

Christian Counselor Who Refused to Offer Gay Sex Therapy Loses Case

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A Christian marriage counselor in London who lost his job for refusing to provide sex therapy to gay couples lost a discrimination lawsuit on appeal.

Gary McFarlane, 48, was fired from Relate, a marriage counseling service in Bristol, England, in 2008 after refusing to help same-sex couples improve their sex lives because it violated his Christian beliefs.

Photo: Christian Legal Centre

McFarlane, an attorney and part-time counselor, did not object to other Relate counselors offering sex advice to same-sex couples but asked not to be assigned to such cases as a matter of conscience, said the Christian Legal Centre (CLC), which represents McFarlane.

McFarlane, a former elder of a large multicultural church in Bristol, claimed he was unfairly dismissed and was a victim of religious discrimination in violation of the Employment Equality (Religion or Belief) Regulations 2003.

He took Relate to the Employment Tribunal, which ruled that he had been wrongfully dismissed but not a victim of religious discrimination. He then appealed to the Employment Appeal Tribunal, but his case was dismissed Monday.

“This decision is a stark warning to people of conscience in this nation that as a result of 12 years of Labour rule, the

British establishment no longer values the democratic rights of its citizens to hold conscience as a matter of principle," McFarlane said in a statement. "Society is the worse for not allowing people of conscience to exercise legitimate rights."

CLC director Andrea Minichiello Williams said the ruling goes against all notions of religious conscience protection and common sense.

"The seriously worrying underlying point in this case, which the court has refused to accept, is that for religious belief to be protected it is necessary to uphold the right to manifest that belief," she said. "The effect of this judgment is to rule out any expression of deeply held conscience, even when the expression is limited to a very reasonable, practicable and sensible request to be assigned work such that worker and client are best served and that the work is tenable for the worker."

"Time and time again in British Courts we see that freedom of religion, Article 9 of the European Convention on Human Rights, offers no protection whatsoever to Christians and other people of faith with a conscience," she added.

Claire Tyler, Relate's chief executive, said the appeal ruling validates her organization's commitment to equal access of services.

"Relate's trusted service ... relies on making sure that all members of society, regardless of their gender, age, race, religion, sexual orientation or relationship status, are able to access respectful and professional counseling and sex therapy," she said, according to BBC News.

"Relate is committed to supporting all religious beliefs working within Relate," she added. "However, our primary consideration is to our clients who often need complex advice and assistance."

Williams said McFarlane would appeal the decision. "We will take this as far as is necessary, even if we have to go all the way to the Supreme Court and then Europe," she said. "We will press on until justice prevails."