

**VII.**  
**REPORT**  
**OF THE**  
**COMMITTEE ON PUBLIC QUESTIONS, RELIGION & MORALS**

Despite the limitations of the pandemic the Committee have continued to monitor, guide and lobby in relation to a wide range of issues affecting the moral and spiritual wellbeing of our country. Nonetheless the issues affecting the Church during the Covid-19 restrictions have weighed heavily on the Committee in their deliberations, and have constituted a large part of their effective work over the past year.

This Report will follow the pattern set last year, in reporting first on the ordinary work of the Committee, and then on its consideration of issues relating to the pandemic of Covid-19. The first section will be further divided into areas where reasonable progress has been made, and areas where the Committee must seek the forbearance of the General Assembly for a little more time.

**1. Primary Committee Work**

**Part One: Areas of Reportable Progress or Developments**

*Hate Crime and Public Order Bill*

The Committee continued to raise concerns about the Hate Crime Bill which was brought forward in the Scottish Parliament on the back of Lord Bracadale's review of the existing hate crime legislation. This review, and the proposed legislation based on it, purported to be a tidying up exercise, bringing together various strands of existing legislation. In truth, it has expanded and developed significantly the protected categories and dramatically increased the reach of actions that will fall foul of this law. Towards the end of 2020 the Committee made a robust submission to the Parliamentary Stage 1 Call for Views. Along with many other concerned parties, clear representation was made to the Scottish Government over the grave dangers to freedom of expression and speech in Scotland. Our particular area of concern was, of course, for freedom to continue to declare the whole counsel of God. We are thankful that some limited but significant amendments were made to the Bill before its final form was passed into law. It is now necessary for 'intent' to stir up hatred to be demonstrated in order for any crime to be considered an aggravated hate crime. Definitions as to what constitutes 'abuse' have also been significantly improved. Nevertheless, the Committee regret to report that further proposed amendments were not successful and this alarming Bill has now been passed by the Scottish Parliament. The Committee will continue to monitor the effect of this Bill in day-to-day life.

*Abortion*

The Committee have continued to oppose the vile abortion laws of the United Kingdom, and the wicked imposition of abortion on the people of Northern Ireland. After the 2020 Assembly the Committee commended Mr Donald John Morrison, Home Mission Worker, for launching the "Abort Abortion" campaign. The Committee contacted Mr Morrison assuring him of their full support and offering him any help that the Committee might be able to provide. It was agreed to commission an article on this critically important subject for *The Witness* magazine. Further, a small donation from Committee funds was added to our Budget.

*Dealing with Gay Pride Marches*

Following a fallow year, the Committee are indebted to Rev. E.T. Kirkland for drafting a clear and biblical position paper, outlining how to respond to, and engage with so-called Pride Marches in our localities. This paper has been warmly commended by the Committee and is being circulated to Presbyteries for their information and use.

**Part Two: Areas where Committee involvement is limited****Gender Recognition Reform Bill**

Initially proposed for parliamentary approval in 2020, these proposals were shelved due to the impact of the pandemic. It is to be expected that the proposals will be re-presented in similar form after the Scottish Parliamentary elections, should the Scottish National Party continue in government. The Committee continue to monitor this matter closely.

*Relationships, Sexual Health and Parenting (RSHP)*

An alarming resource provided for use within the Scottish schools' Curriculum for Excellence (CfE) as part of Personal and Social education, RSHP materials provoke intense concern from many parents and teachers across the country. At present, it remains a widely used resource in many Local Education Authority schools. The Committee were encouraged to note that the Western Isles Council emphatically rejected endorsing the material. Western Isles Councillors chose instead to recommend material sourced from the Scottish Catholic Education Service (SCES). The Committee further note that efforts are underway to produce suitable material, in line with the CfE's "Experiences and Outcomes", which may be a resource of use across the country. A local action group in the Western Isles, together with the group "Christian Values in Education" are seeking to progress this project urgently.

*Working on the Lord's Day*

The Committee continue to monitor discrimination against those who wish to obey the Fourth Commandment in their working life. Whilst no direct cases have been brought to the attention of the Committee at this point, recent developments regarding Royal Mail may soon change this. As brethren are likely aware, Royal Mail have announced plans to operate seven days a week. The Committee will resist this of course, but will also seek to clarify what assurances and protections are available for Christians working for Royal Mail at present or in the future.

*Human Tissue (Authorisation) (Scotland) Act*

Having raised concerns about this legislation in previous years, the Committee simply wish to draw to the attention of our people that this law on organ donation is now in effect. Scotland has now transitioned from an 'opt-in' system of organ donation to an 'opt-out' system as of March 26th 2021. Whilst organ donation in many circumstances may be permissible, even commendable, there remain serious ethical concerns over this legislative move.

*Named Person Scheme*

The Committee have repeatedly attempted and failed to engage in meaningful correspondence with Highland Council as to aspects of the Named Person Scheme still active in their existing Child Protection systems. The Committee would seek for one final year to attempt to extract information from the Council on this matter.

*UK Relations to the Vatican*

This document has now been passed over to the Publications Committee for assessment of how best to make use of it.

**2. Responding to Covid-19**

The Committee would draw a distinction between responding to the pandemic itself, and responding to the response of Government in relation to the pandemic. It has been the consistent position of the Committee that the Civil Government has a legitimate role to play in a public health emergency up to and including the issuing of advice to Churches as to how best to reduce the risk of virus transmission in our buildings. Equally, it is the proper duty of local Church Courts (Presbyteries and Kirk Sessions) to consider how best to implement such precautionary measures in their Congregational gatherings.

It has then been the clear position of the Committee that no Government has the right to demand the

cessation of worship, nor should any Church Court accede to such a demand of Government simply by virtue of its having been made.

Rather, the Committee have issued guidance to our Congregations based on our understanding of best practice, and of our assessment of the risks of virus transmission. In this we are indebted to Dr Andrew Naylor for his willingness to assist the Committee in these matters.

A letter from the Committee to the Scottish Government expressing our increasing concern at their failure to respect or even understand the constitutional liberties of the Church of Christ in Scotland received a deeply unsatisfactory response from Aileen Campbell, MSP, Minister for Communities and Local Government on 23rd December.

Despite our warnings the Government proceeded to their most alarming over-reach to date and criminalised Christians for gathering to worship across all tier-4 areas in Scotland. In response to this, at their meeting on January 5th the Committee agreed to seek legal advice regarding the limits of the authority of Civil Government in Scotland upon the Church of Christ, and to send this request through the Legal Advice & Property Committee to our Law Agents.

At this point our legal intentions paused. The day following our meeting, members of Committee were made aware of a proposal, sponsored by Christian Concern and the Christian Legal Centre, to challenge the legitimacy of the criminalisation of worship by Judicial Review. As a result of this development it was agreed to suspend our request for advice from our own Law Agents.

A further letter on behalf of the Committee was sent on January 7th, again expressing our concerns that the Government were transgressing into areas over which they possessed no mandate in law. A case number was issued acknowledging this letter but to date no response beyond that has been received. The substance of this letter to the First Minister was also released as a statement to our Congregations at the same time. The Committee also sent a letter to Christian Concern expressing their warm appreciation of their support to the Scottish Church in this matter.

As is widely known, the case for Judicial Review was heard before Lord Braid on March 11-12th. The case was expertly presented by Janys Scott QC, was founded mainly on the Constitutional liberties assured to the Scottish Church since the Reformation, which were affirmed again at the Revolution, and enshrined in the Acts of Union in 1706/7. The case also ably demonstrated the breach of Article Nine rights in terms of the European Convention on Human Rights. On 24th March Lord Braid issued his Opinion, coming down decisively in favour of the 27 Petitioners. At a hearing later that day the Scottish (Government) Ministers gave no immediate indication of an intention to appeal the decision. The finding therefore went into immediate effect.

The critical nature of this legal action cannot easily be overstated. It was founded primarily upon our Constitutional rights, guaranteed in Scots Law. Government has no right to interfere in worship. The argument made by the Scottish Government that mere attendance was a civil matter not a spiritual one illustrates the weakness of their case. We are most thankful to God for this ruling, and pray that it may long stand as a bulwark of defence for the people of God in our land.

GREG MACDONALD, *Convener*  
MURDO MACDONALD, *Vice-convener*

**PROPOSED DELIVERANCE**

1. The General Assembly receive and adopt the Report of the Public Questions, Religion & Morals Committee and thank the Committee, especially the Clerk, Convener, and Vice-convener;
2. The General Assembly commend the work of the Committee to our people, and continue to encourage the uptake of related matters by local courts;
3. The General Assembly commend the work of the Committee in their submission to the Scottish Parliament regarding Hate Crime legislation. They note with regret the passing into law of the Hate Crime and Public Order Bill, but are thankful for the protections, though limited, that were inserted into the original text. They further note the Committee's intention to monitor this matter;
4. The General Assembly join the Committee in commending the "Abort Abortion" campaign and assure Mr Donald John Morrison, Campaign Co-ordinator, and other anti-abortion campaigners of the ongoing prayerful support of the Church;
5. The General Assembly note the production of guidance, founded on clear biblical principle, for use by those protesting and witnessing at so-called Gay Pride Marches and thank Rev. E.T. Kirkland for his labours thereanent;
6. The General Assembly note the temporary shelving of plans to implement Gender Recognition Reform in Scotland and instruct the Committee to monitor this matter should it arise again, as is anticipated;
7. The General Assembly express deep concern over the imposition into many Scottish Schools of inappropriate and immoral material through the revised Relationships, Sexual Health and Parenting resources. They deplore all unbiblical attempts to normalise sexual relations and expressions outwith the God-given institution of lifelong marriage between a man and a woman;
8. The General Assembly instruct the Committee to continue its remit in relation to Sabbath-working protection and instruct them to continue to investigate what protection may be available for workers who refuse to break the Fourth Commandment, especially in relation to the proposals for a seven-day service from Royal Mail;
9. The General Assembly note the passing into effect of the Human Tissue (Authorisation) (Scotland) Act as of 26th March 2021;
10. The General Assembly note the continuing investigation of the Committee into the relationship between the illegal Named Persons scheme and existing Child Protection systems. They further note the shameful failure of Highland Council to engage in correspondence over this matter and they encourage the Committee to seek further redress from Highland Council;
11. The General Assembly note the substantial progress made by the Committee in researching the nature of the relations between the United Kingdom and the Vatican and the passing of this matter to the Publications Committee;
12. The General Assembly note and approve the actions and advice given at various stages by the Committee in regard to the Coronavirus (Covid-19) Pandemic;
13. The General Assembly are thankful to Almighty God for the opinion of Lord Braid issued in the Outer House of the Court of Session on 24th March 2021, declaring that the Scottish Government in their blanket ban closing Churches and criminalising Public Worship in Tier 4 areas had indeed exceeded its authority both in terms of the Constitution and in terms of Article Nine of the European Convention on

Human Rights. The General Assembly trust that this ruling will remain a bulwark of defence for the freedom to worship the only God of heaven;

14. The General Assembly express their sincere thanks to Christian Concern and to the Christian Legal Centre for sponsoring the Petition for Judicial Review against the closure of Scottish Churches;
15. The General Assembly recognise the burden placed upon our Civil rulers in the current pandemic. They commend our Civil Government to the mercy of God in the discharge of their proper responsibilities and encourage our people to pray for all those in authority (1 Timothy 2:2);
16. The General Assembly continue to recognise in this pandemic the clear warning of heaven upon the wickedness of our generation, and plead with our nation to repent, turning from our sins to seek the only true God and Saviour.