

# Catholic Public Policy digest

promoting the common good in public life

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**CAFOD**  
just one world

## News from CAFOD

The official development agency of the Catholic Church in England and Wales.  
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## Extractives

Under the umbrella of the Economic Justice Campaign, CAFOD is launching the Extractives Campaign in May 2006. This will focus on communities affected by the mining and oil industries, while promoting the transparency and accountability of the companies involved.

Honduras and the Democratic Republic of Congo (DRC) will provide the key case studies for the launch of the campaign. Both countries have suffered from the negative consequences of the gold mining industry, which has fuelled conflict, undermined livelihoods and trampled the rights of local communities.

In conjunction with our partners and the Catholic Church, CAFOD is working with the 'Publish What You Pay' coalition to strengthen the Extractives Industry Transparency Initiative (EITI), the British Government-sponsored voluntary initiative to publish information on the billions of dollars paid to host governments by mining and oil companies. EITI will enable civil society to hold governments accountable for the use made of these resources.

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## WTO talks

The **MAKEPOVERTYHISTORY** year will be rounded off by the World Trade Organisation Ministerial conference in Hong Kong, 13-18 December. CAFOD's trade policy analyst, Matt Griffith will lead a small delegation of staff and partners. Their objective is the approval in Hong Kong of trade rules that will allow developing countries to decide for themselves the trade policies that will be best for their own development and for poverty reduction.

Matt is working with the G33, a group of countries

which want the right to nominate 'special products' which will be exempted from liberalisation commitments. These special products would include food crops cultivated by poor people who could lose their livelihoods if local markets were flooded by cheap, imported foods.

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## Mass Lobby

On 2 November CAFOD joined the 8,000 participants of the Trade Justice Movement (TJM) lobby of Parliament to put pressure on the UK Government to deliver real change at the WTO ministerial in December. Eliud Ngunjiri, a CAFOD campaign partner from Kenya accompanied CAFOD's 800 participants and talked with volunteers and MPs about economic injustice in Kenya.

Participating constituents urged MPs to sign up to an Early Day Motion and to write to Alan Johnson, Secretary of State for Trade and Industry, requesting him to respond to the Mass Lobby. CAFOD hopes the UK Government will lead in persuading the WTO to stop pushing poor countries to open their economies and to promote trade policies that will allow developing countries to protect vulnerable agricultural and industrial producers, to respect workers' rights and to protect their environment. It is estimated that half of the 646 MPs talked to their constituents – a great success!

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## 2005

2005 has been an eventful year for CAFOD: the Commission for Africa, the G8, the UK presidency of the EU, the UN Summit and the WTO Ministerial Conference still to come, have kept CAFOD's advocacy and campaigning staff very busy. And the results look positive. This year has seen unprecedented public support for the **MAKEPOVERTYHISTORY** campaign, some gains in aid and debt reduction and growing public awareness of the issues of world poverty.



## News from Caritas—social action

The Catholic Church's voice on social justice and care in England and Wales  
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## Mental Health Bill

Caritas—social action, on behalf of the Catholic Church in England and Wales, is deeply concerned about the Government's controversial draft Mental Health Bill, published in September 2004. Working with the Mental Health Alliance (MHA), which is leading the campaign for a better, fairer and more workable Mental Health Bill, we have identified a number of serious concerns about the Bill while putting forward a set of proposals for a decent 21st century Mental Health Act.

### Why is the Church involved?

*Neither mental or physical illness can strip people of their dignity as human beings, no matter how severe the condition.*

'Cherishing Life' Catholic Bishops' Conference (CTS, 2004) para.87

The decisions made about the mental health system are a mainstream social policy issue that could affect any one of us. The Church has a responsibility to support people's mental as well as their spiritual wellbeing by engaging in the public debate about the need to reform mental health legislation. We want to ensure that the Government's proposed mental health legislation treats people with respect and gives people the services they need when they need them. We believe that anything less demeans the dignity of people with mental health problems and stands at odds with Catholic social teaching.

### The stage the bill has reached

The draft Bill was subject to a Joint Scrutiny Committee of Parliament, which reported in March 2005 and strongly condemned the Government plans. In July 2005 the Government rejected many of the Joint Committee's key recommendations. We are now awaiting the introduction of a promised Bill into parliament.

The key components of the Government's proposals are:

- Bringing in wider conditions for the use of compulsory powers which will allow more people to be forcibly treated;
- Removing the requirement that compulsory treatment can only be provided if there is a health or therapeutic benefit to the patient;
- Reducing the rights which families have in relation to the exercise of compulsory powers;

- Creating new powers for compulsory treatment of people living in the community;
- Creating new safeguards for patients, including an increased use of Tribunals and access to independent advocacy.

### Our concerns

The Church believes that the primary purpose of mental health legislation is to provide a proper framework for the care, treatment and safety of people who are seriously unwell. It should ensure that compulsion is only used as a last resort and that service users and their carers are able to access support when they need it. Instead of giving a better framework for service provision, the draft Bill risks failing the very people it should protect.

- The Bill is focused on addressing public misconceptions about violence and mental illness, and does not do enough to protect patient rights;
- Public safety is best promoted by giving people the right to services when they need them and ensuring that those services are properly funded, responsive and well coordinated;
- Powers to treat people under compulsion are too broad; far too many people could be forced into treatment unnecessarily;
- There are neither the financial resources nor the workforce to implement the Bill;
- The new wider powers of compulsion will scare away from mental health services those people who need help.

### How can the Bill be improved?

The Government still has an opportunity to redraft legislation that promotes public safety and civil rights; that will be workable and enjoy the support of patients and their families, professionals and the public.

To enhance the protection of both civil rights and public safety, and to improve mental health legislation for all, the Bill needs the following key changes:

- People should not be subject to compulsion unless they can gain some health or therapeutic benefit from treatment;
- Compulsory treatment should only be used as a last resort when all other options have been exhausted;
- People should be entitled to assessment
- Community treatment orders should only be used for a small group of vulnerable patients and in tightly defined circumstances.

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### News from the Catholic Education Service (CES)

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### White Paper

Ruth Kelly has spoken (Conference for New Headteachers, 17.11.2005) of the social justice promoted in the White Paper. The CES is less convinced that this is what the Paper will deliver. We will be seeking clarification on many matters including Trust schools (see below), the role of Choice Advisors in admissions, the changed role of the local authority and their right to recommend expansion of schools, and the role of the Schools' Commissioner. We welcome the right to funding for home to school transport for the most disadvantaged but are concerned about children attending Catholic schools where the distance is greater than 6 miles.

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### The Diversity and Contribution of Catholic Schools

Some politicians have used the attacks of 7 July to challenge the role of 'faith schools'. The CES is proud of the contribution Catholic schools and colleges make in helping to shape good citizens. Ofsted inspection judgements show that 'Catholic schools are at their strongest in areas associated with pupils' personal development', and that pupils in Catholic schools are more likely to respect the feelings, values and beliefs of others.

Trevor Phillips (Chairman of the Commission for Racial Equality), acknowledged that Catholic schools have a better ethnic mix than community schools. 'Data from OFSTED shows that when we look at the ethnic mix of schools, Catholic schools tend to be far more mixed than local authority schools,' he said. 'Overall, Catholic secondary schools have a greater proportion of students from minority ethnic communities than community schools.'

### Trust Schools

The CES notes with interest the recent proposals to permit primary and secondary schools to become 'independent state schools' by gaining self-governing Trust status. These Trusts are to be not-for-profit organisations, with responsibility for either a single school or a number of linked institutions. They will be permitted to appoint a majority of the governing body, as in existing voluntary aided schools. Where this power is exercised, the governing body is to be required to establish a Parents' Council to ensure

clear communication between parents and the school. The CES will consider the impact the mandatory establishment of parents' councils has but, at present, agrees a similar requirement should not be made of existing VA schools.

Much of the detail of how Trust schools will be established, how they will operate and the scope of their powers and responsibilities is yet to be published. The procedure to enable a Trust school to be designated as having a religious character has not yet been confirmed. Consequently, while the CES supports the Government's aims of achieving higher standards, increased collaboration and efficiency, it looks forward to reviewing draft legislation.

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### Reorganisation of the Learning and Skills Council

The CES is urging the LSC in its reorganisation to offer more opportunities to dioceses to work strategically with LSC local partnerships and regional offices. The CES met recently with the Director for young people at the LSC to put the case for greater recognition by the LSC of the role of the Church in education and of dioceses as planners and providers. Without such a strong relationship the Church will be fettered in its contribution to the Government's 14-19 agenda.

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### Capital Funding Arrangements

The Government's decision effectively to close the VA Capital Department at its offices in Darlington will have a significant impact on Catholic maintained schools. Closing this much respected and valued department will materially affect the relationship between schools, dioceses and local authorities. If the proposals are implemented all Capital funding will be paid by DfES direct to local authorities who are then to make payment direct to the individual school unless the school directs otherwise. The closure will not only result in the loss of the accumulated expertise and knowledge of VA schools held by officials in Darlington but also in dioceses having to liaise with several different local authorities within each diocese rather than with one single body, creating more pressure on very limited resources. The CES would wish this decision to be reconsidered on both financial and practical grounds suggesting that DfES retain an appropriate VA Capital Department nationally. No details have yet been published as to the funding of the Government's primary initiative programme announced in the 2005 budget. However, the CES is hopeful that satisfactory funding arrangements will be negotiated in the same manner as for the BSF Secondary Programme.

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### News from the Secretariat of the Catholic Bishops' Conference of England and Wales

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#### Assisted Dying for the Terminally Ill Bill

Archbishop Smith issued a statement on 9 November 2005 strongly opposing the latest bill presented by Lord Joffe to legalise assisted suicide. CBCEW has consistently opposed moves to legalise euthanasia and assisted suicide. A joint submission was made with the Church of England bishops to the recent House of Lords Select Committee, and Archbishop Smith signed an open letter from faith leaders to all parliamentarians before the Committee's report was debated on 10 October 2005. CBCEW will be part of a new alliance bringing together various organisations, individuals and groups in a coalition to promote palliative care and oppose assisted suicide and euthanasia. This will be producing detailed briefing papers on the latest Assisted Dying for the Terminally Ill Bill in due course. Leaflets and briefings will be widely circulated within the Catholic community to raise awareness of the need to oppose this dangerous legislation

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For Archbishop Smith's latest statement see:  
[www.catholic-ew.org.uk/cn/05/051109b.htm](http://www.catholic-ew.org.uk/cn/05/051109b.htm)

For the joint submission to the House of Lords Select Committee see:

[www.catholic-ew.org.uk/citizenship/bioethics/euthanasia/assistdying/ad040902b.htm](http://www.catholic-ew.org.uk/citizenship/bioethics/euthanasia/assistdying/ad040902b.htm)

For the Faith Leaders' open letter to all Members of Parliament and of the House of Lords, see:

[www.catholic-ew.org.uk/cn/05/documents/FaithleadersletterPDF3.pdf](http://www.catholic-ew.org.uk/cn/05/documents/FaithleadersletterPDF3.pdf)

#### Consultation on the future of the Human Fertilisation and Embryology Authority (HFEA)

Cardinal Murphy-O'Connor has joined others in urging the government to use its review of the HFEA Act to establish a new statutory National Bioethics Commission. This reform is urgently needed to provide a more comprehensive, representative, publicly accountable and authoritative framework for

society to debate and discuss difficult and controversial issues in bioethics that are increasingly being raised by technological advances. A detailed response to the Department of Health consultation will be made in late November by the Linacre Centre and the Bishops' Joint Bioethics Committee.

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**Contact:** Dr Helen Watt, Director of the Linacre Centre, [h.watt@linacre.org](mailto:h.watt@linacre.org), for details of the Linacre Centre's and the Joint Bioethics Committee's response to the consultation.

#### Equality Bill

In consultation with other churches some concerns have been raised about some detailed provisions of this Bill in relation to the definition of harassment and of public authority. A letter was sent by Archbishop Smith setting out the concerns to the Minister, Baroness Scotland in October 2005.

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#### Incitement to Racial and Religious Hatred Bill

There are a range of views within the Catholic community, as in society at large, on the wisdom or otherwise of this legislation. A briefing paper setting out the arguments is available at:

[www.catholic-ew.org.uk/citizenship/documents/Briefing1July05.pdf](http://www.catholic-ew.org.uk/citizenship/documents/Briefing1July05.pdf)

Comment made by Archbishop Smith:  
[www.catholic-ew.org.uk/citizenship/documents/comment.ArchbishopSmith.0905.pdf](http://www.catholic-ew.org.uk/citizenship/documents/comment.ArchbishopSmith.0905.pdf)

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#### Terrorism and places of worship consultation

In common with other Churches, CBCEW has warned the Home Office that proposals to place restraining orders on places of worship are a potentially disproportionate measure to a rare and specific problem that is best tackled in other ways.

A copy of the response to the consultation is at:  
[www.catholic-ew.org.uk/citizenship/community/terrorism/documents/Response.101105](http://www.catholic-ew.org.uk/citizenship/community/terrorism/documents/Response.101105)

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