

Will the Equality Act be battered into submitting to religious exemptions?

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*Misleading reporting of individual cases and calls for "conscience clauses" feed into a false narrative of Christian persecution aimed at undermining the Equality Act, argues **Terry Sanderson**.*

Recently the vice president of the UK Supreme Court, Baroness Hale, threw out a crumb of hope to the evangelical Christians who are trying, through repeated legal challenges, to undermine the Equality Act so that they can have a special, privileged position in British law.

Lady Hale, having considered many of these cases from the bench (and not upheld any of them), now concludes that perhaps Parliament, or indeed, the courts, should consider introducing a "conscience clause" that would relieve religious people of the pesky duty of living by the same rules as everyone else.

This was music to the ears of the Christian Institute and the Christian Legal Centre which have been behind most of the challenges.

Despite the fact that hardly any of these cases have survived scrutiny by any court (including the European Court of Human Rights), the myth persists that Christians are being persecuted in Britain.

And now, it seems, even the vice chair of the Supreme Court has fallen for it.

How did this come about? How has the idea that Christians are being denied some kind of human right because they aren't exempt from the law, gain such a strong hold on the nation's collective consciousness?

It is because of the propaganda skills of the evangelical Christians who have created this narrative, aided and abetted by newspapers with their own right-wing agenda.

There is now a very simple formula for increasing this conviction that Christians are under attack in Britain from dark forces ("militant secularists" the "politically correct gone mad" etc).

And we saw a classic example in the Daily Telegraph on Sunday.

This story – as all the others before it - begins with the assertion that a Christian has been fired from their job simply because they wanted to practice their religion.

Because I don't want to be accused of misrepresenting this story, and because it is behind a paywall, I am going to quote extensively from it:

A Christian health worker has begun a legal challenge after being disciplined by the NHS for praying with a Muslim colleague.

Victoria Wasteney, a senior occupational therapist in one of the country's most racially diverse areas, was also accused of bullying the colleague after giving her a book about a Muslim woman who converts to Christianity.

In addition, senior managers told Miss Wasteney that it was inappropriate to invite the woman to a community sports day organised by her church.

The complaints led to Miss Wasteney being suspended on full pay for nine months.

Three charges were upheld against the 37-year-old Christian at an internal disciplinary hearing in February and five charges were found to be unsubstantiated. She had to accept a final written warning at work which will remain on her records for 12 months, as well as accept a range of other requirements designed to stop her discussing her faith and beliefs with colleagues.

Miss Wasteney said she was challenging her employers in court because political correctness in the NHS was stifling ordinary conversations about faith.

"I believe in tolerance for everyone and that is why I am challenging what has happened to me," she added.

The young Muslim woman was appointed as a newly qualified occupational therapist in a team of 30 managed by Miss Wasteney at East London NHS Foundation Trust.

"One of the earliest conversations I can recall was one in which she said she had just moved to London. She felt that God had a real plan and a purpose for her," said Miss Wasteney, from Essex. Miss Wasteney told her colleague that she went to church, but was "very cautious because our environment is such that these things can be misconstrued and, with her being from a different faith background, I was mindful of being respectful of that".

Miss Wasteney said the woman was interested in the anti-human trafficking community work being done by her church.

Over a period of time, Miss Wasteney said she invited her colleague to several church-organised events and thought no more about it. Later, when the woman was due to go off work for hospital treatment, Miss Wasteney gave her a book to read during her recuperation.

"A friend had recommended it to me, a book called I Dared to Call Him Father. I hadn't read it. I still haven't. But it is a story about a Muslim woman who converts to Christianity.

"Because we had had these conversations it did not seem abnormal. It certainly was not an attempt to convert her to Christianity, as it was put to me later."

On another occasion the woman came to Miss Wasteney's office in tears, upset about her health and problems at home.

"I said to her that she had strong faith and she should draw on that faith," said Miss Wasteney. "I said 'Pray!' She told me she could not pray, so I replied 'Maybe I can pray for you?' And she said 'OK'.

"I asked if I could put my hand on her knee, and she said yes. I don't know if I said 'Lord' or 'God' but I said what I thought was the most neutral. Then I said 'I trust that You will bring peace and You will bring healing'."

In June last year, Miss Wasteney was told that complaints had been made about bullying and harassment.

A disciplinary hearing at her work in February found her guilty of three charges of misconduct – praying with the colleague, giving her the book and inviting her to church events.

We are then told that the case is being supported by the Christian Legal Centre, which has instructed Paul Diamond, a leading human rights barrister (who is himself a rather extreme evangelical Christian).

The story goes on to quote Andrea Williams, the chief executive of the Christian Legal Centre, as saying that the case demonstrated that "the NHS is increasingly dominated by a suffocating liberal agenda that chooses to bend over backwards to accommodate certain beliefs but punishes the Christian".

But the most important part of the story comes right at the end:

"A spokesman for East London NHS Foundation Trust said it did not comment on individual cases."

And this is Andrea Williams' trump card. She has a free hand to tell the story exactly as she wants it to be heard. And the Telegraph and the Mail are willing to let her do it in their pages.

But reading the story with at least one critical eye open, doesn't it sound a tad unconvincing? Doesn't it seem that there's something that we haven't been told? Like why this woman's work colleague felt so bullied and harassed that she was forced to turn to her employer for protection? Was it really all as good natured as recorded here?

The accused party, in this case the NHS, will not contradict Ms Williams, its hands are tied by concerns for the privacy of the other person involved.

Whatever Ms Williams has decided to exaggerate or, more likely, omit from the story will not be revealed until the matter comes to court.

And by then it will have become part of the mythology, the narrative of Christian persecution that has been so assiduously created by Ms Williams and her ilk.

The Christian soldiers have been given new heart by Baroness Hale and her suggestion of a more sympathetic hearing for these cases in future. We can look forward to a plethora of new challenges as the war on equality escalates.

It may be good news for the privilege-seeking Christians, but it's bad news for the rest of us.

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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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