



Clearing the Ground Inquiry

1. Please tell us who you are and whether you are responding on behalf of an organisation

Your name: Dr Peter Saunders

Your organisation: Christian Medical Fellowship

Your role in the organisation: Chief Executive

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2. Please describe what your organisation does? (less than 100 words)

The Christian Medical Fellowship is a registered charity which unites and equips Christian doctors. We have over 4,000 UK doctors and around 1,000 UK medical students as members and are affiliated through the ICMFDA (International Christian Medical and Dental Association) with similar organizations in over 70 countries. We run conferences and events, produce publications, coordinate local groups, support UK doctors working abroad, offer advocacy and support and provide a voice to church, profession and society on issues at the interface of Christianity and medicine. Membership is contingent upon trinitarian belief, personal faith in Christ and acceptance of biblical authority.

3. Which of the following issues is of greatest interest for your organisation? (please select up to 3)

Life issues
Service provision
Religious freedom

4. What key issues face Christians in public life today? (please limit your answer to 250 words)

With the rise of the secular humanism and, in particular, the new atheism, there is in British society generally a loss of historically held belief in the existence of a transcendent communicating God incarnate in Jesus Christ, in biblical authority and in biblical ethics, which is combined with an active agenda to impose an alternative secular world view through our laws, institutions and media. This is leading to an erosion of laws that were based on a biblical worldview and to some loss of Christian freedoms.

For Christian doctors the major impact has been felt in the areas of sharing Christian faith (evangelism), expressing beliefs about Christian doctrine or ethics or manifesting Christian behaviour especially in the areas of prayer and/or sexual and life ethics. Conflicts arise either when Christians are prevented from sharing, expressing or manifesting their beliefs or are required to perform tasks or conform in ways which go against their beliefs or when they are excluded from consultation or



decision-making or advisory roles because of their beliefs. Meeting on public or institutional premises for worship/prayer/teaching/events has also met with resistance in some quarters.

These are the key issues in public life not because they are more important than other areas of Christian faith and practice but because they are the specific areas where recent laws, or regulations/guidelines based on those laws, have impacted.

The main laws implicated are:

- Employment Equality regulations on religion and belief and sexual orientation (2003)
- Equality Acts 2006 and 2010
- Section 5 of the Public Order Act (less applicable to Christian doctors)

The Abortion Act 1967 and Mental Capacity Act 2005 also have some influence through interpretation of the scope and application of their provision for conscientious objection.

Guidelines based on these laws by the Department of Health, NHS trusts and professional bodies like the GMC and BMA also have an impact on how legal policy is interpreted and implemented. Examples of such guidelines include:

- Religion or belief: a practical guide for the NHS (Department of Health, January 2009)
- Sexual orientation: a practical guide for the NHS (Department of Health, February 2009)
- Personal beliefs and medical practice - guidance for doctors (GMC, March 2008)
- The law and ethics of abortion (BMA, November 2007)
- Treatment and care towards the end of life: good practice in decision making (GMC, July 2010)

5. Do you consider public opinion sympathetic to the issues you have outlined?

Quite sympathetic – Expression of Christian belief, evangelism, offers of prayer, conscientious objection

A little sympathetic – Abortion

6. Please add any further comment regarding public opinion (maximum 100 words)

There has been considerable public and media sympathy for Christians who have been censured or disciplined by professional or public bodies or lost tribunal or court cases for evangelism, offers of prayer, expressing Christian doctrine or ethical belief or refusing to comply with requests to perform tasks they believe to be unethical.

7. To what degree do the mainstream media contribute to the public perception of these issues?

This depends on their editorial stance. As a general rule the right-wing press and media support freedom of Christian expression and practice whilst the left wing media are more cautious or hostile about it. Pressure groups which use the media to advance their agenda (eg. National Secular Society, British Humanist Association, Stonewall, pro-abortion groups) are generally less tolerant and sections of the blogosphere, social networks or those who make comments on online media stories are often more hostile to Christian faith and practice in their views and agendas.



8. Please add any further comments relating to the media's role (maximum 100 words)

There is a recognisable bias in BBC reporting on many issues at the interface of Christianity and medicine (eg. Abortion, euthanasia, stem cells, embryo research, contraception, issues around assisted reproduction, sexuality/homosexuality)

9. From your experience what do Christians think about the key issues you have outlined above? (please limit your answer to 200 words)

The vast majority of Christian Medical Fellowship members believe that:

- Evangelism is a Christian duty but should be carried out with sensitivity, permission and respect
- Offers of prayer to patients should be allowed and even encouraged
- Practising whole person medicine which takes account of physical, psychological, social and spiritual needs is a Christian duty
- Abortion, euthanasia, embryonic stem cell research and embryo experimentation are morally wrong
- Christians should be allowed to express their personal doctrinal and ethical beliefs at work without being censured or disciplined
- Christians should not be pressured into carrying out procedures they believe are morally wrong but appropriate accommodation should be made
- Christians should be able to book and use rooms in the public institutions in which they work or study for worship, teaching and prayer
- Christian organisations, including Christian GP practices, should be able to insist that employees both hold Christian beliefs and abide by Christian behaviour. They should not be required to employ people who are not Christians, or who, whilst claiming to be Christians live a lifestyle inconsistent with Christian belief.

10. How would you best describe the position of Christians in relation to the law? (you may select up to 3)

Misunderstood

Marginalised (in some cases)

Discriminated against (in some cases)

11. Do you consider the law or its interpretation, to be unfair to Christians?

Most British law is fair to Christians but the laws mentioned in 4 above contain elements which are unfair to Christians and/or have been interpreted in a way that discriminates against Christians or is open to people hostile to Christian faith and values taking perverse action against Christians.

12. Which specific aspects of law, or its interpretation, do you consider unfair? (please limit your answer to 250 words)

- The Employment Equality regulations on religion and belief and sexual orientation (2003) and the Equality Acts 2006 and 2010
 - the requirement for Christian organisations with a Christian ethos to employ people who either do not hold to Christian faith
 - the definition of harassment is too broad and too open for misinterpretation or perverse action: 'unwanted conduct which takes place with the purpose or effect of



violating the dignity of a person and of creating an intimidating, hostile, degrading or humiliating environment.'

- The Department of Health practical guides on 'religion and belief' and 'sexual orientation' over-interpret the law with respect to evangelism and expression of Christian belief about sexuality and have created an environment where normal Christian behaviour is inappropriately open to censure or discipline. These documents were not made open to full consultation or review when implemented but are being used by NHS employers. Both these documents should be reviewed and opened to consultation. Examples of problematic clauses given below:
- The implementation of the Abortion Act 1967 and Mental Capacity Act 2005 conscientious objection clauses needs to be kept under regular review to ensure that Christians are not being unlawfully discriminated against.

Examples of problematic clauses in Department of Health documents:

Members of some religions... are expected to preach and to try to convert other people. In a workplace environment this can cause many problems, as non-religious people and those from other religions or beliefs could feel harassed and intimidated by this behaviour... To avoid misunderstandings and complaints on this issue, it should be made clear to everyone from the first day of training and/or employment, and regularly restated, that such behaviour, notwithstanding religious beliefs, could be construed as harassment under the disciplinary and grievance procedures. (Department of Health, Religion and Belief)

Any NHS employer faced with an employee who by virtue of religion or belief refuses to work with or treat a lesbian, gay or bisexual person, or who makes homophobic comments or preaches against being lesbian, gay or bisexual, should refer to its anti-discrimination and bullying and harassment policies and procedures, which should already be in place... If the conduct has the purpose or effect of violating a person's dignity, or creating an intimidating environment, and it is reasonable for the complainant to take offence, then it is harassment. (People) should not be subjected to discrimination or harassment on any grounds whatsoever. It should be made clear that such behaviour is unlawful and could result in legal proceedings being brought. (Department of Health, Sexual Orientation)

13. What changes, if any, would you like to see to current laws or their interpretation in order to ensure fair treatment for Christians? (please limit your answer to 250 words)

Review the laws, regulations and guidance in question as outlined in 12 above.

14. Do you have any further comments about the treatment of Christians in relation to the law? (please limit your answer to 250 words)

Over the last five to ten years there has been a gradual increase in cases of Christian nurses and doctors approaching us for support, advocacy and advice because they find themselves in situations where the practice of their faith (evangelism, prayer or assembly), expression of their beliefs (especially about sexuality) or exercise of conscience in abstaining from participating in various procedures (abortion, contraception, end of life decisions) is bringing them into conflict with public authorities, employers or colleagues.

Some have been the subject of complaints and have appeared before disciplinary committees, tribunals or courts. Others have felt intimidated into silence. Some have been barred from public appointments or felt forced to resign from their jobs. Some have been denied appointments or lost their jobs as a result.



The numbers are currently small and discrimination is (of course) not at the level of persecution seen in many countries abroad (threat to life or imprisonment). But there is a growing threat to freedom and conscience as the result of a subtle imposition of a secular world view in Britain's laws, courts, media and institutions which is having an impact on Christians' access to facilities, freedom of speech and evangelism and right to refrain from procedures they regard as unethical.

Most of these problems can be resolved locally with proper support but there is in some quarters an unwillingness to accommodate Christians which is leading to cases reaching disciplinary committees, tribunals and courts. There is also evidence of existing law being misunderstood, misinterpreted or wrongly applied by local and professional authorities in codes and guidelines.

15. What is your vision for society, and the role of Christians within it? (250 words)

We believe that God is sovereign over human society and the rise and fall of nations and that all governments have been instituted by him and are accountable to him.

Christians should seek the common good in the society in which they live and use their democratic rights as citizens to try to ensure that the laws on our statute books are fair and just and in particular protect vulnerable groups and individuals within society from exploitation and abuse and ensure that they are properly and equitably provided for.

Christians should participate fully in society in serving and loving others and bearing witness to their faith in Christ in both word and action. Good government should not restrict Christians' freedom to associate, worship, evangelise or to otherwise express or manifest their Christian beliefs or live according to God's rule but should allow diversity to flourish and recognise norms like respect for marriage and the right to life.

Christians should be subject to the governing authorities except in circumstances where they are required to act contrary to their faith either by being pressured to do things they believe are wrong or being prevented from fulfilling their Christian duty to God. In such circumstances they should, recognising God as the highest authority, conscientiously object.

16. What do you see as the major opportunities and challenges in realising that vision? (250 words)

The Big Society initiative should be providing Christians with the opportunity to contribute freely to the common good within British Society and being able to exercise freedom of association, thought, expression, conscience and to live according to their faith as free citizens. True quality under the law should allow religious diversity to flourish.

In order for this to be freely realised the laws outlined above which have restricted this freedom need to be reviewed and amended and all regulations and guidelines based on them or misinterpretation of them be reviewed.

Christians who have a moral or conscientious objection to participating in certain procedures should be accommodated within the system and not required to disobey their consciences or be threatened with removal of rights and privileges for refusing to comply.

Advocacy, support and advice should be freely available to all Christians working in the NHS who are experiencing conflicts of this kind. As an organisation we would be very interested in offering assistance in conflict resolution and mediation in specific cases.