

# Knights of Saint Columba

Accrington Council 188

Bulletin No.2- K16

Source Christian Institute

Ofsted told the High Court yesterday that Christian organisations should not bring their beliefs into the professional sphere.

James Eadie QC, a lawyer acting for the regulator, made the remarks in a case involving Christian fostering agency Cornerstone (North East), backed by The Christian Institute. Cornerstone, which only places children with evangelical Christians, is challenging an unpublished report by the regulator that requires it to abandon its religious ethos.

## **Ignorance**

Acting on behalf of Cornerstone, Aidan O'Neill QC told the Court that Ofsted misapplied equality law in issuing its report.

The top human rights lawyer savaged Ofsted over the catalogue of errors in its treatment of the small agency and for its ignorance regarding evangelical Christianity.

He argued that as a state body, Ofsted is required "to be neutral as regards the expression of religious belief", adding: "In failing in that duty in relation to Cornerstone Ofsted has acted unlawfully".

## **Overzealous and abusive**

O'Neill described how the regulator had 'invented' discrimination by Cornerstone in order to make a case against it.

"This is a hypothetical dispute in which there are no actual victims. Ofsted have not identified any individuals who face discrimination under Cornerstone's work."

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Citing an endorsement of "muscular liberalism" by Ofsted chief Amanda Spielman in the past, he said the regulator is guilty of an "overzealous approach to discrimination law" and is "abusing" its regulatory function.

## **Failure**

Representing Ofsted, James Eadie QC said: "Ofsted does not prevent Cornerstone and their carers manifesting their religious beliefs as they wish – outside the professional sphere." He added: "Fostering is essentially a secular act."

Countering these arguments, Mr O'Neill asked if the regulator was claiming "religious acts only happen in your place of worship and as soon as you come into the public square it cannot be categorised as a religious act?"

"They are failing in their duty of neutrality, not appreciating that evangelical Christianity in particular, which finds itself on scripture passages, includes the injunction to feed the hungry, and carry out in practice what you believe. So don't say to me fostering is a secular act. When carried out by Cornerstone it is the fulfilment of a religious duty."

Drawing proceedings to a close yesterday, judge Julian Knowles said the case "will take some thinking about".

## **Boost**

Yesterday, in a boost to its case, Cornerstone received the backing of the Nationwide Association of Fostering Providers' Chief Executive, Harvey Gallagher. Following the hearing, Gallagher said:

“I have no reason to doubt Cornerstone NE’s ethical base. In fact, I have found the agency to be open-minded and accepting.

“The contribution and commitment that I have seen them make to fostering (and adoption) is important and meets a particular need. If they were to be lost to the sector, this would be a real loss for children.”

Bernard Holden MBE JP

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