The Christian “fired for praying at work” – here’s the other side of the story

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The British media unquestioningly promulgates the false narrative of Christians being discriminated against in the workplace. Terry Sanderson looks at the latest case involving a Christian disciplined for subjecting a subordinate to unwanted and intrusive proselytising.

The Christian Legal Centre's latest claim that one of its clients had suffered religious discrimination at work has been rejected by an employment tribunal in East London.

The case involved Victoria Wasteney, an occupational therapist working for the East London NHS Trust. Ms Wasteney is a member of the Christian Revival Church London – a "happy-clappy" Pentecostal outfit. She describes herself as a "born-again Christian".

When the case was being heard, the Daily Telegraph and Daily Mail published reports based almost entirely on what they had been told by Andrea Minichielo Williams of the Christian Legal Centre. It gave the impression that Ms Wasteney was another in a long line of Christians who were being oppressed and discriminated against at work.

The NSS said at the time that there was probably more to this story than was being revealed by the Christian Legal Centre and, indeed, there is.

Much more.

We have obtained a copy of the tribunal judgment and it tells the whole story of Ms Wasteney's determined evangelism in the psychiatric hospital where she worked.

She started work in the hospital in 2007. In 2011 she approached her line manager, Mr Wilson and asked whether "the Trust could provide a Christian Worship Service at the John Howard Centre." She suggested that this could be provided by her church – The Christian Revival Church.

After consulting the chaplain, Mr Wilson agreed to the idea for a probationary period, only on the understanding that the services would be "ecumenical" in nature, so it would have broad appeal and that all Christians who wanted to could attend.

Within weeks of the church arriving in the hospital complaints began to arrive on Mr Wilson's desk about the nature of the services it was conducting. The Matron said that staff who were escorting patients to the services were being pressurised to participate in the worship and give their personal details.

This is how the tribunal judgment then describes what happened:

A further issue was raised with Mr Wilson by Dr Philip Baker', a Consultant Psychiatrist, on 1 February 2012. Dr Baker said that the Claimant's [Ms Wasteney] interaction with a service user for whom she had no direct clinical responsibility but who had attended the CRC services with her was troubling nurses on the ward. We shall refer to this patient as "RH". Dr Baker asked to speak to Mr

Wilson about his concerns. Dr Baker expressed the view to Mr Wilson that there was a potential conflict of interest between the Claimant's professional status and her personal religious convictions. As we understand it the Claimant had been acting as an escort for RH when she attended the CRC services notwithstanding that the Claimant had no direct involvement in RH's care.

Mr Wilson met the Claimant for a routine supervision meeting on 7 February 2012.

He covered a number of topics in this meeting but one of them was the concerns raised by other members of staff noted above. His notes of this point in the supervision record reads as follows:

"Phil Baker met with John re Victoria's input into RH's CR church attendance (ensuring nursing escort is available, previously assisting with escorting. Receiving RH at church). The MDT and nursing team expressed concern that Victoria is involved with this aspect of RH's care as she is not a member of RH's care team and is an active member of the CR Church. There is not an MDT issue re RH being able to attend the CR Church services but Victoria cannot be considered to be a neutral party in this and her ongoing involvement therefore represents a conflict of interest between her professional status and her personal religious convictions. I'm of the view that it does represent a potential conflict of interest and that in the event that a complaint was subsequently made, Victoria would be vulnerable to the allegation that she has a personal, vested interest in RH's attendance at CRC. It was therefore agreed that Victoria would separate herself from any further involvement in the arrangements or escorting of RH to CR Church services. Victoria noted that she was able to maintain professional boundaries in this matter but acknowledged the potential and perceived conflict of interest involved her continuing to be involved with RH. She therefore agreed to withdraw from this with immediate effect."

On the following day the Claimant emailed Mr Wilson questioning the concerns raised so, she said, she could understand them. Mr Wilson replied as follows:

"You should refrain from direct clinical input with an individual service user where the input involves attendance at, or involvement with CRC, on the grounds that you are an active member of that church

You would not be considered neutral specifically in relation patient attendance, at or involvement with CRC. This does not apply to spiritual care provision more generally although the spiritual care leads for the Trust would be that main authority in relation to this.

No-one in the MDT has described your relationship with RH as inappropriate, simply that there is a conflict of interest between your professional status and your active membership of CRC. You would be deemed to have a vested interest in RH's attendance,"

It is clear from this exchange that Mr Wilson was telling the Claimant not to involve herself in the clinical care of the service user RH who was also a member of her church because of the potential for the Claimant's motives to be misconstrued. In practical terms this meant that the Claimant was to desist from acting as escort for RH at the CRC services.

On 7 March 2012 Mr Wilson received a further email from Dr Baker informing him that the Claimant had been on the ward the previous Sunday enquiring about escorting arrangements for RH. Dr Baker also expressed a concern related by one of the Occupational Therapy Trainees that the "external facilitator" at the Discover Life Group (a CRC member) had set service users the "homework" of trying to encourage other people to join the group "to find the love of God". The

trainee was concerned about the impact of this on the Trust's service users who are potentially vulnerable. Dr Baker also forwarded a further email he had received from Ms MacGillivray dated 2 March 2012 recounting an instance when an escort said that he or she had felt uncomfortable at a CRC led service.

On 15 March 2012 Mr Wilson received further complaints from two senior Occupational Therapists, Jemma Payne and Karen Hogan, that they felt that service users were being pressurised to dance, sing and clap at Discover Life Group Services, that they were being encouraged to donate to the CRC rather than to charity, that negative views had been expressed about other religions and that the services involved the laying on of hands and speaking in tongues. The two therapists also referred to the "homework" allegation and said that escorts were under pressure to participate in the service and were routinely asked to attend other CRC services in the community.

Mr Wilson spoke to Mr Copsey to get feedback on the Discover Life Group. Mr Copsey said that John Sahatundo, a Minister with the DSRCC, had been attending the services on behalf of the Department and had raised concerns that the CRC was promoting a particular strand of Christian worship and teaching.

Mr Wilson's evidence to us was that against this background he decided to suspend the Discover Life Group pilot. He announced this decision to the CRC in an email dated 19 March 2012 page 200). He also met with the Claimant that day to discuss the concerns that had been raised. He summarised the meeting in a letter to the Claimant dated 22 March 2012. He said in particular as follows:

"At our meeting on 19 March I confirmed that the same underlying principle should apply to your working relationship with staff in your department; that is, you should not invite or communicate with your staff in relation to attendance at events associated with your personal spiritual beliefs, You noted that you made these invites in good faith and did not apply any pressure to attend. However, given that the relevant staff are managerially accountable to you, I highlighted that they may feel compelled to attend on the basis that you are an active member of CRC."

Mr Wilson undertook an investigation into the concerns raised by staff about the Discover Life Group, He worked with Raphael Zernoff, a Spiritual Care Co-ordinator in the DSRCC in compiling this report, which is dated 30 April 2012. It is beyond the scope of these reasons to analyse the details of this report but our impression is of a balanced and thorough investigation. Many of the allegations raised against the CRC were not accepted or not accepted in full by the investigators. Nevertheless the report recommended that future provision needed to be broad based and ecumenical so as to meet the needs of all Christian denominations. One factor raised in the report is of particular importance in this case: the authors highlighted that junior staff had felt under pressure not to respond negatively to invitations to participate in the Discover Life Group's activities. The authors referred expressly in this context to the fact that the Claimant was head of the department and an active member of the CRC.

The Claimant's first response to this report was in an email dated 1 May 2012; she described it as "an exceptionally well put together report". Following the publication of the report, a copy was sent to the CRC and it was asked whether it wished to participate in redesigned services meeting the broad based and ecumenical objectives: the CRC declined. Mr Wilson agreed however that it could provide a letter to service users explaining why the Discover Life Group had stopped. Subsequently the Claimant brought in a number of packs from the Church for distribution: these included flyers, a DVD and sweets. We have looked at this material and agree with Mr Wilson's evidence that this was not the letter of explanation that he had envisaged from the Church. Mr Wilson chose not to

distribute this material.

The Claimant provided some detailed comments on Mr Wilson's and Mr Zernoff's report in a letter dated 8 May 2012 (pages 216 to 219). Once again she described the report in positive terms, "thorough and professional". She asked questions about the report's recommendations that the practices of laying on of hands and speaking in tongues should not be engaged in on Trust sites. The letter shows that the Claimant was well aware of the recommendations in the report.

We have set out this passage of events in some detail as, whilst it does not give rise to specific justiciable issues of discrimination or harassment, it is said by the Claimant to be evidence of a general hostility to Christianity in general and the CRC in particular within the Trust. We do not accept this. The evidence shows that the Respondent was receptive to the idea of establishing regular Christian worship at the John Howard Centre: it was the way in which that worship was conducted which gave rise to allegations of improper pressure on staff and service users. It is notable in this context that service users are vulnerable persons with mental health conditions. Furthermore, there was cogent evidence that services were not broad based and ecumenical as the Respondent had requested but were more narrowly focused on the Charismatic and Evangelical strands of Christian belief. Mixed in with all of this was the Claimant's own conduct in respect of RH which she persisted in despite being told by her line manager to desist because of a potential conflict of interest.

We are unsurprised therefore that the Claimant received counselling and an informal warning from Mr Wilson in February and March 2012 respectively about the boundaries between her spiritual and professional life. We are also unsurprised that the Discover Life Group was suspended.

It is notable that the CRC was invited to remodel its services so that they could continue but the CRC declined to do this. This is not consistent with a conscious or subconscious anti-Christian animus. Nor do we find that the Respondent was against the CRC in particular, it merely wished that when on its premises, the Church acted in a way which was multi-denominational rather than confined to its own regular style of worship.

It is quite clear from this that Ms Wasteney had a long record of overstepping the bounds of what is appropriate and acceptable at work. It is also clear that, despite what Andrea Minichielo Williams says ("The NHS is increasingly dominated by a suffocating liberal agenda that chooses to bend over backwards to accommodate certain beliefs but punishes the Christian," – as she told the Daily Mail) this hospital went above and beyond what was necessary to try to accommodate this somewhat extreme evangelical group. In fact, it could be argued that they were irresponsible to have subjected the vulnerable people in their care to this kind of religious extremism.

But then we come to the young Muslim woman (referred to as EN) who made the complaint of harassment and bullying against Ms Wasteney.

She was a newly-qualified occupational therapist who had a 12 month contract at the hospital and Ms Wasteney was her manager.

EN had moved from Birmingham to London to take up the position and was feeling particularly alone and vulnerable. The original complaint against Ms Waveney – which runs to 8 pages - shows just how intense was the pressure she applied to her subordinate colleague, EN.

The employment tribunal found that Victoria Wasteney had not suffered religious discrimination. It said that she had been disciplined by the hospital because she misused her seniority over EN (the

Muslim junior) to try to impose her views. It said that it would not have mattered whether these were religious or political views, the matter was not about religion but about abuse of authority.

The Christian Legal Centre is now funding an appeal against this decision that will add to the significant amount of money that the East London NHS Trust has already had to spend on stopping Ms Wasteney abusing her position to proselytise.

Andrea Williams is doing this because it will enable her to repeat her claims that this is a 'clear case of religious discrimination', that Christians are disadvantaged at work etc. etc. etc. It will enable her to reinforce the perception that there is persecution of Christians in the workplace. It will enable her to fire another bullet at the heart of the Equality Act.

But her claims are baseless. She relies on the fact that no-one is going to read 25 pages of legal reasoning to find out the true story – even if you can find the judgments in the first place.

The Daily Mail said in a headline that Ms Wasteney claims she was "sacked" from her job (although in the body of the story it admits that she was not sacked and is still working for the Trust). Too late – the perception that she was fired from her job simply for praying is now part of the mythology.

In a BBC story about the case this week, Ms Wasteney was given free range to once more give a partial account of the story. In an interview Victoria Derbyshire put the complaints to her and she answers slickly. But where was the real challenge here? Where is the other side of the story?

The NHS Trust obviously wants the whole thing to go away and to be able to get on with its job of caring for patients. It certainly doesn't want to fund yet another very expensive court case. It has asked Ms Wasteney not to speak to the media. She takes no notice.

We have been told repeatedly that the NHS is in dire financial straits, particularly mental health services. Is it really in the best interest of everyone to allow this case to proceed any further when it is clear that it has no merit? Will Ms Wasteney just for once put her religion aside for the greater good and stop this nonsense now? And if Andrea Minichielo Williams is really as deeply Christian as she claims, won't she spare the hospital this unwanted and foolish distraction and let it get on with its job of caring for sick people?

On a wider point, when people like Williams talk about "Christians", who is she referring to? Do all Christians go along with her aggressive and dishonest approach?

We often hear people demanding that moderate Muslims distance themselves from the fanatics.

Perhaps it is now time for sensible Christians to do the same with the likes of the Christian Legal Centre, which is bringing their religion into disrepute.

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Terry Sanderson was the former president of the National Secular Society. The views expressed in our blogs are those of the author and may not necessarily represent the views of the NSS.

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