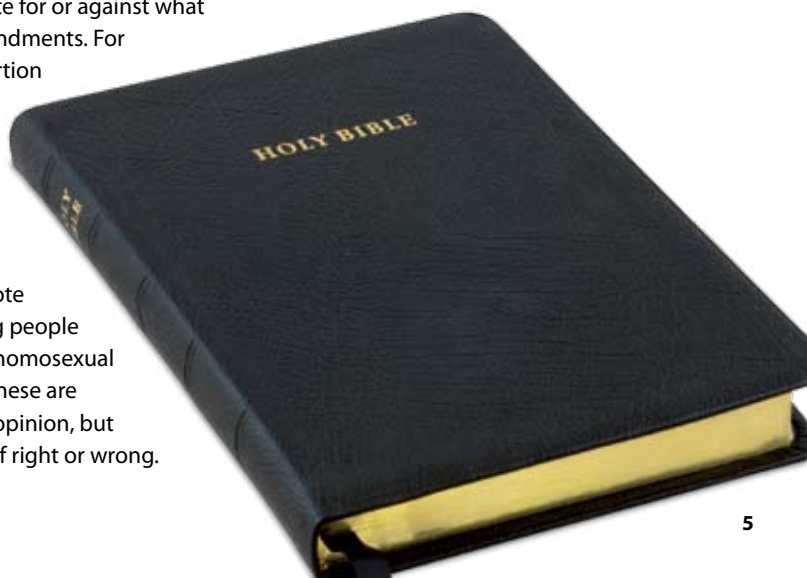
At this General Election, MPs’ expenses and the economy will both loom large. Biblical principles apply directly to both issues, e.g. honesty, integrity and the proper use of money. The Archbishop of Canterbury has attacked the policy of spending our way out of recession, saying “it seems a little bit like the addict returning to the drug”<sup>3</sup>

When it comes to the economy, Christians can legitimately disagree about the best way to tackle the UK’s deficit. This is because in order to make a judgment many other facts need to be assessed. For example, there can be no doubt that the state has a right to levy taxes (Romans 13:7), but we can never be absolutely certain about what should be the correct level of income tax. There are many economic and moral factors involved and Christians who hold to biblical truth can legitimately disagree on the interpretation of the facts.

**The Christian Institute believes that there are three touchstone issues for Christians in 2010: religious liberty, the sanctity of marriage and the sanctity of human life.**

### *Religious liberty*

Recession is not the only cause of economic hardship for Christians in Britain. Hotel



owners Ben and Sharon Vogelenzang, from Liverpool, have seen their business brought to the brink of collapse after false allegations led to their prosecution in court. Even though the judge found they were innocent of wrongdoing in their discussion with a Muslim guest, the NHS hospital which previously provided 80% of their income will no longer give them business.

Likewise Lillian Ladele has had to leave her post as a marriage registrar after the courts ruled that she must carry out civil partnerships. Other cases have shown that Christians are increasingly being marginalised in Britain; those working in the public sector come under particular pressure to suppress their beliefs.

The marginalisation of Christians must be a vital issue for Christians at the General Election; and not only because we should have a special care for Christians who are suffering for their faith (Matthew 25:31-46; Galatians 6:10; Hebrews 13:3). Christ clearly taught that his followers are the salt which preserves society and the light which guides it (Matthew 5:13-16). If the salt remains in the salt cellar and the light is increasingly hidden under a secular bushel, then it will become very much harder for Christians to do those good works which transform society. Suppressing gospel values will accelerate the moral decline of our society.

### *Marriage*

Two of the Ten Commandments specifically protect marriage so it is obviously very important (the Fifth – ‘Honour your father and mother’ and the Seventh – ‘Do not commit adultery’). Marriage is not an arbitrary construct; it is an ‘honourable estate’ based on the different, complementary nature of men and women – and how they refine, support, encourage, and complete one another.

Stable married families are a primary carrier of values. It is in married families that values are most effectively passed down through the generations. In the family children learn right

from wrong, learn to get along with others and learn to control their own selfish impulses.

Marriage creates new relationships uniting the families of husband and wife. A nation is made up of families and individuals; the wider family networks created by marriage form the basis of civil society. Marriage has always had a privileged position in law precisely because it is the cornerstone of society. All around the world, across all religions and cultures, the successful societies have been those based upon marriage.<sup>4</sup>

Our leaders must therefore commend marriage, as it is right and for the good of everyone, and all attempts to relativise or sideline marriage should be strongly resisted. Introducing ‘gay marriage’ would destroy the uniqueness of true marriage in law and downgrade its status in society. Cohabitation is a transient state and should not be treated as equivalent to marriage. Easy divorce laws have led to a lax attitude to marriage and a society in which many children grow up without their father. Such sad circumstances negatively affect those who will be the adults of future generations.

The downgrading of marriage is not just one issue among many, but foundational to our country’s deepest social problems.

### *The sanctity of life*

The Sixth Commandment simply says “You shall not murder”. A vote for abortion or euthanasia is contrary to this Commandment.

The Christian Church has always protested against abortion. Something is clearly very wrong with our society when babies are being aborted up to birth because they are disabled (the disability has been as minor as a cleft palate).

The Bible commands us to speak out for those who cannot speak for themselves (Proverbs 31:8). The unborn are the most vulnerable members of society. With one in

five pregnancies ending in abortion, the womb is the most dangerous place to be.<sup>5</sup> Overall in 2008 in England and Wales, 99% of the 202,158 legal abortions were carried out for social reasons.<sup>6</sup>

We must also continue to vigorously oppose all attempts to legalise euthanasia. People who contemplate ending their own lives and ask others for assistance are at their most vulnerable and emotional. They need a clear, firm law to protect them in their darkest moments. The law should not affirm the belief that some lives are not worth living. Just like the unborn, the old and frail, the disabled and those diagnosed with a degenerative illness are made in God's image and worthy of dignity and respect.

If we are really concerned about their suffering we should support the development of palliative care services. Experts say that almost no patient is beyond the help of pain-relieving medicine, yet allowing any form of assisted suicide would undermine the motivation to invest in such services. Some will argue: "Why bother with years of expensive care when you can just end a person's life? It's much cheaper".

Christians need to take courage and speak out on the three touchstone issues of religious liberty, the sanctity of marriage and the sanctity of human life: not just on issues which are unlikely to attract opposition.

## Candidates and parties

There are perhaps two factors which we all must consider when deciding who to vote for. We must consider *the candidates* and we must consider *the parties* they represent.

You may feel it is better to vote for an exceptional candidate who shares your Christian views across a range of moral issues even if they are standing for a party which you would not naturally support. You may feel that

the most important consideration is to vote for the candidate who is standing for a party which in your view represents the least worst option. You may feel that it is better to vote for one of the Christian political parties which may happen to stand in your area. These are decisions which ultimately only you can decide. In some constituencies Christian believers may be in an impossible position. Christians should exercise their Christian conscience in these matters. Just because your parents or your work colleagues vote in a certain way does not mean that you need to do the same. It is your choice.

However, you can't make an informed decision without knowing what the parties and the candidates stand for. Christians should make it their business to find out the policies of each candidate and party. They should seek to find out their positions on key moral issues.

*The key to finding your candidates is to be sure what parliamentary area (constituency) you live in. Some constituency boundaries have changed for the 2010 General Election. Type in your postcode here to find out: [http://news.bbc.co.uk/1/hi/uk\\_politics/election\\_2010/default.stm](http://news.bbc.co.uk/1/hi/uk_politics/election_2010/default.stm)*

## Speaking to candidates

Candidates or their representatives may come to your door or call by telephone or stop you in the street to ask how you intend to vote. This presents an ideal opportunity to raise Christian concerns and to find out where the candidates stand on key issues. A candidate's opinions on certain moral issues can be quite different from the position of their party.

More than at any other time the candidates will be open to listen to your views. Should they be elected they will be representing you in Parliament.

Think through two or three issues and have questions ready in case canvassers call or stop you whilst out shopping. Limit yourself to

two or three issues with which you are most concerned. Be prepared to give a reason for your view. This *Election Briefing* will help you get to grips with the issues you are interested in.

If you speak to the candidate himself, ask if he is willing to raise your concerns in Parliament if elected. If he says that he will, you can hold him to this promise should he be elected.

If you speak to a representative canvassing on behalf of the candidate, ask for your concerns to be forwarded. The very act of asking questions is a Christian witness.

## **Writing to your candidates**

If you don't want to wait for candidates to knock at your door, then you could write to them either by letter or by email in order to raise your concerns. This way you can be sure that all the candidates are aware of your concerns.

Election literature which is put through your letterbox will give the local addresses for your candidates. If your MP is standing again you may want to see how he or she has voted in the past since this is a matter of public record (see The Christian Institute's website – [christian.org.uk/election](http://christian.org.uk/election)). If you write to a candidate, keep your letter short but do raise specific points. Make sure you tell them that you are a constituent. You could swap notes with other Christian friends who have had contact with a candidate.

It is highly unlikely that you will find a party or a candidate you feel has all the right views.

In some constituencies there will be the option to vote for a candidate who takes a firm stand on moral issues. This is unlikely to be the norm. Instead it is likely to be a decision about what is the least worst option amongst the political parties and candidates. For many Christians there is a genuine dilemma over choosing a party or a particular candidate. Whatever your decision it is relevant to consider how the parties fared in the last election in your constituency.<sup>7</sup>

There are many ways of being a Christian citizen, but a General Election provides a good opportunity for Christians to be salt and light in our society. We must pray for wisdom and speak out for the truth.

## **Party policies**

The parties set out their policies in their manifestos, official policy documents, or resolutions determined by their party conference. The Christian Institute's website links to the 2010 General Election manifestos covered in this publication, see [christian.org.uk/election](http://christian.org.uk/election)

Obviously the Government's actions are there for all to see. Since the opposition parties are not in a position to implement their ideas, we can only note what they have said about the Government's legislation and the way they have voted.

Christians must weigh the evidence and exercise their Christian conscience.





## Labour's record in Government

In 2008 Labour passed the controversial **Human Fertilisation and Embryology Act** which:

- legalised the creation of **animal-human hybrid embryos** for research;
- allowed the creation of **'saviour siblings'**;
- abolished the **'need for a father'** consideration before commencing IVF treatment.

The Government allowed its MPs a free vote on these three issues, though Gordon Brown strongly supported all three and Labour MPs were whipped to support the Bill as a whole. The legislation includes regulation-making powers to allow the birth of **GM children** with three genetic parents – two mothers and a father. It also permits scientists to use current stocks of donated tissue for embryo experiments, even where the original donors did not give their express consent.

The embryology Bill saw votes on lowering the upper gestational limit for **abortion** from 24 weeks. Labour MPs were allowed to vote according to their conscience; Gordon Brown voted against any reduction. In the final Commons debate the Government used a procedural measure to ensure that amendments to further liberalise the abortion law went to the bottom of the list for consideration. Lack of time then meant that they never reached a vote. The press speculated

that the Prime Minister wanted to avoid causing unhelpful controversy.<sup>8</sup>

Many people are concerned that the Government's **Mental Capacity Act** 2005 for England and Wales allows euthanasia by omission. The Act does not formally legalise euthanasia but creates 'advance decisions' – known as 'living wills' which could open the door to euthanasia.

Labour has continued to push through various 'gay rights' measures. In 2000 Labour **lifted the ban on homosexuals serving in the Armed Forces**. The 2005 Labour Manifesto boasted of its passing the **Civil Partnership Act** (which is 'gay marriage' in all but name), reducing the **homosexual age of consent** to 16, and reforming the law on sexual offences to remove all distinctions between homosexual and heterosexual acts.<sup>9</sup> But attempts to quietly scrap the law against **homosexual activity in public lavatories** had to be abandoned after major opposition in the House of Lords.

The Government has continued to resist calls to lower the **age of heterosexual consent** from 16.<sup>10</sup>

In 2003 Labour repealed **Section 28** for England and Wales (the law which banned the promotion of homosexuality in schools). Labour continues to support the 'Lesbian, Gay, Bisexual and Transgender History Month'.<sup>11</sup> Under this extraordinary initiative pupils are taught, for example, that Florence Nightingale had lesbian tendencies.<sup>12</sup>

The year 2003 also saw the introduction of **special employment rights for homosexuals** and **employment laws covering 'religion or belief'** which have interfered with the ability of churches and Christian organisations to maintain their distinctive doctrines and ethos. Under these laws the Bishop of Hereford was successfully sued for refusing to employ a homosexual youth worker and atheists won an employment case against Prospects, a Christian charity for people with learning disabilities.

Labour passed the **Equality Act 2006**, which prohibited religious discrimination when providing goods and services. The Government refused to include conscience protections for Christians in business. It was this Act which set up the Equality and Human Rights Commission.

In 2002 Labour legalised **homosexual adoption** in England and Wales; in 2007, together with its Lib Dem coalition partners at the time, Labour introduced homosexual adoption in Scotland. The 2007 **Sexual Orientation Regulations (SORs)** banned any adoption agency from refusing to place children with same-sex couples. Since then almost all religious adoption agencies have become entirely secular bodies or closed. The SORs have also been used to sue Christian B&B owners who refuse double rooms to same-sex couples.

The **Equality Bill** debated by Parliament in 2009-10 sought to consolidate all discrimination laws, including for example the SORs, into a single Act. Yet the Government's Bill as introduced would have narrowed the employment freedom of churches and religious organisations even further than the 2003 employment laws (see above). The House of Lords voted three times against any narrowing of the 2003 legislation and the Government gave way. The legislation, which is now the Equality Act 2010, also places a duty on public bodies – like schools and the police – to promote homosexual and transsexual rights. It

may also have a negative impact on private or voluntary bodies with Government contracts. The Government accepted amendments by Labour Peer Lord Alli to permit the registration of **civil partnerships in churches**, but insists individual churches will not be compelled to allow them on their premises.<sup>13</sup>

Shortly after the 2005 General Election Labour tried again to outlaw **incitement to religious hatred**, this time in its Racial and Religious Hatred Bill. After strong opposition from Christians around the country, several Labour MPs rebelled against their Government and the House of Commons voted to substantially alter the offence, including a robust free speech protection.

In 2007 Labour introduced an offence of **'incitement to hatred on grounds of sexual orientation'**. The original legislation paralleled the religious hatred law as substantially amended by the Commons, with the crucial exception that there was no free speech protection. However, a free speech clause was successfully inserted by the House of Lords after a campaign led by Lord Waddington.<sup>14</sup> Having tried three times during 2008-09 to remove the free speech protection in the Lords and losing each time, the Government brought the incitement offence into force including the free speech shield in March 2010.

The law on **cannabis** was downgraded by the Government in 2004 – cannabis became a class C drug on a par with sleeping pills. However, in response to overwhelming evidence of cannabis damaging mental health, the Government restored the drug to class B in 2009. It was later revealed that in England and Wales cannabis users will not be arrested until they have been caught three times – a softer approach than is usually taken with other class B drugs.<sup>15</sup> Recent figures show that only one sixth of people caught with cannabis were taken to court.<sup>16</sup>

The **Gender Recognition Act**, passed

in 2004, provides a raft of legal rights for transsexuals – including the right for people to change their legal birth sex. So a man can become a woman in law and then marry another man.

The **Gambling Act 2005** provided for a massive deregulation of the gambling industry, introducing Las Vegas-style casinos to Britain and allowing for a great multiplication of betting shops, slot machines and internet gambling. Licences were granted for 16 huge new casinos – with the largest of them considerably bigger than anything existing before the Act. The Prime Minister only rejected plans for the one super casino allowed by the legislation.<sup>17</sup> Significantly, casino machines – ‘fixed-odds betting terminals’ – were formally legalised in casinos and betting shops. These machines have been called the ‘crack cocaine’ of gambling.<sup>18</sup>

#### *England and Wales*

The Charity Commission believes that Labour’s **Charities Act 2006** removed the presumption that churches and religious organisations are for the ‘public benefit’, though senior charity lawyers dispute this.<sup>19</sup> The Commission now asks such groups, including existing charities, to prove they provide ‘public benefit’ to obtain or maintain their charitable status.

Labour tightened the law on **prostitution** by introducing a ‘strict liability’ offence of paying for sex with someone who has been exploited for gain (Policing and Crime Act 2009).

In 2008 the Government made it an offence for a person to be in possession of an extreme **pornographic** image.<sup>20</sup>

The Licensing Act 2003 allowed for **24-hour drinking**, which came into force in 2005. The Act also brought **lap-dancing** clubs under ‘entertainment’ licensing which allowed a proliferation of lap-dancing venues across the country. In 2009 the Government reversed its liberalisation by moving lap-dancing clubs



**Prime Minister Gordon Brown**

into the ‘sex establishments’ licensing system, tightening up the law.

The Government repealed the **blasphemy laws** in 2008 after a campaign by atheists.

#### *England only*

Labour has kept the existing requirement for state schools to have daily **collective worship** which is mainly Christian, but in 2006 allowed sixth-formers to boycott collective worship.<sup>21</sup> It has not amended the 1988 law which says that the main content of **RE** in non-denominational schools should be Christian. However, guidance published in 2010 has a considerably strengthened multi-faith emphasis and advises

that schools include teaching of atheism in RE lessons.<sup>22</sup>

The Government has continued to promote the establishment of **academies**, including those with a Christian ethos.<sup>23</sup>

### *Scotland only*

Until 2007 Labour ran the Scottish Executive with its Lib Dem coalition partners. As well as introducing homosexual adoption and scrapping **Section 28**, they forced through reforms to **divorce law**, slashing the waiting time for 'no-fault' divorce.

The law on **prostitution** was strengthened by the Executive's Prostitution (Public Places) Scotland Act 2007.

## **Labour Party Policies**

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**Assisted suicide** – Gordon Brown has spoken out against allowing assisted suicide<sup>24</sup>; Labour allowed its Peers a free vote on the issue in the House of Lords. The 2009 Coroners and Justice Act tightened up the law against websites which encourage suicide (the Act does not apply to Scotland).

**Marriage** – The Labour Party Manifesto 2010 rejects tax breaks for married couples and states that "financial support should be directed at all children, not just those with married parents".<sup>25</sup>

**'Gay marriage'** – The Government has resisted calls to turn civil partnerships into full legal 'gay marriage'.<sup>26</sup> However, in March 2009 the Prime Minister attacked as "unacceptable" a high-profile measure reserving marriage for one man and one woman in California.<sup>27</sup>

**Divorce** – According to press reports, the Government has no plans to change the law on divorce or introduce quicker no-fault divorces.<sup>28</sup>

**Legal rights for cohabitants** – In July 2007 the Law Commission for England and Wales published proposals to give cohabitants similar legal rights to married couples when they split up.<sup>29</sup> The Law Commission had been asked to do so by the Government: Ministers called it "an issue that needed to be addressed".<sup>30</sup> It is unknown whether Labour plans to bring forward such laws. The Government initially said they would wait to see the effect of similar legislation in Scotland,<sup>31</sup> which it passed in 2006.

**Morning-after pill in schools** – Labour wants to further expand its scheme for clinics in schools which supply contraceptives and the morning-after pill, which it first introduced in 2002. It also plans to introduce one-to-one sexual health and contraception consultations for 16-year-olds.<sup>32</sup>

### **Christian schools in the state sector**

*Academies* – The Government is committed to increasing the number of academies, a programme which allows the creation of publicly-funded schools with a Christian ethos.<sup>33</sup>

*Church schools* – The Government has said it is committed to seeing new 'faith schools' established.<sup>34</sup> However, by banning existing schools from interviewing the parents of prospective pupils, Labour has made it harder for church schools to ensure that applicants subscribe to a Christian ethos.<sup>35</sup>

**Children, Schools and Families Bill** – This Government Bill, debated in 2009-10, planned to formally regulate **home education**, including provision for officials to question home-schooled children without their parents being present.

The Bill also proposed to liberalise and centralise control of **sex education**, including forcing state schools to teach about civil



Harriet Harman is Deputy Leader of the Labour Party and Minister for Women and Equality

partnerships and cohabitation alongside marriage, repealing the right of parents to withdraw their child from sex education when the child reaches the age of 15, and removing control of sex education from school governors.

The Government's proposed curriculum included teaching seven-year-olds about civil partnerships.<sup>36</sup> Draft sex education guidance published alongside the Bill suggested detailed sex education lessons for children as young as five.<sup>37</sup>

The sex education and home education elements of the Bill failed to become law before the General Election. Schools Secretary Ed Balls has vowed to reintroduce the measures "in a new bill in the first session of the new Parliament" should Labour be re-elected.<sup>38</sup>

**'Incitement to homophobic hatred'** – Labour have pledged in their manifesto to repeal Lord Waddington's free speech clause, and to invoke the Parliament Acts if necessary to overcome the opposition of the House of Lords.<sup>39</sup>

**Equality Act 2010** – Labour's new equality laws include duties on public authorities to promote homosexual, transsexual and religious rights. Public bodies such as schools, the police and local councils will be bound by these duties, which have potential to increase the marginalisation of Christians in public life. Much will depend on the wording of the regulations which are needed to bring the duties into force.

**Religious broadcasting freedom** – The Government continues to ban Christians from holding some TV and radio broadcasting licences.<sup>40</sup>

**Parental smacking** – The Government has resisted calls for an outright ban on smacking. Children's Minister Kevin Brennan said in 2007: "The Government will retain the law in its current form, in the absence of evidence it is not working satisfactorily."<sup>41</sup> However, the Children Act 2004 contained a Government-backed law restricting (but not ending) the parental right to smack in England and Wales.

**Drugs** – Labour is increasing spending on a ‘harm reduction’ approach which uses methadone to address heroin addiction, while rehabilitation centres which help addicts to become drug-free are closing after receiving fewer and fewer referrals from the NHS.<sup>42</sup>

**Sunday trading** – In 2006, the Government consulted on whether to extend Sunday opening hours, after pressure from large retailers. However, they decided not to go ahead with the plans, saying they saw “no substantial demand” for change.<sup>43</sup>

**Betting shops** – Labour have made a manifesto commitment to “give councils new powers to oppose gambling licences if there are too many betting shops operating in a high street”.<sup>44</sup> It was liberalisation of the law by the Government’s Gambling Act which allowed betting shops to be opened more easily on the high street.

**Constitution** – Labour created the new UK Supreme Court. Gordon Brown announced last year that the Government was looking at the issues regarding the bar on the succession of Roman Catholics to the throne, but also added:

“What we’ve got to do is to protect the position of the Queen as head of the established Church, the Church of England. So nothing we must do must affect that.”<sup>45</sup> The Labour manifesto states: “We believe that there is a case for reform of the laws concerning marriage to Roman Catholics and the primacy of male members of the Royal family. However, any reform would need the agreement of all the Commonwealth countries of which the Queen is the Sovereign.”<sup>46</sup>

**House of Lords** – In March 2007 the Government was heavily defeated in the Lords over plans for an all-elected chamber.<sup>47</sup> The Labour manifesto says they will “ensure that the hereditary principle is removed from the House of Lords” and create a fully-elected Second Chamber in stages.<sup>48</sup> There has been press speculation that the plans will include a chamber of 300 elected senators,<sup>49</sup> but the manifesto says they will “consult widely” on the proposals “before putting them to the people in a referendum”.<sup>50</sup>

Many issues of Christian concern – for example on religious liberty – have been very effectively raised in the Lords when it has proved very difficult to do so in the House of Commons.



## Conservative Party Policies

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### Human Fertilisation and Embryology Act

*Abortion* – Conservative MPs had a free vote on abortion. David Cameron voted to lower the abortion time limit to 20 weeks.<sup>51</sup> Andrew Lansley, the Shadow Health Spokesman, wanted the abortion limit to be reduced to 22 weeks.<sup>52</sup> However, they both wanted to make early abortions quicker and easier.<sup>53</sup>

*Hybrid embryos* – Conservatives were allowed a free vote on animal-human hybrid embryos. David Cameron voted in favour.<sup>54</sup>

*Saviour siblings* – Conservatives were allowed a free vote on ‘saviour siblings’.<sup>55</sup> David Cameron did not vote.

*Fatherhood* – Conservatives had a free vote, though spokesmen stated that children conceived through IVF needed a male role model.<sup>56</sup> David Cameron voted for keeping the ‘need for a father’ requirement.

The Conservative Party under Michael Howard gave a free vote to its MPs on the **Civil Partnership** and **Gender Recognition** Acts, though the frontbench spokesmen supported both pieces of legislation.

**Divorce** – The Scottish Conservatives opposed

the quicker divorce measures contained in the Family Law (Scotland) Act 2006.<sup>57</sup>

**Adoption in Scotland** – The Scottish Conservative leader Annabel Goldie supported the Adoption and Children (Scotland) Bill, which extended joint adoption to homosexual couples.<sup>58</sup> The Conservative frontbench spokesman opposed amendments to stop homosexual adoption, although it was a free vote for the party’s MSPs. He supported giving religious adoption agencies an exemption from laws requiring them to consider homosexuals as adopters.<sup>59</sup>

### Children, Schools and Families Bill

The Conservatives blocked plans contained in the Children, Schools and Families Bill to clamp down on home-schooling families and to change the law on sex education.

*Sex education* – During the Bill’s passage through Parliament, the Conservative Party tabled an amendment which rejected the planned new primary curriculum, including primary school sex education.<sup>60</sup> The party said it did not object to primary and secondary school sex education in principle, as long as it is “taught appropriately” and schools have “flexibility” in teaching it.<sup>61</sup> They also sought to amend the Bill to require schools to formally consult parents over their sex education



policies. The Government had planned to include compulsory sex education within a statutory national curriculum for Personal, Social, Health and Economic (PSHE) education. David Cameron has said he is opposed to centralised control of sex education by Whitehall or Westminster.<sup>62</sup>

After the sex education provisions were removed from the Bill, the Conservative Party education spokesman said: "As a result of our continued opposition to clause 14 [removing the parental right of withdrawal for 15-year-olds], the Government have chosen to withdraw all four clauses that relate to PSHE. We would have been happy to discuss PSHE being part of the curriculum, and we are therefore extremely surprised that the Government have chosen to withdraw entirely all four clauses. If we are elected to form the next Government, the role of PSHE in the curriculum is an issue that we would address and consult on."<sup>63</sup> He added that the Conservatives do not believe statutory sex education should apply to academies.

**Equality Bill 2006** – In the Lords, Conservative Peers voted against plans to introduce religious harassment laws in the provision of goods and services following concerns about free speech and religious liberty.

**Sexual Orientation Regulations 2007 (SORs)** – David Cameron voted for the SORs and said that Roman Catholic adoption agencies would have to comply with the law.<sup>64</sup> Conservative MPs and Peers were given a free vote. None of the shadow cabinet voted against the SORs, though some abstained or were absent for the vote. Almost three times as many Conservative MPs voted against the SORs as voted for them. A significant number also abstained or were absent.

**Equality Act 2010** – Conservative MPs and Peers were whipped to support an amendment

by Lady O’Cathain maintaining existing employment exemptions for churches, but the party gave its general support to the Bill as a whole.<sup>65</sup> Its Peers were allowed a free vote on whether the registration of civil partnerships should be allowed in churches.

**Prostitution** – In the Commons, the Conservatives wanted to remove the ‘strict liability’ offence proposed in the Policing and Crime Bill 2009 which was designed to strengthen the law against prostitution.<sup>66</sup> This would have greatly weakened the offence. However, the party did not in the end vote against the new law in the House of Lords.

**24-hour drinking** – The Conservatives have promised to repeal the 24-hour licensing legislation, replacing it with greater control for local councils over whether to grant licences.<sup>67</sup> However, at the time the Licensing Act introducing 24-hour drinking was passed, their policy was less clearly opposed.<sup>68</sup>

**Charity law** – The frontbench led an amendment to ensure the presumption that churches and religious organisations are for the ‘public benefit’ was explicitly retained in the 2006 Charities Bill and pushed the issue to a vote.<sup>69</sup>

**Assisted suicide** – David Cameron has condemned the idea of decriminalising assisted suicide and warned that helping the terminally ill to die is “dangerous for society”.<sup>70</sup> The Conservative Party allowed its Peers a free vote on assisted suicide when an attempt was made to weaken the law in the 2009 Coroners and Justice Bill.

**Smacking** – In October 2007 the Tories said they opposed an outright ban on smacking. After the Government’s review of the smacking law found no widespread support for a ban,





**Conservative leader David Cameron**

Conservative Shadow Children's Minister Tim Loughton said: "Clearly, if any adult is responsible for abuse and violence towards a child they need to face the full rigour of the law. But there is a world of difference between that and criminalising loving parents that use chastisement as they see fit in the interest of their child."<sup>71</sup>

**Incitement to religious hatred** – The Conservatives backed the Lords amendments to narrow the scope of the offence and include a robust free speech protection.<sup>72</sup> The then Shadow Home Secretary, David Davis, said the proposed law would "seriously undermine freedom of speech" and would be "massively counter-productive".<sup>73</sup>

**'Incitement to homophobic hatred'** – The Tories allowed a free vote on the issue, but David Cameron and the shadow cabinet supported Lord Waddington's free speech clause. Only two Tory Peers voted against the clause in any of the four votes. In the final vote no Conservative MP voted to repeal the Waddington amendment.

**Gambling** – The Conservatives did not in the end oppose the Gambling Act 2005. David Cameron initially supported Government plans for one super casino but the party then distanced itself from proposals to site the casino in Manchester, giving its Peers a free vote on that issue.<sup>74</sup> The Conservatives continue to support the National Lottery.<sup>75</sup>

**Drugs** – The Conservatives' manifesto says: "We will give courts the power to use abstinence-based Drug Rehabilitation Orders to help offenders kick drugs once and for all." They also state they will "introduce a system of temporary bans on new 'legal highs' while health issues are considered by independent experts."<sup>76</sup>

**Cannabis** – David Cameron said: "The Conservative Party has a very clear view that it should be class B."<sup>77</sup> The party also claims: "We successfully led the campaign to have cannabis reclassified as a Class B drug."<sup>78</sup>

**Blasphemy laws** – The Conservatives regarded repeal of the blasphemy law in England and Wales as a matter of conscience and allowed a free vote.<sup>79</sup>

**Marriage** – The Conservatives’ manifesto gives a commitment to “end the couple penalty for all couples in the tax credit system”.<sup>80</sup> It also states that marriage will be recognised in the tax system in the next Parliament – but this recognition, in the form of a tax break, will also be applied to civil partnerships.<sup>81</sup>

**‘Gay marriage’** – David Cameron has said the Tories “will recognise marriage, whether between a man and a woman, a woman and a woman or a man and a man, in the tax system”.<sup>82</sup> This suggests he views civil partnerships as equivalent to marriage, and he has previously stated: “As far as I am concerned, commitment matters whether it’s between a man and a woman, a man and a man or a woman and a woman.”<sup>83</sup> *The Daily Telegraph* has reported an unnamed Tory spokesman as saying that the party wants to see how civil partnerships ‘bed in’ before taking any action to legalise homosexual marriages.<sup>84</sup> Other newspaper reports have suggested that David Cameron has ‘come within a whisker’ of formally endorsing full legal ‘gay marriage’.<sup>85</sup> At a meeting in April with ‘gay rights’ activists, Shadow Chancellor George Osborne said: “David Cameron and I are very happy to consider the case for gay marriage.”<sup>86</sup> It was reported that Mr Osborne also made clear that if there was a proposal to introduce full gay marriage it would be a free vote issue for Conservatives.<sup>87</sup>

**Legal rights for cohabittees** – In November 2009 Henry Bellingham MP, a Tory frontbench justice spokesman, said the Tories would support a new cohabitation law whereby unmarried couples would receive legal and financial benefits.<sup>88</sup> However, David Cameron immediately issued a public rejection of the idea and overruled him.<sup>89</sup>

**Age of consent** – David Cameron recently announced that, under a Conservative

Government, criminal convictions will be treated as spent if they were received for consensual homosexual activity which is now lawful because the age of consent was lowered to 16. This move would mean that such convictions would no longer be disclosed by criminal record checks, and Mr Cameron called it “a question of justice”.<sup>90</sup>

**State-funded Christian schools** – Michael Gove, Shadow Education Secretary, has committed the Tories to supporting new state-funded religious schools.<sup>91</sup> David Cameron has said he supports faith schools “politically and personally”.<sup>92</sup> The Conservatives will encourage schools to become academies.<sup>93</sup>

**School discipline** – Michael Gove has recently announced: “We would change the law to give teachers more power to restrain violent pupils to protect them from the thuggish minority and shift the balance of power in the classroom so that authority is respected once more.”<sup>94</sup>

**Religious broadcasting freedom** – For some years the Conservatives have opposed the ban on Christians holding some TV and radio licences.<sup>95</sup>

**Constitution** – David Cameron supports changing the law to allow a monarch to be married to a Roman Catholic<sup>96</sup>, though his view on how this would affect the establishment of the Church of England is unknown.

The Conservatives promise in their manifesto to replace the Human Rights Act 1998 with a UK Bill of Rights.<sup>97</sup>

**House of Lords** – The Conservatives’ manifesto says: “We will work to build a consensus for a mainly-elected second chamber to replace the current House of Lords”.<sup>98</sup>



## Liberal Democrat Party Policies

It is no exaggeration to say that the Liberal Democrats are proud to be the main party most supportive of **gay rights**, with Leader Nick Clegg being the only main party leader so far to advocate the legalisation of same-sex marriage as definitive party policy. In 2002 the Lib Dems backed **adoption by homosexual couples** in England and Wales, and passed equivalent Scottish legislation in 2007 when coalition partners in the Scottish Executive. They also strongly supported the **Civil Partnership Act**, **Sexual Orientation Regulations (SORs)** and the **Gender Recognition Act**.

Nick Clegg has called for the National Blood Service to end its public safety policy of banning men who have ever had sex with men from **giving blood**.<sup>99</sup>

The Liberal Democrats supported the downgrading of the law on **cannabis**, but opposed an **incitement to religious hatred offence**. For some time now it has been party policy to completely ban **parental smacking**.<sup>100</sup>

### Human Fertilisation and Embryology Act

– Liberal Democrats were allowed to vote according to their conscience on lowering the time limit for **abortion** from 24 weeks. Leader Nick Clegg voted against any reduction.

MPs were allowed a free vote on the creation of animal-human embryos, 'saviour siblings' and scrapping the 'need for a father' requirement for IVF children. Nick Clegg voted in favour of animal-human embryos and 'saviour siblings', and also supported repeal of the 'need for a father' requirement.

### Children, Schools and Families Bill

*Home education* – The Lib Dems opposed the Government's plans to regulate home education, with education spokesman David Laws labelling them "excessive".<sup>101</sup>

*Sex education* – The Liberal Democrats supported "unreservedly" the parts of the Bill which contained a compulsory national curriculum for sex education.<sup>102</sup> Furthermore, they believe parents should lose the right to withdraw their children "long before they are 15".<sup>103</sup> They opposed an amendment to the Bill which claimed to allow faith schools to teach sex education according to their religious beliefs; David Laws said the amendment was 'pandering to homophobia'.<sup>104</sup>

**Equality Bill 2006** – The Liberal Democrats wanted religious harassment removed from the Bill to safeguard free speech about religious beliefs.<sup>105</sup>

**SORs** – The Lib Dems supported the Government in voting for the SORs.<sup>106</sup> Lorely

Burt, then equality spokesman, said it was vital that the plans contained in the SORs should not be weakened in any way.<sup>107</sup>

In Scotland the Lib Dems opposed protecting religious adoption agencies from being compelled to place children with same-sex couples, turning against their Labour coalition partners to oppose an exemption during the passage of the Adoption and Children (Scotland) Bill 2007.

**Equality Act 2010** – The Lib Dems firmly supported the Equality Bill and voted for narrowing employment protections for churches and religious organisations. They also argued that religion should **not** be included as a protected characteristic in the public sector equality duties.<sup>108</sup> Liberal Democrat frontbench Peer Lord Lester said: “The Bill is a great achievement. I know of no measure as ambitious and far-reaching in any part of the world. It is the result of many years of effort, imagination and skill.”<sup>109</sup>

**24-hour drinking** – The Liberal Democrats opposed the Licensing Act 2003, saying it would make the problem of binge-drinking worse.<sup>110</sup> However, they did not oppose extended drinking hours “with the right control mechanisms and support mechanisms in place”.<sup>111</sup> Party policy has been that the age for buying alcohol should be reduced from 18 to 16.<sup>112</sup> The party manifesto states that they “support a ban on below-cost selling, and are in favour of the principle of minimum pricing.”<sup>113</sup>

**Assisted suicide/euthanasia** – The party supports the legalisation of voluntary euthanasia. In 2004 the Liberal Democrats passed a conference motion that ‘medically assisted dying’ should be legalised, though Lib Dem MPs would be permitted to have a free vote.<sup>114</sup> This position was adopted during

debates on Lord Joffe’s Bill to legalise euthanasia in 2006.<sup>115</sup> Lib Dem Peers were given a free vote on assisted suicide when debating the 2009 Coroners and Justice Bill.<sup>116</sup>

**Marriage** – The Liberal Democrats are against favouring marriage in the tax system.<sup>117</sup> Leader Nick Clegg described the Conservatives’ proposals for a tax break for married couples as “patronising drive!”<sup>118</sup> Families Spokesman, Susan Kramer, has said: “Liberal Democrats recognise ‘real’ families, as they exist in all their variations and complexity - traditional families, families centred on heterosexual but also gay and lesbian relationships, multi-generational families, step-families, extended families and single parent families.” She said those who speak out for traditional families are “stuck in a mid-20<sup>th</sup> century time-warp.”<sup>119</sup>

**‘Gay marriage’** – Liberal Democrat leader Nick Clegg has said: “I support gay marriage. Love is the same, straight or gay, so the civil institution should be the same, too. All couples should be able to make that commitment to one another.”<sup>120</sup> Elsewhere he stated: “Until same-sex marriage is permitted it is impossible to claim gay and straight couples are treated equally.”<sup>121</sup>

The Scottish Lib Dems have backed full same-sex marriage as party policy.<sup>122</sup>

**Divorce** – A recent Lib Dem policy paper states that the party will promote mediation in divorce<sup>123</sup> – schemes for divorcing couples to divide their assets and take decisions about the children. But this is not the same as promoting reconciliation (to avoid divorce) through marriage counselling. Christians want to see politicians promote reconciliation (which saves marriages) not mediation (which facilitates divorce).

The Scottish Lib Dems pushed through

measures to allow quicker divorce in the Family Law (Scotland) Act 2006 as coalition partners with Labour.

**Legal rights for cohabitants** – Lib Dem Peer Lord Lester proposed a backbench Cohabitation Bill, aiming to “give legal protection and recognition to unmarried couples (both same sex and opposite sex).”<sup>124</sup>

**Morning-after pill in schools** – The Liberal Democrats support the availability of the morning-after pill in schools. They welcomed the decision by Labour in 2002 to establish school clinics to supply contraceptives and the morning-after pill.<sup>125</sup>

**State-funded Christian schools** – It is Lib Dem policy that every church school should lose its freedom to choose Christian staff, or to seek pupils who agree with the school’s ethos.<sup>126</sup>

Liberal Democrat leader Nick Clegg has called for all church schools to teach that homosexuality is “normal and harmless.”<sup>127</sup> Schools minister David Laws has said it is unacceptable for them to teach that homosexuality is morally wrong.<sup>128</sup>

The Liberal Democrats would replace academies with ‘Sponsor-Managed Schools.’<sup>129</sup> It is unknown whether Christian bodies would be free to establish such schools.

**Homosexual teachers in church schools** – The Lib Dems have consistently opposed allowing church schools to refuse to employ someone based on their sexual behaviour.<sup>130</sup>

**Incitement to religious hatred** – It was party policy to oppose the Government’s Racial and Religious Hatred Bill. The Lib Dems supported amendments made in the Lords, including a robust free speech protection.<sup>131</sup>



**Liberal Democrat leader Nick Clegg**

**‘Incitement to homophobic hatred’** – When Lord Waddington’s free speech clause was debated as part of the Criminal Justice and Immigration Bill 2008, the Liberal Democrats forced a vote in the House of Commons because they were so strongly opposed to the amendment.<sup>132</sup> However, by November 2009 they had decided to give Peers a free vote on the issue.<sup>133</sup> Most Lib Dem Peers voted against the free speech clause.

**Religious broadcasting freedom** – During the passage of the Communications Bill 2003, the Lib Dems initially supported removing restrictions on religious bodies holding TV and radio licences. However, in a last minute U-turn, they supported the Government in maintaining the ban.<sup>134</sup>

### **Drugs**

The Lib Dems support ending the use of imprisonment as a punishment for possession for a person’s own use of illegal drugs of any class. The party has said that the emphasis on criminal sanctions makes the problem worse; they advocate moving away from the general prohibition of drugs.<sup>135</sup>

*Heroin* – The party has proposed giving heroin to addicts as a way to cut crime.<sup>136</sup>

*Cannabis* – The Liberal Democrats voted for cannabis to remain a class C drug.<sup>137</sup>

*Ecstasy* – Party policy has been to weaken the law by reclassifying ecstasy from class A to class B.<sup>138</sup>

**Gambling** – The Liberal Democrats supported the Prime Minister's decision to scrap the super casino, saying it was "the right decision".<sup>139</sup> Of the two main opposition parties at Westminster the Lib Dems have been most critical of the Gambling Act.

**Smacking** – It is Lib Dem policy to incorporate the UN Convention on the Rights of the Child into UK legislation,<sup>140</sup> which would mean banning parental smacking. Liberal Democrat spokesman Annette Brooke said: "There can be no justification for the smallest and most fragile of our citizens having less protection from assault than the rest of us take for granted."<sup>141</sup> However, when the issue arose in 2008 the Lib Dems said their MPs could vote according to their conscience.<sup>142</sup> During Committee Stage of the Children, Schools and Families Bill the Liberal Democrat frontbench tabled amendments in an attempt to outlaw smacking in Sunday Schools and other part-time places of education.<sup>143</sup>

**Prostitution** – The Lib Dems opposed the new 'strict liability' offence which strengthened the law on prostitution. The party continues to support the licensing of brothels, with its spokesman in the Lords last year advocating New Zealand's approach of decriminalising prostitution.<sup>144</sup> Commons spokesman Chris Huhne said the right way to protect prostitutes would be to "regulate the sex industry so that brothels are places of safety".<sup>145</sup>

**Blasphemy laws** – The Lib Dems were in favour of abolishing the blasphemy laws. Lib Dem MP and leading atheist campaigner, Dr Evan Harris, tabled the amendment which led to the repeal of the blasphemy offence in England and Wales.<sup>146</sup>

**Pornography** – The party's 2004 spring conference voted that pornography currently only legally available to those aged over 18 should be made available to those over the age of 16.<sup>147</sup> Under the plans, 16-year-olds would be able to go into sex shops.

The managing director of a pornography company, Anna Arrowsmith, is the Lib Dem candidate for Gravesham, Kent, at the 2010 General Election. Nick Clegg has strongly defended her candidacy, saying "she's not done anything illegal".<sup>148</sup>

**Constitution** – David Howarth, Liberal Democrat shadow Solicitor General, has said: "It is the policy of my party to work towards the disestablishment of the Church, and the separation of Church and state. I am fairly comfortable with that position."<sup>149</sup> The Liberal Democrats want a written Bill of Rights for Britain, including strengthening and entrenching the Human Rights Act.<sup>150</sup> In March 2009 Evan Harris secured a debate on his Private Members' Bill to repeal the law which excludes Roman Catholics from the line of succession.<sup>151</sup> Dr Harris was reported as saying that the Liberal Democrats would "seek every opportunity to keep this on the agenda".<sup>152</sup>

**House of Lords** – The Liberal Democrats want to abolish the House of Lords and replace it with a fully-elected chamber of 300 Senators.<sup>153</sup>



## **Scottish National Party Policies**

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The Scottish National Party (SNP) has led a minority Government in Scotland since 2007, with 47 MSPs in the Scottish Parliament. The Party had seven MPs in Westminster – including its leader Alex Salmond – before dissolution for the General Election.

**Human Fertilisation and Embryology Act** – SNP MPs had a free vote on the Bill.<sup>154</sup>

*Abortion* – Alex Salmond voted to reduce the time limit on abortions from 24 to 20 weeks, but has said it is a free vote issue for his party.<sup>155</sup> He also backed proposals to set up an independent commission to examine abortion laws in 2007.<sup>156</sup>

**Human cloning** – In February 2005 the then SNP Shadow Minister for Culture and Sport laid a motion in the Scottish Parliament congratulating the UN for its declaration against all forms of human cloning, and endorsing its call for member states to prohibit all forms of human cloning.<sup>157</sup>

**Euthanasia** – Alex Salmond has promised SNP MSPs a free vote on Margo MacDonald's End of Life Assistance (Scotland) Bill, though has said he is personally not convinced by her arguments.<sup>158</sup>

**Sexual Offences (Scotland) Act 2009** – The Bill originally proposed by the SNP minority Government would have legalised oral sex between teenagers, but the Government moved an amendment to close the loophole after a parliamentary committee scrutinising the Bill raised concerns.

**Gay adoption** – The SNP supported the Adoption and Children (Scotland) Bill which extended joint adoption to homosexual couples. The party opposed amendments by one of its own MSPs (Roseanna Cunningham) to stop homosexual couples adopting.<sup>159</sup>

**Homosexual foster carers** – The SNP introduced fostering rights for homosexual couples; the new regulations came into force in September 2009.<sup>160</sup>

**Civil partnerships** – The SNP spokesman welcomed the introduction of the Civil Partnership Bill, which introduced 'gay marriage' in all but name.<sup>161</sup> All of the then five SNP MPs voted for the Bill at Westminster; they also voted against an amendment to extend the benefits of the Bill to siblings who share a house.

**Legal rights for cohabitants** – The 2003 SNP conference overwhelmingly agreed that unmarried heterosexual partners should be included in the Civil Partnership Act and

be given the same property, taxation and inheritance rights as married couples.<sup>162</sup>

**Divorce** – The SNP gave its MSPs a free vote on the Family Law (Scotland) Bill which made divorce quicker and easier, though its spokesman welcomed the Bill.<sup>163</sup>

**Homosexual teaching in schools** – In 2008 the Scottish Government launched its ‘anti-homophobia’ guide for schools. The guide advocated pro-homosexual teaching, saying that even if some parents object “this does not mean that it should not go ahead.”<sup>164</sup>

**Home education** – The SNP minority Government published statutory guidance in December 2007. The guidance upheld the right of parents to home educate and denied that child protection problems are any more likely to arise with home-educated children than those educated at school.<sup>165</sup> The SNP have not proposed to formally regulate home education.

**Religious schools** – In 2008 Alex Salmond said “All faith-based schools play a significant role in helping to shape, inspire and strengthen our young people to learn. It’s time to celebrate their contribution to Scottish education.”<sup>166</sup> In 2008 Alex Salmond backed the first state-funded Islamic school in Scotland.<sup>167</sup>

**Sexual Orientation Regulations 2007 (SORs)** – The party believes Roman Catholic adoption agencies should be free to refuse to place children with same-sex couples.<sup>168</sup>

**Hate crimes** – The SNP supported the Offences (Aggravation by Prejudice) (Scotland) Act 2009 which introduces tougher penalties for crimes committed against homosexuals and transsexuals.

**Free speech** – The Scottish Government has tabled an amendment to the Criminal Justice and Licensing (Scotland) Bill 2010 which introduces a new ‘distressing behaviour’ offence, covering what people say even in their own home and punishable by up to five years in prison. While it is a general offence not specifically aimed at Christians, it is a much more draconian version of a similar public order offence in England which was recently used to prosecute Christian hotel owners from Liverpool over a religious discussion with a Muslim guest. During the Justice Committee consideration at Stage 2 the Justice Secretary agreed to withdraw the amendment and return to the issue at Stage 3.<sup>169</sup>

**Incitement to religious hatred** – The SNP were in favour of the House of Lords amendments which included a robust free speech shield.<sup>170</sup>

**Equality Act 2010** – The SNP offered general support for the Bill.<sup>171</sup> SNP MP John Mason moved amendments in the Commons to protect religious liberty, making clear that he did so as a backbench MP and not on behalf of his party.

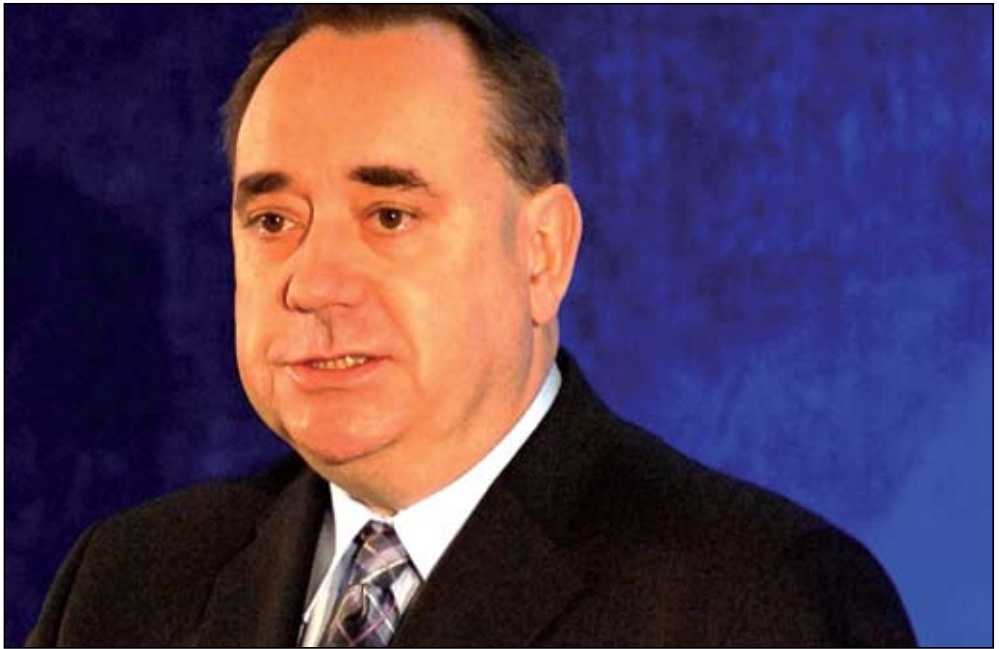
**Smacking** – The party is against a total ban on parental smacking. It supports the current law in Scotland.<sup>172</sup>

**Gambling** – The SNP spoke out against the Gambling Bill 2005.<sup>173</sup>

## Drugs

In May 2008 the SNP administration launched a new general anti-drugs strategy which was widely seen as moving away from previous ‘harm reduction’ policies adopted by other parties.<sup>174</sup> However, the Scottish Government has recently been criticised for not doing enough to get addicts off methadone and drug-free.<sup>175</sup>





### Scottish National Party leader Alex Salmond

**Cannabis** – In 2003 the party supported the UK Government’s reclassification of cannabis from class B to class C.<sup>176</sup> However, in 2008 the SNP minister in the Scottish Government welcomed the decision to return cannabis to class B;<sup>177</sup> at Westminster three SNP MPs voted for cannabis to return to class B, while four abstained or were absent.

**Prostitution** – The SNP opposed the introduction of ‘tolerance zones’ in February 2003<sup>178</sup> and supported the Prostitution (Public Places) (Scotland) Act 2007 which strengthened the prostitution laws in Scotland.

**Alcohol** – In 2005, the SNP criticised 24-hour drinking legislation.<sup>179</sup> The Scottish Government’s current Alcohol etc. (Scotland)

Bill 2010 contains measures to introduce a minimum price per unit on alcohol and ban shops from having cut-price offers or selling alcohol as a loss leader.<sup>180</sup>

**Constitution** – The SNP are well known for favouring Scottish independence. In November 2009 they published a White Paper setting out options for reform and said they plan to hold a referendum on independence in November 2010.<sup>181</sup> The SNP have campaigned for the repeal of the Act of Settlement, which excludes Roman Catholics from the line of succession to the throne.<sup>182</sup>

**House of Lords** – Alex Salmond has suggested that the House of Lords should either be abolished or moved to a fully-elected basis.<sup>183</sup>



## Plaid Cymru Policies

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Plaid Cymru had three MPs in Westminster before dissolution for the General Election and it has 14 Assembly Members in the National Assembly for Wales. Plaid Cymru is in coalition Government with Labour in the Assembly and its leader there is Ieuan Wyn Jones. The Party President is Dafydd Iwan.

### **Human Fertilisation and Embryology Act –**

Two of the three Plaid Cymru MPs (Elwyn Llwyd and Hywel Williams) voted in favour of animal-human embryos, saviour siblings and keeping the abortion limit at 24 weeks. The third MP (Adam Price) did not vote. Elwyn Llwyd voted to keep the ‘need for a father’ requirement in IVF treatment.

**Euthanasia** – The party policy is unknown, but in 2005 Dafydd Iwan said: “...if the quality of someone’s life has deteriorated to the point when they wish to be released from their suffering, then I believe that to prolong life by technical means becomes an unjustified intervention in the course of nature.”<sup>184</sup>

**‘Gay rights’** – Plaid Cymru state on their website: “Plaid has a strong record on supporting Gay Rights. The Party voted in favour of the equalisation of the age of consent. Voted in favour of civil partnerships, of adoption rights for Lesbian and Gay couples,

and voted for the repeal of section 28.”<sup>185</sup> In 2007, Plaid Cymru MP Elwyn Llwyd said that describing homosexuality as a sin was “not acceptable in a modern society.”<sup>186</sup>

**Legal rights for cohabittees** – The 2005 Plaid Cymru manifesto promised to introduce a law “to provide a right for unmarried partners to register their partnership and have property, pension and inheritance rights.”<sup>187</sup>

**School assemblies** – In 2009 the Welsh Assembly Government followed the English approach of allowing sixth form pupils to boycott religious school assemblies.<sup>188</sup>

**Home education** – Plaid Cymru want home education to be devolved to the Welsh Assembly.<sup>189</sup> Welsh Assembly Government Minister Jane Hutt said that some of the Badman Review recommendations “potentially offer opportunities to help secure a suitable standard of home education and, potentially, in a small number of cases, greater protection for children from abuse.”<sup>190</sup>

**Incitement to religious hatred** – Plaid Cymru opposed the introduction of an incitement to religious hatred law.<sup>191</sup>

**‘Incitement to homophobic hatred’** – Plaid Cymru MPs consistently voted against Lord Waddington’s free speech amendment.

**Equality Act 2010** – The party welcomed the Equality Bill,<sup>192</sup> and all three of its MPs voted in favour of restricting the freedoms of churches and other religious organisations to employ people in accordance with their beliefs.

**Smacking** – Plaid Cymru want to end the defence of reasonable chastisement.<sup>193</sup> Elfyn Llwyd MP supported the amendment to the Children and Young Persons Bill in 2008 to ban smacking.<sup>194</sup> The Welsh Assembly Government, of which Plaid Cymru form part in coalition with Labour, is opposed to corporal punishment.<sup>195</sup>

**Blasphemy** – All three Plaid Cymru MPs voted to repeal the blasphemy laws in May 2008.

**Cannabis** – In September 2001 the party conference backed moves to decriminalise cannabis for personal and ‘medicinal’ use.<sup>196</sup> Two of the then four Plaid Cymru MPs supported the reclassification of cannabis in 2003 (Simon Thomas and Hywel Williams); the other two abstained or were absent (Elfyn Llwyd and Adam Price). However, Hywel Williams MP voted in favour of returning cannabis to class B in 2008.

**Gambling** – In 2005 all of the then four Plaid Cymru MPs voted against the Gambling Bill. The spokesman said: “It is not patronising, elitist or snobbish to stand up and say that gambling harms society and the poor and the working class disproportionately...Gambling is founded on misery and on broken dreams for many, and it is a broken dream for a Government to promote it.”<sup>197</sup>



Plaid Cymru leader Ieuan Wyn Jones

**Alcohol** – Plaid Cymru support the introduction of a minimum pricing policy for alcohol.<sup>198</sup> In 2009, the Welsh Assembly Government argued for the introduction of minimum pricing for alcohol,<sup>199</sup> a curb on alcohol promotions, and increased tax on drink, though it does not have power to legislate in these areas.<sup>200</sup>

**Constitution** – Plaid Cymru are in favour of establishing proportional representation in the UK Parliament, a fully-elected House of Lords and promoting “more full law-making powers for Wales.”<sup>201</sup> The party “is committed to an independent Wales as a full member of the European Union.”<sup>202</sup>

# UK Independence Party

ukip.org



## UK Independence Party Policies

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The leader of UKIP is Lord Pearson of Rannoch. With twelve MEPs UKIP is now the third largest UK party in the European Parliament.

**Marriage** – UKIP would remove the ‘couple penalty’ in benefits for married couples and would also introduce a “flat tax policy that would disincentive young single mothers from getting pregnant purely to obtain financial/benefits advantages.”<sup>203</sup>

**Religious education** – The party says it will make religious education optional, and allow schools liberty to teach it in accordance with their particular religious ethos, if they so desire.<sup>204</sup>

**Home education** – The UK Independence Party is fully behind the principle of elective home education.<sup>205</sup> The party is against the Badman Report.<sup>206</sup>

**Sex education** – UKIP says it will immediately “abolish compulsory Sex and Relationship education, compulsory Citizenship lessons and Personal, Social and Health education.”<sup>207</sup>

**School discipline** – The party believes that school discipline should be strengthened, with individual schools given the final say in what sanctions they wished to employ against disruptive and/or unruly pupils, not local authorities or other outside agents. This should also include the option of corporal punishment. It would be up to individual schools and parents to decide if and how they employed these sanctions.<sup>208</sup>

**Constitution** – UKIP is well known for its policy of ending the UK’s membership of the European Union. UKIP also proposes a hybrid house of appointed Lords and elected Lord Senators – 200 elected Senators and 100 appointed Lords, plus twelve Law Lords and five Bishops. The party proposes that Lords and Senators should not be subject to a whip.<sup>209</sup>

UKIP wants to abolish the **Human Rights Act**.<sup>210</sup> The party “fully support and uphold the Act of Settlement, oppose disestablishment of the Church of England and support the Monarch’s position as Supreme-Governor of the Church of England and Defender of The Faith.”<sup>211</sup>



## Green Party Policies

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The Green Party has two MEPs in the European Parliament, including its leader Caroline Lucas. The Party also has two Members in the Scottish Parliament.

**Abortion** – In 2008 the Green Party spring conference voted to liberalise abortion law by removing the two doctor rule, allowing nurses and midwives to carry out abortions up to the end of the first trimester, and removing restrictions on where abortions can be carried out.<sup>212</sup>

**Assisted suicide** – The Green Party supports assisted suicide for terminally ill people.<sup>213</sup>

**Human cloning** – It has been Green Party policy to oppose human cloning.<sup>214</sup>

**‘Gay marriage’** – The Green Party’s policy is to “open up full civil marriage to same sex partners”<sup>215</sup> and allow heterosexual couples to enter civil partnerships.<sup>216</sup> The party proudly claims to be the only political party to officially support gay marriage.

**Education** – Party policy is that “all schools, both state controlled and privately run will be required to embrace a multi-faith perspective throughout the delivery of the curriculum.” The Greens would also: “Ensure all schools provide sex education that covers the diversity of sexualities and gender identities.”<sup>217</sup>

**Equality** – The Green Party has an extensive ‘gay rights’ manifesto in which it proposes to amend the Equality Act 2010 to bring in **homosexual and transsexual harassment laws**.<sup>218</sup> The Greens **oppose all religious liberty exemptions** from equality and anti-discrimination laws and want to remove the public safety policy which stops **blood donations** from men who have had sex with men.<sup>219</sup>

**Drugs** – The party believes that drugs should be legalised. It wants “a regulated framework of social, economic and health conditions for drug use and supply, within a legalised environment of drug use.” It envisages, for example, making cannabis available through regulated outlets, as in the Netherlands.<sup>220</sup>



## Christian Party Policies

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The Christian Party wants to end **abortion** and is opposed to **same-sex marriage**, rejecting “all attempts to re-define marriage” to be anything other than “between one man and one woman for life”.<sup>221</sup>

The party would reinstate the provision of **Christian religious education** in every school,<sup>222</sup> with no obligation to promote other faiths,<sup>223</sup> and ensure schools provide **collective Christian worship**.<sup>224</sup>

**School discipline** – “The Christian Party would allow schoolteachers to use reasonable force to maintain discipline in schools and would allow schools to elect to use supervised corporal punishment as a ‘punishment of last resort’ instead of ‘Exclusions.’”<sup>225</sup>

The Christian Party supported the **free speech clause** inserted in the homophobic hatred law by Lord Waddington.<sup>226</sup> Its draft manifesto also says its MPs would: “Abolish race equality laws, sexual orientation equality laws, and gender equality laws so that there are no special benefits for special interest groups, but impartial justice for all.”<sup>227</sup>

The party promises to: “Put in place a zero tolerance approach towards illegal **drug possession for personal use** through the use of a full range of alternative punishments, rather than prison sentences.”<sup>228</sup>

**Smacking** – The party’s draft manifesto says: “Child ‘protection’ legislation, such as the anti-smacking law, has caused a power shift in the home from parents to their children”<sup>229</sup> and it would seek to “clarify and correct” the law.<sup>230</sup>

# Christian Peoples Alliance

cpaparty.org.uk



## Christian Peoples Alliance Policies

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**Children, Schools and Families Bill** – The CPA opposed the Bill, calling for it to be withdrawn and policies put in place to “promote the traditional family unit, with marriage as a life-long union between one man and one woman”.<sup>231</sup>

*Sex education* – The party states: “We know sexual relationships happen outside of marriage and SRE must be taught with wisdom, respect and sensitivity. But what children need is a clear message: sex is a gift intended by God for a life-long marriage between one man and one woman. All other relationships are less than God’s best.”<sup>232</sup>

*Home education* – The CPA also criticised the provisions in the Bill to regulate home education.<sup>233</sup>

**Abortion** – The CPA’s 2005 manifesto promised that that they would seek to repeal the 1967 Abortion Act, end use of the morning-after pill and outlaw cloning of human beings and embryo experimentation.<sup>234</sup>

**Church schools** – The CPA has said: “Faith-based schooling reflecting all traditions is one of the success stories of the British education system, bringing students together from different ethnic backgrounds and modelling the best of what all schools should be about. The CPA will ensure new faith schools are built in areas of high economic deprivation that are open to all who agree with a school’s values and mission.”<sup>235</sup>

The Christian Peoples Alliance is campaigning for a **Religious Equality Bill** which guarantees the same right of Christians to manifest their beliefs as the rights of sexual minorities to live according to their own preferences.<sup>236</sup>

According to the CPA’s official website, “Steps to legalise **prostitution** or brothels will be firmly rejected”.<sup>237</sup>





# More information about current legislation and public policy

## Medical ethics

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### Human Fertilisation and Embryology Act

Liberalising UK law covering the use of embryos and applying to technologies ranging from IVF to animal-human cloning, the Human Fertilisation and Embryology (HFE) Act became law when it received Royal Assent in November 2008. The most controversial elements of the Act include:

#### *Animal-human hybrid embryos*

British scientists are now permitted under licence to create embryos which are part-human and part-animal. Supporters of such research claim it is vital to the development of medical treatments using embryonic stem cells. Yet the evidence shows that the most impressive medical advances are being made using stem cells from non-embryonic sources, often called 'adult' stem cells. Since the Act was passed, all three UK projects that intended to work with hybrids have been denied funding and have now been abandoned.<sup>238</sup> Research in America has called into question whether hybrid embryos can generate stem cells at all.<sup>239</sup>

#### *Fertility treatment*

The Act permits broad use of techniques to test IVF embryos for particular genetic traits. This includes selecting certain embryos to be brought to birth as 'saviour siblings', in order to provide cells or tissues for the treatment of a sibling with "a serious medical condition". A child born in this way would grow up knowing

they were chosen to be a commodity. The unwanted embryos would be destroyed.

The HFE Act also removed the requirement in the previous legislation that all clinics had to consider 'the need of a child for a father' before allowing fertility treatment such as IVF. That provision rightly made clear that a child should not be denied a mother *and a father*. However, the mother can now name anyone, male or female, as the "second parent", and single women and lesbian couples will now have easier access to IVF treatment.<sup>240</sup>

#### *Abortion*

The present law allows abortion up to 24 weeks of gestation, but the law permits abortion up to birth where the child may have 'a serious handicap'. What constitutes a serious handicap has not been defined. The diagnosis of a comparatively trivial deformity, such as a cleft palate, has even been used as a ground for an abortion. Overall in 2008 in England and Wales, 99% of the 202,158 legal abortions were carried out for social reasons.<sup>241</sup>

Parliamentary consideration of the HFE Bill in 2008 presented the first opportunity in nearly 20 years to significantly amend the law on abortion. Pro-life MPs sought a reduction in the upper gestational time limit for abortion from the current limit of 24 weeks. Sadly, several votes to reduce the limit were all lost. The closest vote, on a reduction to 22 weeks, was lost by 304 to 233. Pro-abortion MPs tabled

amendments which would have drastically liberalised the law. These included removing the requirement for two doctors' signatures on abortion forms (creating abortion on demand), allowing nurses to carry out abortions, and permitting women to have drug-induced abortions at home. Lack of time meant that these amendments never reached a vote.

### *Human cloning*

The law allows human embryos to be cloned for 'research' (so-called 'therapeutic cloning'), but they are not allowed to develop ('reproductive cloning') – embryos created must be destroyed when they reach 14 days old.<sup>242</sup> The HFE Act grants the Government the power to introduce regulations which could, in rare circumstances, permit the birth of GM children with three genetic parents – two mothers and a father – or even full human reproductive cloning. (The regulations would apply when scientists are seeking to overcome mitochondrial disease).

### *Consent*

Scientists are now allowed to conduct embryo experiments using current stocks of donated tissue. The Government claimed there was "sufficiently strong" evidence to justify this, even though the original donors did not give express consent for their tissue to be used to create embryos, and may even have been opposed to such research.<sup>243</sup>

### **Assisted suicide/euthanasia**

Many people are concerned that the Government's Mental Capacity Act 2005 for England and Wales allows euthanasia by omission (e.g. by withdrawing food and water). The Act does not formally legalise euthanasia but creates 'advance decisions' – known as 'living wills' – which could open the door to euthanasia. An alarming 2009 case, in which a self-harm patient carrying an 'advance decision' died after doctors allegedly refused to treat

her, led to calls for a review of the law.<sup>244</sup> The Health Secretary said the case took the law into "new territory" which he did not believe had been intended by Parliament and suggested Parliament may want to revisit the issue.<sup>245</sup>

Euthanasia by acts of commission (e.g. by administering a lethal injection) is illegal in the UK, as is assisting someone to commit suicide. However, pro-euthanasia campaigners have made repeated attempts to change the law in these areas. In 2006, Lord Joffe's Assisted Dying for the Terminally Ill Bill, which would have legalised some forms of euthanasia, was rejected by the House of Lords.

In 2009 the Government introduced the Coroners and Justice Bill, which contained a helpful clause intended to tighten the wording of the 1961 Suicide Act by specifying that websites promoting suicide fall within the scope of the offence of assisting a suicide. (The Act does not apply to Scotland.) The pro-euthanasia lobby made concerted efforts to hijack the Bill with amendments to weaken the law, but these were unsuccessful.

In the House of Lords, Lord Falconer of Thoroton (a former Lord Chancellor) tabled an amendment to create an exemption from prosecution for people who help terminally ill relatives travel abroad to commit suicide. Opponents of the amendment highlighted its legal implications and the pressure it would create on vulnerable people, and the amendment was rejected by Peers. Lord Alderdice subsequently tabled an even more extensive amendment to legalise assisted suicide, but this was withdrawn without a vote.

In July 2009 the Law Lords ruled that the Director of Public Prosecutions must produce a policy statement explaining the various factors he would take into account before deciding to

prosecute cases of assisted suicide. The DPP issued his final guidance in February 2010. The law remains unchanged, but pro-euthanasia groups welcomed the new policy and critics have expressed concerns that it opens a back door to euthanasia in the UK.

In Scotland, Margo MacDonald MSP's proposed End of Life Assistance (Scotland) Bill would legalise euthanasia. It would allow a person to assist the terminally ill and people who are "permanently physically incapacitated" to commit suicide or to administer lethal drugs to them.

## **Marriage and the family**

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### **Parental smacking**

The Children Act 2004, which applies to England and Wales, restricted the defence of 'reasonable chastisement' for parental smacking of children. Under the new law, any smack that causes reddening of the skin that is 'more than transitory' could potentially result in a prison sentence. During the passage of the Bill, some backbench MPs tried to ban all smacking. The Government supported the change in law that weakens the parental right to smack but has continued to reject an outright ban. In Scotland, smacking is allowed but use of implements, shaking or blows to the head are outlawed.

### **'Gay marriage'**

In 2005 the UK's Civil Partnership Act came into force. In reality this creates 'gay marriage' in all but name, by creating a parallel scheme to marriage called 'civil partnerships'. It is not called same-sex marriage in law, although the rights and privileges of marriage and civil partnership are identical. In the UK full gay marriage is still not permitted, though the Civil Partnership Act is seen by many as paving the way for this. The distinction between marriage and civil

partnership has been further blurred by the changing of the law to allow civil partnerships to take place in churches (see Equality Act 2010 below).

Christian registrar Lillian Ladele has been forced to leave her post at Islington Council because of the Council's insistence that she had to register civil partnerships. Before the Civil Partnerships Act came into effect Miss Ladele asked to be excused from the role because it would conflict with her religious beliefs. When the Council refused to accommodate her convictions and she remained consistent, the Council disciplined her. Miss Ladele sought justice through the courts, but after initially winning her case in June 2008 she lost twice on appeal. Leave to appeal to the Supreme Court was rejected in March 2010.

### **Adoption**

The Adoption and Children Act 2002 legalised joint adoption by cohabiting heterosexual and homosexual couples in England and Wales. Before the 2002 Act was passed, some 95% of all adoptions were by married couples; the remaining 5% were by single persons.<sup>246</sup> The Adoption and Children (Scotland) Act 2007 legalised joint adoption by cohabiting and heterosexual couples in Scotland.

### **Divorce**

At present there are five 'grounds' for divorce in England and Wales.<sup>247</sup> These are adultery, unreasonable behaviour, desertion, two years separation where both parties consent and five years separation where one party does not want the divorce. In January 2006 the Scottish Parliament passed the Family Law (Scotland) Act, which abolished the ground of desertion and reduced the amount of time required for a divorce on the grounds of separation – from two years to one where both parties agree and from five years to two where one party does not want the divorce.

The divorce laws in Great Britain are already far too lax. In England and Wales courts have permitted divorce on the ground of 'unreasonable behaviour' because of an inability to do DIY.<sup>248</sup>

### **Legal rights for cohabittees**

Currently the law affords married couples benefits and protections which are not available to cohabiting heterosexual couples. During debates on the Civil Partnership Bill, (which gave same-sex couples who register the same rights as married couples), the Government resisted including cohabiting heterosexual couples. It argued, rightly, that they have the option of marriage available. However, in March 2005, the Government asked the Law Commission – the Government's advisory group on legal reform – to draw up proposals giving unmarried couples in England and Wales similar legal rights on breaking up as married couples.<sup>249</sup> The Law Commission published recommendations in 2007 proposing new rules which would see partners who have lived together for five years getting equal rights to those of a wife or husband. Those who have lived together for between two and five years would get half what a spouse would.<sup>250</sup>

The Family Law (Scotland) Act 2006 granted cohabiting couples financial rights that mimic marriage. It allowed cohabiting couples, when they split up, to have equal rights to money and property acquired during the relationship. (The Act does not require a minimum length of cohabitation.) It also gave these rights to homosexual couples who live together.

### **Transsexualism**

The UK's Gender Recognition Act, passed in 2004, provides a raft of legal rights for transsexuals – including the right for people to change their legal birth sex. So a man can become a woman in law and then marry

another man. The Government did permit sporting bodies to have exemptions from the legislation, but it resisted amendments in Parliament to protect churches and religious organisations from the effects of the Act. In the end the Government reversed part of its policy and gave church leaders partial protections in Regulations from the criminal disclosure offence contained in the Act.

### **Morning-after pill in schools**

In 2002 the Government announced its support for the provision of "full contraception and sexual health services" for schools in England and Wales, as part of its strategy to reduce teenage pregnancies.<sup>251</sup> This allowed secondary school clinics to supply the morning-after pill to schoolgirls. Head teachers can still refuse to allow this to take place on school premises.

## **Education**

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### **Children, Schools and Families Bill**

In November 2009 the Government published its Children, Schools and Families Bill, which included, among other things, provisions for England covering home education and sex education. These aspects of the Bill were stripped out to get the Bill through before the General Election. Schools Secretary Ed Balls has vowed to reintroduce the measures "in a new bill in the first session of the new Parliament" should Labour be re-elected.<sup>252</sup>

#### *Home education*

The home education proposals included the introduction of an intrusive registration and monitoring scheme. To get on the register, parents would have had to give a statement of their plan for their child's education. Local authorities would have been obliged to monitor home-educated children to make sure their education was "suitable"; matched

the registered information, suited the child's "wishes and feelings" and was not "harmful for the child's welfare". The Local Authority would have been required to carry out annual checking of registered home-educating families, including a meeting with the child. Unless the child or parent objected, this meeting could have taken place without the parent present. But if they had objected, the local authority could decide it could not fulfil the monitoring requirement for that child, and so compel him or her to go to school.

The home education aspects of the Children, Schools and Families Bill were heavily influenced by the recommendations of the Badman Report, the result of a review of home education carried out in 2009 at the request of the Government. The Badman Report controversially suggested that there was evidence of a higher rate of child abuse suffered by children who are home educated, but this claim was criticised by the House of Commons Children, Schools and Families Committee.<sup>253</sup>

#### *Sex education*

Despite Government guidance advocating it, the law does not require sex education in primary schools.<sup>254</sup> The changes to sex education contained in the Bill would have led to compulsory sex education for both primary and secondary schools, as part of a statutory national curriculum for Personal, Social, Health and Economic (PSHE) education, taking control of how sex education is taught out of the hands of local school governors. The Government's proposed curriculum includes teaching seven-year-olds about civil partnerships.<sup>255</sup> Draft sex education guidance published alongside the Bill suggests detailed sex education lessons for children as young as five.<sup>256</sup>

The Children, Schools and Families Bill would have also forced state schools to teach about

civil partnerships and cohabitation alongside marriage and removed the right of parents to withdraw their child from sex education when the child reached the age of 15.

#### **Christian schools in the state sector**

##### *Church schools*

These are very popular with parents and the two main political parties are committed to promoting them. Both Labour and the Conservatives say they wish to see more church schools being set up.

##### *Academies*

Academies are state-funded schools which are independently run. The Government wishes to see many more academies set up. The academy concept is based on the City Technology Colleges programme established by the last Conservative Government. Academies can be established with a Christian ethos – such as Bede Academy, Blyth.

#### **Religious education and school assemblies**

The law in England and Wales requires that the main content of religious education in non-denominational schools must be devoted to the study of Christianity.<sup>257</sup> There must also be a daily act of collective worship in schools (this usually takes place as an assembly) and it must be "wholly or mainly of a broadly Christian character."<sup>258</sup> In 2004, David Bell, the head of OFSTED, called for the legal requirement for a daily act of collective worship in schools to be repealed.<sup>259</sup> (The law provides an opt-out from participating in the act of worship for teachers and pupils.)

In February 2010, the Department for Children, Schools and Families published new non-statutory guidance for England on the teaching of religious education.<sup>260</sup> It downgrades the teaching of Christianity in the RE syllabus by virtue of its strongly multi-faith emphasis and

advises that schools include the teaching of atheism in RE lessons.

In January 2010, the Government published a programme of learning for primary school RE with a broad multi-faith approach.<sup>261</sup> It recommended that pupils should be given the chance to learn about religious traditions such as the Baha'i faith, Jainism, and Zoroastrianism, along with secular world views like atheism.

### **Promoting homosexuality in schools**

In 2003 Labour repealed 'Section 28' – the law which banned the promotion of homosexuality in schools – for England and Wales. Section 28 was repealed in Scotland in 2000. None of the main political parties at Westminster now support Section 28.

Labour continues to support the annual 'Lesbian, Gay, Bisexual and Transgender History Month'.<sup>262</sup> Under this extraordinary initiative pupils are taught that Florence Nightingale had lesbian tendencies.<sup>263</sup> In 2006 it emerged that a Department of Education website was recommending gay rights books for schools such as *Hello Sailor*, *The Sissy Duckling* and *Daddy's Roommate*.<sup>264</sup>

## **Religious liberty in the UK**

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### **Incitement to religious hatred law**

After several earlier attempts, the Government finally succeeded in passing an incitement to religious hatred offence in the Racial and Religious Hatred Act 2006. Many prominent lawyers, politicians and academics rightly feared that the offence, as originally worded, threatened free speech. However, after an extensive campaign, vital safeguards were introduced to protect, amongst other things, religious debate and evangelism. As amended, the law (which has a maximum seven-year

prison sentence) only covers threatening words or behaviour intended to stir up hatred, and there is an explicit protection for free speech and evangelism. The Government opposed these safeguards, which were introduced by the House of Lords, and said it would remove them in the Commons. However, in only the second Commons defeat for the Government since it came to power in 1997, MPs voted to keep the safeguards.

### **'Incitement to homophobic hatred' law**

An 'incitement to homophobic hatred' offence was passed in the Criminal Justice and Immigration Act 2008. The offence outlaws any words or behaviour which are threatening and intended to stir up hatred, and it carries a maximum seven-year prison sentence. The Government drew up the offence along the same lines as the law against inciting religious hatred as amended by the Commons, but did not include an explicit free speech protection like that in the religion law. Lord Waddington, a former Home Secretary, tabled a cross-party amendment in the House of Lords to protect free speech. The Government went out of its way to block the amendment, even scheduling a Lords vote on it close to midnight one evening. However, after the Lords voted twice to include the amendment, the Government finally conceded defeat in order to get the rest of its Criminal Justice and Immigration Bill passed immediately. The Government subsequently returned to the issue by attempting to repeal the free speech safeguard as part of its Coroners and Justice Bill 2009 but was defeated in the House of Lords on a further two occasions. After the last vote, in November 2009, the Government conceded so as to avoid losing the whole Bill and brought the new incitement law into force with the free speech shield in March 2010.

The free speech clause is supported in the



**Lord Waddington**

House of Lords across the political spectrum: Crossbench (independent), Conservative, Labour and Lib Dem Peers have all supported Lord Waddington. A significant minority of Labour Peers continue to abstain or vote in favour of the free speech protection.

The Parliament Acts of 1911 and 1949 allow the House of Commons to overrule the House of Lords and pass legislation without the consent of Peers. They are a draconian device intended to be used on matters of major national and constitutional significance. Gordon Brown has said that he is prepared to use them to repeal the free speech clause.<sup>265</sup> Labour used this very rare parliamentary procedure to lower the age of consent for homosexual acts from 18 to 16 (it has only ever been used seven times).<sup>266</sup>

### **Religious broadcasting freedom**

There are severe restrictions on religious broadcasting in the UK. Christian and other religious organisations are effectively banned from holding many types of broadcasting licences. The Broadcasting Act 1990 made all religious bodies “disqualified persons” for the

purposes of holding a licence to broadcast. It was only at the discretion of the Radio Authority and the Independent Television Commission (ITC) that certain types of licence could be granted to these disqualified religious bodies.<sup>267</sup> The Communications Act 2003 maintained the general disqualification of religious broadcasters.

### **Employment laws**

In 2003 the Government introduced special employment rights for homosexuals, having agreed to an EU Directive which provided for legislation in this area. After a long campaign by church schools, churches and Christian organisations, the Government gave an exemption in the UK laws so that such bodies are not forced to employ practising homosexuals. The 2004 *Amicus* case in the High Court found that the UK Government had properly implemented the EU Directive.<sup>268</sup>

Nevertheless, the legislation makes it more difficult for church schools, churches and Christian organisations to refuse to employ staff whose conduct does not match their Christian profession. In 2007 the Diocese of Hereford lost at an employment tribunal as a result of turning down a candidate for a youth worker role because of his homosexual lifestyle. Despite a legal exemption covering youth worker posts, the case was lost because of procedural issues and because teaching from the House of Bishops did not require Anglicans, other than ministers, to commit for life to celibacy or marriage. The case was backed by ‘gay rights’ group Stonewall and shows that individuals, backed by powerful lobby groups, are willing to use the law to sue churches that do not employ practising homosexuals as youth workers.

Also in 2003, the Government introduced similar regulations covering ‘religion or belief’, removing the absolute discretion of churches

to employ believers in whatever posts they saw fit. In theory the regulations give employment protection for religious believers in secular workplaces, but the greatest concern has been the net effect of restricting the freedom of Christian organisations to employ believers. These employment laws threaten the ability of churches and Christian organisations to maintain their distinctive doctrines and ethos. Procedural defects or issues with paperwork can easily lead to problems. In 2008 a court decided that Prospects, a Christian charity which cares for people with learning disabilities, was acting unlawfully by expecting key members of staff to share its beliefs. In 2004 Prospects had introduced a new employment policy in order to protect its religious ethos. But a manager who changed his beliefs claimed the policy had forced him to resign and took his case to an employment tribunal with the help of the British Humanist Association.<sup>269</sup> One reason for the tribunal's decision was that some of the charity's paperwork was inadequate.

The Government's Equality Bill debated by Parliament in 2009-10 sought to narrow the religious protections in these employment laws (see Equality Act 2010 below).

### **Equality Act 2006**

The Equality Act made it unlawful to discriminate against someone on the grounds of religion or belief in the provision of goods, facilities and services. It contains some exceptions for churches and religious organisations, but does not protect the rights of conscience of individuals in business. Initially the Bill included religious harassment provisions but in November 2005 the House of Lords removed these because of concerns about their implications for free speech and religious liberty. The Equality Act also established the Equality and Human Rights Commission – a powerful body designed to clamp down on discrimination in a range

of areas – and allowed the Government to introduce the Sexual Orientation Regulations.

### **Sexual Orientation Regulations 2007 (SORs)**

The Government introduced its controversial Sexual Orientation Regulations in April 2007. The SORs outlaw discrimination on grounds of sexual orientation in the provision of goods, facilities and services. Although religious exemptions were included to protect the core activities of churches for example, it could now be unlawful in some circumstances for Christians to act according to their religious belief that homosexual practice is morally wrong. The SORs have forced all but two of the Roman Catholic adoption agencies in Britain to either close or abandon their religious ethos. The SORs have also allowed Christian owners of bed and breakfasts to be sued for refusing to provide double rooms to homosexual couples.

### **Equality Act 2010**

The Equality Bill debated by Parliament in 2009-10 sought to consolidate all discrimination laws, including for example the SORs, into a single Act. Yet the Government's Bill as introduced would have narrowed the employment freedom of churches and religious organisations even further than the 2003 employment laws (see above). The House of Lords voted three times against any narrowing of the 2003 laws and the Government gave way. The final Equality Act 2010 also places a duty on public bodies – like schools and the police – to promote homosexual and transsexual rights. It may also have a negative impact on private or voluntary bodies with Government contracts. The Government accepted amendments by Labour Peer Lord Alli to permit the registration of civil partnerships in churches, but insists individual churches will not be compelled to allow them on their premises.

### **Charities Act 2006**

The Charity Commission believes that the



Charities Act for England and Wales removed the presumption that churches and religious organisations are for the 'public benefit', though senior charity lawyers dispute this.<sup>270</sup> The Commission now asks such groups, including existing charities, to prove they provide public benefit in order to obtain or maintain their charitable status.

## Public morality

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### Blasphemy laws

The laws of blasphemy and blasphemous libel were repealed by the Government as part of the Coroners and Justice Act 2009. (A blasphemy law still exists in Scotland.<sup>271</sup>)

### Drugs

The law categorises illegal drugs as either class A, B or C according to their harmfulness. The classification determines the criminal penalties for possession and supply. The most harmful drugs, such as cocaine and heroin, are class A. Class B includes cannabis and speed (amphetamines) and class C includes sleeping pills.

In November 2003 Parliament approved the reclassification of cannabis from a class B drug to a class C drug by passing the Misuse of Drugs Act 1971 (Modification) (No. 2) Order 2003. This applied to the whole of the UK, and came into force in 2004. However, in response to overwhelming evidence of cannabis damaging mental health, the drug was restored to class B in 2009. It was later revealed that in England and Wales cannabis users will not be arrested until they have been caught three times – a softer approach than is usually taken with other class B drugs.<sup>272</sup> Recent figures show that only one sixth of people caught with cannabis were taken to court.<sup>273</sup>

There is a concerted campaign underway to dismantle the whole of the UK's drugs legislation. Those in favour of the legalisation of drugs are continually campaigning for drugs to be reclassified downward. The House of Commons Committee that recommended the downgrade of cannabis also recommended the reclassification of ecstasy from A to B.<sup>274</sup>

### 'Harm reduction'

Public health policies increasingly promote a 'harm reduction' approach. This philosophy rejects preventative approaches which give clear distinctions between right and wrong behaviour.

Instead, harm reduction approaches have been advocated with the justification that telling people not to do something will not stop them doing it, therefore it's better to allow them to do it and ensure they do it safely. This harm reduction philosophy has led to young people being told how to have 'safer sex' and how to take drugs 'safely'.

But by opposing restraint, harm reduction actually increases the number of people involved in a harmful activity rather than reducing it. From a Christian perspective harm reduction greases the tracks of sin. It creates an atmosphere of acceptability that encourages more people to engage in harmful activity and stigmatises those young people who remain opposed to it. This will result in increased harm, not reduced harm. Harm reduction undermines the rule of law and parental authority. It leads young people into wrongdoing. It sends out the message that taking drugs or engaging in underage sex is acceptable.

In fact where preventative approaches are used they have been seen to succeed, such as in the very public campaign against smoking.

## **Gambling**

In 2005 the Government passed the new Gambling Act. The Act swept away layers of sensible restrictions which, for years, had controlled the worst excesses of casinos, betting shops and slot machines. It formally legalised virtual casino machines in betting shops and elsewhere. These machines, known as Fixed-Odds Betting Terminals, have been called the 'crack cocaine' of gambling. The Act also greatly reduced restrictions on new casinos opening, repealed the 24-hour membership requirement and lifted the general ban on all gambling advertising. In addition, slot machines with unlimited stakes and prizes were allowed for the first time.

Licences were granted for 16 huge new casinos – with the largest of them considerably bigger than anything existing before the Act. The Prime Minister only rejected plans for the one super casino allowed by the legislation.<sup>275</sup>

## **Prostitution**

In 2004 the Government published a consultation paper on prostitution for England and Wales. The Government stated many of the laws relating to prostitution are "outdated, confusing and ineffective".<sup>276</sup> The consultation asked whether street-based prostitution should be accepted and whether there is a case for designating managed areas at a local level, i.e. introducing 'tolerance zones'.<sup>277</sup> When it published its prostitution strategy after the consultation, the Home Office said that it planned to legalise 'mini-brothels', so that two or three prostitutes could work together on the same premises.<sup>278</sup>

However, since then Government policy has shifted in the opposite direction – towards a stronger stance against prostitution.

## *Policing and Crime Act 2009*

The Policing and Crime Act tightened the law on prostitution in England and Wales by introducing a 'strict liability' offence of paying for sex with someone who has been exploited for gain. Strict liability means that it does not matter whether the purchaser knew or had tried to find out whether the prostitute was exploited or not – the fact that exploitation had taken place is sufficient to make using the prostitute an offence. The new law should have a significant deterrent effect against users of prostitutes.

Under the Licensing Act 2003 lap-dancing clubs were put in the same category as cafés and bars, a regime under which the number of clubs doubled. The Policing and Crime Act adopted the opposite approach, requiring such venues to apply for a sex establishment licence to operate and thereby introducing more stringent criteria for granting licences.

The measures in the 2009 Act are an admission that the 2003 legislation was a mistake. Columnist Janice Turner wrote in *The Times*, "Take the recent legislation to give communities power to kick lap-dancing clubs off their streets – you have to say thanks very much, but it was your crassly permissive 2003 Licensing Act that first put up those poles."<sup>279</sup>

The Licensing Act 2003 also allowed the introduction of 24-hour drinks licensing in England and Wales. This was brought into force in November 2005.

## *Prostitution (Public Places) (Scotland) Act 2007*

The Prostitution (Public Places) (Scotland) Act 2007 strengthened the prostitution laws in Scotland by creating new offences to tackle kerb crawling. The first draft of the Bill introduced by the Labour and Lib Dem coalition Executive would have weakened the law, but

it was heavily amended during its passage through the Scottish Parliament and passed a few months before the 2007 Holyrood election.

### **Sunday trading**

Sunday trading was legalised in 1994, when the Sunday Trading Act allowed six hours of unregulated trading every Sunday. Since then there have been continued assaults on the remaining restrictions on Sunday trading – for example, the present Government lifted the restrictions on night clubs (and the associated sale of alcohol).

In more recent years, large retail firms have argued that the remaining restrictions on Sunday trading should be removed. They want to be able to open 24 hours a day, seven days a week.<sup>280</sup> In 2006, the Government responded to this pressure by consulting on whether to extend Sunday opening hours. However, it decided not to go ahead with the plans, saying it saw “no substantial demand” for change.<sup>281</sup>

Additional deregulation would further undermine Sunday as a day of rest. There are concerns over the disturbance caused by noisy activities (such as pubs) on local residents and local religious services. It would also put further pressure on workers to work on Sundays. Employee protections in the legislation have proved to be weak. The day of rest was instituted by God at creation (Genesis 2:2) and affirmed in the Ten Commandments (Exodus 20:8-11). It is of value to all men.

## **The Constitution**

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The constitutional settlement in Britain provides that Britain is not a secular state. The [Protestant Reformed] Christian nature of the constitution is evident not only in the monarch's coronation oath, but also in the establishment

of the Church of England and the bar on the monarch marrying a Roman Catholic (the latter contained in the Act of Settlement 1701).

### **House of Lords**

Clearly there is no uniquely biblical model for how a second chamber should be organised. Yet in recent years it has been the House of Lords, not the Commons, which has been a more effective protector of religious liberties and a firmer defender of family values. Many Christians will be concerned at any curtailment of the role of the House of Lords.

Christians should be particularly concerned about any ‘party list’ system which prevents the public from voting for a particular candidate and concentrates power in the hands of the political parties. Many Christians may want to vote for a person whose views on moral issues are not the same as party policy, but such a system would compel them to vote for the party as a whole. Also Christians often tell the Institute they are disappointed that their MP feels obliged to follow the party whip; but in a ‘party list’ system of proportional representation, a political representative is entirely dependent on the party for his or her position and such pressure can only grow.

### **Supreme Court**

The new Supreme Court began operating in October 2009, replacing the Appellate Committee of the House of Lords as the highest court in the UK. Christians are becoming increasingly concerned that the courts are adopting a more political role which makes rather than interprets the law and takes sides on the great moral issues of our time.

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# Candidate questions

## Six questions to ask your local candidates

**1. Are you in favour of full gay marriage where homosexual couples get the same certificate as married people?**

*All three main party leaders are sympathetic to full gay marriage. MPs are likely to have a free vote on whether civil partnerships should be renamed as marriage.*

**2. Are you in favour of making it easier to have an early-term abortion?**

*Lowering the upper limit for abortion to 22 or 20 weeks of pregnancy would be a step in the right direction, but advance in this area could be more than cancelled out if abortions up to 12 weeks are made much easier.*

**3. Do you believe that parents should be banned from smacking their children?**

*MPs could be asked to vote on a smacking ban.*

**4. Do you think equality laws are sidelining Christians from public life?**

*In our view equality laws have helped to marginalise Christians.*

**5. Do you believe that assisted suicide or euthanasia should be legalised?**

*MPs could be asked to vote on whether to back either move.*

**6. Should it be a crime to say homosexual practice is sinful?**

*There are increasing concerns that the freedom to explain Christian teaching in this area is being hampered by the law. Repealing a free speech safeguard, as proposed by Labour and the Lib Dems, could make matters worse.*



[christian.org.uk/election](http://christian.org.uk/election)