

Bent

The interface between the protection of the rights of gay people and protection against discrimination on the grounds of religion or belief has once again been under the spotlight with the introduction of the new Equality Act on 1 October and Pope Benedict's condemnation of UK equality law ahead of his recent state visit.

Ahead of his recent highly publicised state visit, Pope Benedict sent a letter to Catholic Bishops in which he raised concern that UK equality legislation had imposed "unjust limitations on the freedom of religious communities to act in accordance with their beliefs." This apparent call to arms to the Catholic faithful appears to conflict directly with the spirit of the introduction of the Equality Act.

Pope Benedict's comments, which also condemn what such legislation achieves by stating that it "actually violates natural law", appears to suggest that people with strong religious beliefs should be entitled to discriminate against gay people, legally.

Recent UK legal decisions make it quite clear that such a stance will not be tolerated. The case of Lilian Ladele, a Christian registrar who was disciplined because of her stance on civil partnerships, lost on appeal, as did that of Gary McFarlane, a Relate Counsellor who refused to counsel gay couples who took part in "acts of sin". Both cases involved the demand for individuals to be allowed to lawfully discriminate against gay people on the ground of their own religious belief.

The message from the courts is loud and clear. The law will not permit discrimination against gay people, regardless of your beliefs. In both of the above cases further right of appeal was refused.

The message the law gives it is thankfully clear: It will not permit discrimination against gay people or against one particular religious group, and one form of discrimination will not be permitted to trump another.

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