

Magazine raises potential conflict of interest in Scottish gay adoption charity decision

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The Scottish Review, an on-line magazine for discussion of Scottish affairs, questions in its [latest issue](#) whether there may have been a conflict of interest in the controversial decision by the Scottish Charity Appeals Panel (SCAP) on St Margaret's Catholic Adoption Society. The latest details on the case were [reported](#) this week by the National Secular Society.

The editor of *The Scottish Review*, Kenneth Roy, says that the chairman of the SCAP committee that made the decision is also a leading light in the Ayr Baptist Church – which has come out strongly against gay marriage and civil partnership.

According to *The Scottish Review*, the Ayr Baptist Church said in a submission to the Scottish Government's consultation on civil partnerships and gay marriage:

- Religious bodies have strong convictions regarding the issue of civil partnerships and should not be required to register them
- Same-sex civil marriage is contrary to the heritage of our nation
- Religious celebrants should be required to adhere to the holy orders to which they have been called and to adhere to the laws and traditions of their own churches

To the question, 'Do you agree with the introduction of same-sex marriage, both religious and civil', Ayr Baptist Church replied: 'No. We do not agree, as marriage is between a man and a woman and should remain that way'.

Revealingly, the submission makes a critical reference to the charity regulator. It states that religious bodies should be protected from the use of their buildings for solemnising same-sex marriage against their wishes, in case a way was 'left open' for OSCR to claim that churches were not acting for the public benefit – one of the tests of charitable status."

Although *The Scottish Review* has been unable to ascertain whether Mr Walker wrote or contributed to the submission from his church, the magazine says: "if Mr Walker disagreed with its terms, he would no doubt have wished to say so publicly, then or subsequently, for the avoidance of any misunderstanding."

The Scottish Review added:

"Mr Walker makes no secret of his affiliation to Ayr Baptist Church: he includes it in SCAP's register of members' interests. It seems astonishing that the panel's secretariat, before appointing him to such a high-profile, controversial appeal, failed to check a document – the church's submission on the registration of civil partnerships and gay marriage – which is publicly available on the Scottish Government's own website; or, if they did check, thought so little of it that they allowed the appointment to go ahead.

"There is no suggestion that the panel consisting of Mr Walker, Neil Dickson (a retired university teacher) and Patricia Paton ('an active member of the Scottish Episcopal Church'), acted with less than complete propriety in its handling of the St Margaret's appeal.

"But this is not the issue. If a tribunal such as the Scottish Charity Appeals Panel is to retain public confidence, it must ensure that there are no conflicts of interest. Otherwise, the independent reputation of the Scottish tribunal system will inevitably be exposed to the risk of compromise."

The National Secular Society has already [expressed surprise](#) over the conclusion reached by the SCAP inquiry, and the Scottish Equality and Human Rights Committee this week issued a statement saying the decision was "mistaken".

Terry Sanderson, President of the National Secular Society, said: "This is a worrying development. Although we do not doubt that people with deep religious convictions can put them aside when they have to make an objective decision that affects public policy, we wonder whether in this case it was appropriate for someone with such deeply partisan connections to chair this panel. We have now taken the matter up with the Scottish Parliament, with a view to it investigating any possible conflict of interest."

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