



Christian
Perspectives on
Public Affairs

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News and Christian Comment

Another Challenge to Marriage

In what was a surprise free vote in the House of Lords on 2 March during debate on the Equality Bill, an amendment by the peer, Lord Alli, to remove provisions in the Civil Partnerships Act was passed. The clause which removed essential distinctions between civil partnerships and marriage and secular civil and religious ceremonies was supported late at night following a low turnout.

It has to be acknowledged, however, that notwithstanding some unwelcome consequences, including a likely further potential undermining of marriage, the change to the Civil Partnerships Act - enabling churches to conduct civil partnerships on their premises if they so wish - is at least in keeping with the important principle of religious freedom. The amendment was promoted by a small number of liberal churches, such as the Quakers, Unitarians and Metropolitan Community Church who apparently have no theological problems with the concept of 'same-sex marriage'- though this (as yet) does not exist under UK law. The unexpected outcome was contrary to the wishes of both Government and Opposition, as well as the views of the mainstream churches and most other religious groups, and now opens up the potential prospect of churches and others being required to conduct civil partnerships on their premises.

Whilst there was a provision in what is seen as a permissive amendment which on the face of things allows churches that do not wish to hold civil ceremonies on their premises to refuse to do so, there is concern that anti-discrimination actions brought under the terms of the new Equality Act could in future make religious civil partnership ceremonies mandatory. And local authorities could potentially also refuse to grant or renew marriage authorisation to churches and synagogues that do not also apply for civil partnership authorisation. A concomitant risk in the longer term could be that the courts may ultimately hold that legislation that treats marriage as different from civil partnership and denies people of the same gender the right to marry is discriminatory.

The Rt Revd Michael Scott-Joynt, the Bishop of Winchester, said: "I believe that it will open, not the Church of England, but individual clergy, to charges of discrimination if they solemnize marriages as they all do, but refuse to host civil partnership signings in their churches ... unless the Government does something explicit about this, I believe that is the next step."

The result means that matrimonial law in the UK is in a serious muddle and confusion. The Government is lodging new amendments at Third Reading of the Equality Bill which will make it clear that that denominations and/or individual churches can opt into or opt out of doing civil partnerships. The distinctions between civil secular ceremonies and religious ceremonies, as well as the nature of marriage, have been hugely confused and there is considerable uncertainty about how churches can best be protected from potential threats of legal action in the future if they refuse to host civil ceremonies whilst continuing to offer marriage services. It will probably make sense for independent churches to consider protective action by formal opt-outs specified in their trust deeds, whilst most denominations will probably elect for blanket opt-outs.

The implications of a denominational opt-in system are that local registration authorities will not be able to approve premises of a denomination unless the relevant denominational body has provided official notification - presumably to the Registrar General - that the denomination's religious premises may in principle be approved (subject to local application). An individual denominational minister would presumably be unable to disobey their denomination if their premises cannot be registered because the registration service is only able to approve premises permitted by the law.

The Evangelical Alliance, in a formal statement, acknowledged the Lords' desire to allow a few unorthodox religious groups to have freedom to follow their consciences. But the Alliance insisted that neither must other religious groups be forced to betray their consciences by facing lawsuits if they fail to allow civil ceremonies on their premises. The Alliance emphasised that the current situation involves major implications for the UK's matrimonial laws which haven't begun to be thought through. They pointed out that on the same night as the civil partnerships vote went through in the Lords the Government refused to allow Catholic adoption agencies liberty to follow their consciences. The two decisions appear contradictory and inconsistent and the balance of freedoms does not appear fair. The law needs to make clear that no church will ever in the future be able to be successfully sued on grounds of discrimination for failing to allow a civil ceremony while it continues to permit religious marriages. Ideally a further amendment should be added to the Equality Bill to make it crystal clear that any uncertainty and risk of litigation should be avoided by, for example, inserting into clause 202 of the Equality Bill an exception equivalent to that already provided in the Bill in relation to church ministers refusing to marry same-sex persons reasonably believed to have acquired a new gender.

It should be noted that the new Clause amends section 6 of the 2004 Civil Partnerships Act - which applies to England and Wales. The change apparently does not apply to Scotland or Northern Ireland, for which the Act makes separate provision.

PQ from Westminster

Party Funding and Partisan Priorities

After the expenses scandals of last year that dragged Parliament's reputation to fresh lows new revelations about some of the major backers of the Conservatives and Labour have added further controversy. Lord Ashcroft, the deputy-chairman of the Conservative Party has donated around £5 million to boost their funds in the past five years. In particular he has devoted resources, as well as his own time and management to the party's target seat operation.

On entering the House of Lords ten years ago Lord Ashcroft had to provide assurance that he was a UK taxpayer and a permanent resident. Questions have remained over the exact nature of his status for many years, and suspicions were confirmed when he announced that he was in fact a long-term resident rather than permanent, which allowed him to pay taxes overseas on a large part of his corporate income.

It would appear that senior figures within the Conservative Party only learnt Lord Ashcroft's actual status relatively recently. At the time of making the announcement Lord Ashcroft also agreed to stop being a 'non-dom' and become fully resident in the UK for tax purposes. This change would however, have been forced with proposed changes to ensure that all members of the House of Commons and Lords are fully domiciled tax payers. The criticism of the Conservative Party has suggested that they wilfully did not ascertain Lord Ashcroft's status because they wanted his money. Furthermore, it is charged that his donations have bought him influence within the party. As well as his role as Deputy-Chairman he has also exercised considerable influence in the campaigns that candidates are fighting in marginal seats that the Conservatives will have to win to secure a majority.

These revelations have damaged the Conservative Party, and brought the question of party funding under closer scrutiny. In response the Conservatives pointed out that major funders of the Labour Party are also 'non-doms', a charge which while accurate failed to gain traction because these donors had never suggested they were anything else.

The second charge that the Conservatives brought against Labour was their dependency on funding from the unions. Combined with the planned strikes over the Easter period by British Airways this criticism inflicted greater harm. Seeking to hammer home their point the Conservatives released polling information that showed that members of Unite, the largest union in the UK broadly reflected the general public when it came to voting intention and the majority wanted their union not to give large donations to the Labour Party. At Prime Minister's Questions Cameron asked Brown to support workers who crossed the picket line to ensure flights continued to operate. Brown's refusal to do so was therefore portrayed as evidence of the influence that the union's money bought.

The role of Unite's Political Director, Charlie Whelan, has also come under scrutiny. The Conservatives have highlighted that more money is directed into marginal seats from the Unite union alone than from Lord Ashcroft. Over the past eight years the unions have provided 63% of Labour Party funding and the Conservatives suggested that this money caused policy changes, especially over the role of the private sector in health, education and the postal service. Questions have also been asked about the status of a member of the Downing Street policy unit whose salary is paid by Unite.

Proposals for parliamentary reform are often laced with ostensibly noble motives but beneath the surface are further reasons that betray a more partisan cause. This is currently the case with a number of proposals coming from Labour and the Conservatives. In the run up to a General Election the partisan streak becomes more evident and cross-party consensus a scarce commodity.

The Conservatives have proposed a £50,000 a year cap on donations to political parties. This would prohibit Lord Ashcroft, or anyone else, from funnelling huge sums of money into a party, and stop the parties from becoming unduly dependent on specific individuals for a significant proportion of their income. Although this measure would undercut some of the Conservatives' current funding streams the real target is the unions. While the unions are funded largely by membership dues from individual members their donations to political parties are made as single donations. It is also worth noting that the Conservative Party have diligently cultivated a network of medium sized donors all committed to giving £50,000 a year to the party. The cap on donations is perhaps not as altruistic as it first appeared.

Indications have also appeared that the Labour Party will include in their forthcoming manifesto a commitment to reform the House of Lords. Following the initial changes made in 1999 further reform has been suggested on several occasions without coming to fruition. This has largely been down to a lack of agreement about what form a reformed second chamber should take. Votes in 2003 failed to produce a majority in support of any of the options proposed, and in 2007 a vote in support of an entirely elected chamber was rejected by the House of Lords.

The proposals suggest that Labour would commit to a smaller, entirely elected, second chamber. Elections, under a proportional representation system, would select one third of members at a time with terms limited to a maximum of fifteen years. With the removal of the Lords the chamber would need a new name, with 'Senate' appearing to lead the contenders. Although reform of the House of Lords is an issue that all parties agree is needed these radical proposals seem at least partly intended to persuade the Conservatives to defend parts of the current regime. In turn the Conservatives would be portrayed as the opponents of change.

An entirely elected chamber would mean that the remaining hereditary peers were ejected, along with the Bishops and the Crossbench Peers that do not affiliate to a political party. Justice Secretary, Jack Straw, suggested that the Government would consult on how faith groups could continue to have an element of explicit representation. It is not clear at present how this would operate but is clearly an issue that a future government of any hue will have to grapple with.

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PQ from Westminster

DPP guidelines on assisted suicide: *much improved but still fundamentally flawed*

The Suicide Act 1961 gives a blanket prohibition on all assistance with suicide and was designed to act as a strong deterrent to exploitation and abuse by those who have something to gain, financially or emotionally, from another person's death. It is there primarily to protect vulnerable people but also gives prosecutors and judges the discretion 'to temper justice with mercy' in hard cases. It does not need changing.

However there has been a well-orchestrated and heavily funded campaign underway to undermine it. This came to a head in the Law Lords ruling on the case of multiple sclerosis sufferer Debbie Purdy in July 2009. The Law Lords ordered the Director of Public Prosecutions (DPP) for England and Wales, Keir Starmer, to publish a policy outlining the factors he would take in to account when deciding whether or not to prosecute for assisted suicide. The DPP produced his interim guidance on 23 September and this was out for public consultation until 16 December.

The final guidelines now emphasise that assisting with suicide remains a criminal offence and that only Parliament can create exceptions to it

The DPP's interim guidance listed 16 factors making prosecution more likely and 13 making it less likely. It was widely criticised both as 'discriminatory' towards vulnerable people (in making prosecutions less likely when the 'victim' was sick, disabled or had a history of past suicide attempts), and also 'naïve' about the realities of abuse within families (in making prosecutions less likely for 'loved ones' (close relatives or friends) acting as 'assisters').

Many Christian organisations lobbied hard to have these draft provisions amended and many individuals made submissions to the consultation in their own right.

The DPP published his definitive guidelines on 25 February¹ and we were pleasantly surprised to see how much improved they were from the original. Almost 5,000 responses to the consultation had been received from individuals and organisations and in response several key changes had been made.

The final guidelines now emphasise that assisting with suicide remains a criminal offence and that only Parliament can create exceptions to it. The factors on 'sick or disabled', 'loved ones' and 'past suicide attempts' have all now been removed. In addition new factors have been added, including one making prosecution more likely if 'the suspect was acting in his or her capacity as a medical doctor, nurse, other healthcare professional (or) a professional carer...'. Other factors in the definitive guidelines effectively rule out internet promotion of suicide and Swiss-style suicide 'clinics'.

However the final guidelines remain fundamentally flawed in two ways. First, they effectively still create exceptions to a crime. Creating exceptions to crimes is something only Parliament should do and it has specifically chosen not to do so with assisted suicide twice in the last four years. It is not surprising that commentators have referred to the guidelines as providing a 'tick box get out of jail free card' for would-be 'assisters' or even, in the case of crime-writer PD James, a 'murderer's charter'.

Second the final guidelines seem to excuse assistance with suicide which is 'wholly motivated by compassion'. This raises a whole host of questions: How is compassion to be defined? Given that the key witness, the 'victim', would be dead, how will the DPP determine whether the act was 'wholly compassionate'? To what extent could one reliably trust the testimony of the 'suspect' about what really happened and what motivated him given that the answers to these questions might make the difference between no prosecution on the one hand or a conviction for assisted suicide (up to 14 years) or mercy killing (mandatory life sentence) on the other? How is the DPP to determine from the evidence available in most cases that the action to 'help' was not at least in part motivated by a desire to be rid of an economic, emotional or care burden, or whether the 'suspect' was being subtly coerced or emotionally blackmailed by the 'victim' ('if you love me you will help me end it all').

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The Suicide Act is based on the principle that the key issue is not 'motivation' but rather 'intention'. This concept – that it is wrong intentionally to end the life of any innocent human being regardless of one's motivation – is thoroughly biblical. It is clear from the biblical passages that expound the sixth commandment 'you shall not murder' (Exodus 20:13; Deuteronomy 5:17) it prohibits the 'intentional killing of an innocent human being' (Exodus 21:12-14; Leviticus 24:17-21; Numbers 35:16-31; Deuteronomy 19:4-13). The final guidelines ignore this divine wisdom.

In coming weeks we will also see a barrage of cases which are going to test the new guidelines and the DPP will be under intense public scrutiny as he applies them.

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Dr Peter Saunders

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¹http://www.cps.gov.uk/news/press_releases/109_10/

PQ from the Nations

Northern Ireland St. Patrick's Day Festivities

The First and deputy First Ministers are celebrating St Patrick's Day in America as part of a week long visit to drum-up US investment in the Province. A more viable mission, according to Hillary Clinton, because of gaining the cross-community consensus needed to pass the devolution of policing and justice at a vote in Stormont last week. All 44 of the nationalist assembly members and 9 other members, including the Alliance Party's MLAs, backed the vote, while 35 out of 52 unionists also supported it.

The process of getting to this agreement has been long and painful (well painful to watch anyway) and has also brought a number of unexpected twists along the way. Not least the 17 'no' votes from the UUP, despite - or possibly made more likely by - the interventions that came from within and outside of NI. Pressure from the other parties, the Secretary of State, the Irish and British Prime Ministers and even Hillary Clinton were to be expected. What wasn't expected was the phone call from George W Bush to David Cameron urging him to use his leverage due to the election alliance between his party and the UUP - 'one conservative appealing to another conservative' was how one commentator explained it. The response was one of resolute defiance and the claim that no amount of 'blackmail' would change the UUP's position.

Another unexpected turn was how during this process Peter Robinson and Martin McGuinness sought a meeting with church leaders (including Stephen Cave - National Director of EANI). Mr Robinson said: "The Churches here have been very supportive of the work that the deputy First Minister and I have undertaken in recent months, including our programme for cohesion, sharing and integration and the recent negotiations on devolution of policing and justice. We felt that it was important that we take this opportunity to brief them further and to answer any questions they have." It is obvious that The First and deputy First Ministers have had difficulties in trying to get unanimous support from the parties but to gloat in the irony of the DUP and Sinn Fein struggling with those they see as holding up progress would be churlish, if a little tempting. Instead, we must take this opportunity to commend them for the progress they have made in tackling these issues seriously together and in seeking the Church's support.

Like both the Good Friday Agreement and the St Andrew's Agreement, the Hillsborough Agreement is not without its flaws and ambiguities but contrary to what comes naturally to many of us we must not let cynicism cloud the fact that the alternatives were far worse. For this day at least, the politics of 'mutually assured destruction' has been put off and the progressive, if not perfect, politics of power sharing has been kept alive.

It is possible that this St Patrick's Day - a time of joyful celebration for so many - our political leaders find themselves in a stronger position to work towards a truly shared future. There will no doubt be testing times to come, but surely we should join with the 'Paddy's Day' enthusiasts and celebrate the moment, albeit with a little less Guinness?

Scotland The Plight of Asylum Seekers

The plight of asylum seekers in Scotland recently became a stark reality in the wake of the tragic deaths of a Russian family who took their own lives by jumping from a Glasgow tower block. While speculative controversy surrounded the deaths, the issue was heightened by revelations that the family had been denied asylum but were not facing immediate deportation. This provoked a public outcry and calls for a public enquiry to investigate the UK Border Agency's (UKBA) treatment of the family. The local MP of the area, Willy Bain urged the UK Government to improve the way asylum seekers with mental health issues are handled by the UKBA.

Glasgow now has the highest number of asylum seekers outside of London, 2,485 according to the Home Office, but the number rises to between 4000-5000 if you add those who have been accepted as refugees. As a public issue it continues to remain a priority within the minds of the British public. But while 29% of British people questioned in a recent Ipsos MORI poll see immigration and asylum as the most important issue facing Britain today, only 3% of those in Scotland agree, rating it below unemployment, the economy, education, crime and the NHS. These statistics in the first instance, reflect the localised impact of the issue, whether positive or negative, on a specific section of the Glasgow population. But it may also say

something about the overall positive attitude of the Scottish population towards immigration and the treatment of asylum seekers. This has been politicised in reference to debates over Scottish independence, with some commentators suggesting that, for independence to be an economic reality, the population would have to rise to around 15 million people. Any Scottish National Party supporter will remind you of their party's overall more "open" and "accepting" attitude towards immigration.

Organisations campaigning for better treatment of asylum seekers highlight Britain's proud history of providing sanctuary for those fleeing from situations of injustice, for example, providing sanctuary to Jews fleeing from the Nazi regime in the 1930s, Ugandan Asians forced out by Idi Amin in the 1970s, Bosnians escaping ethnic cleansing in the 1990s and Zimbabweans seeking a safe haven today. Similarly, there are a number of Christian organisations who continue to

campaign for better sanctuary in Britain for those fleeing from persecution and tyranny. Church Action on Poverty campaigns, among other things, to end detention of children and families for immigration reasons and promotes tolerance and neighbourliness between local communities. But they particularly highlight the intolerable treatment of asylum seekers who are denied some of the most basic rights.

This issue should of course, resonate with any Christian pursuit of Christ's calling to be Good News in word and deed to the "least of these brothers of mine". The church is ideally situated to provide compassion, care and hospitality to those on its door step who are, for whatever reason, in a position of vulnerability created by circumstances either national or international. In Glasgow there are a number of instances where this is already taking place, St Rollox Parish Church being a notable example. But the Church can also speak out against injustice and for those who cannot speak for themselves, particularly as we approach the General Election.

PQ from the Nations & beyond

Wales Communities First

Recently, the Welsh Assembly Government's Communities First programme has come under renewed criticism in a damning report soon to be published by the Welsh Assembly's Public Accounts Committee.

The flagship programme, launched in 2001, was intended to improve the living conditions and prospects for people in the most disadvantaged communities in Wales. Areas were designated as "Communities First" from findings in the Welsh Index of Multiple Deprivation – the official measure for deprivation for small areas of Wales – with the most recent update being in 2008.

There will continue to be opportunities for us as Christians to engage with the public sector in the delivery of services for the foreseeable future.

Thus far, £214 million has been spent on the 157 projects around Wales which aim to bring local people into contact with the public sector and to empower them to influence public service delivery.

In the preparation of Gweini's 2008 'Faith in Wales' report, a question was considered to ascertain how many churches had been recipients of Communities First funding as this information would have been valuable. However the question was omitted in order to keep the questionnaire relatively brief.

Nevertheless there are a number of churches known to the Alliance that have delivered Communities First projects in Wales, involving a range of projects including football and music for people of all ages.

Interestingly, the Welsh Index of Multiple Deprivation mentioned above has been a motivational tool for some Welsh Christians apart from Communities First. Members of Antioch Church in Llanelli took small teams (including people from other churches) to the most deprived areas in Wales to offer food,

clothing and friendship.

Although it can be easy to point the finger at the project in north Wales that has been singled out for criticism in the lead-up to the publication of the report, it is sobering to think that churches could also be implicated. Recent years have seen unprecedented engagement between churches and local government but we are not necessarily guaranteed a smooth ride. The church way of doing things is often typical of the Voluntary or Third Sector – an admirable focus on the individual and people-centred care but sometimes lacking in efficiency, good governance and accountability.

With the recent economic downturn and the tightening of local council purse-strings around Wales and the UK, there will continue to be opportunities for us as Christians to engage with the public sector in the delivery of services for the foreseeable future.

Whether it be through Communities First or other initiatives, it is perhaps a good time to reflect upon where we are going with our public sector engagement and see if there are areas where we need to tighten things up or increase our capacity or expertise.

Religious Liberty Nigeria

Violent clashes in Nigeria have led to hundreds of deaths in the last few weeks with the city of Jos the epicentre for this fresh wave of sectarian killing. Estimates ranged from 100 to 500 deaths, with the witnesses reporting that three Christian villages in the vicinity were the target of the machete attacks.

Mixed with the shock and outrage at the images and stories recounted was confusion and conflicting accounts as to what prompted the latest massacres. Nigeria is a country that is marked by a distinct religious divide. The north of the country is predominantly Muslim with Christianity the main religion of the south. Jos lies in the centre of Nigeria where the two religious groups mix, and this has been cited as the cause of the massacre.

However, the role of religion in the current violence has been questioned, with suggestions that resources, specifically cattle, are in fact a more important factor. This school of thought suggests that while religion may be the most obvious dividing line between communities, the lack of resources and the failure of the Government to swiftly stop the violence when it arises is the deeper and more intransigent problem.

Christian Solidarity Worldwide (CSW) commented that the violence was thought to be in retaliation for an incident in Kuru Karama on 19 January, which was widely reported as a Christian massacre of 150 Muslim villagers. The Kuru Karama village head, who is not a Muslim, fled the violence and confirmed that non-Muslim houses and bodies were amongst those shown in media reports.

Mervyn Thomas, Chief Executive of CSW said: "This is by far the most serious of several similar attacks on isolated villages that have occurred since January 2010. Innocent men, women, children and even babies have been murdered in a most appalling manner simply because of their religious affiliation."

Speaking on Radio 4's Thought for the Day the Chief Rabbi Lord Sacks commented that "the facts are far from clear, but they fit a pattern that has become all too familiar". He went on to say "it begins with a conflict that has nothing to do with religion and everything to do with economics and politics.

"Since religion speaks to the deepest sources of identity, it too gets drawn in. And then we have the most dangerous situation of all, because if you feel God is on your side, there's no limit to what you can do. That's when people begin to hate in the name of the God of love, practice cruelty in the name of the God of compassion and kill in the name of the God of life."

With the recriminations and counter claims of responsibility and causality that litter the pages of the press it is perhaps too easy to become defensive that we (whoever 'we' is) are the victim, and 'they' are the oppressor. And maybe we are correct. But does it help build peace or does it help us forget, in the words of Lord Sacks, that "our common humanity precedes our religious differences"?

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Prayer, action and breaking news...

General Election Resources

A General Election has to take place before 3 June and the Evangelical Alliance is encouraging churches to engage with the political process in the coming months. In the past year trust in Parliament has been dealt a severe blow. It is therefore critically important that everyone takes seriously their chance to participate.

One way for churches to get involved is to organise local hustings with the candidates standing in your constituency. This is an excellent opportunity for churches to come together and for the public to ask questions about the issues they are concerned about.

The Evangelical Alliance website contains a guide for churches on how to organise and run hustings. Also available on the website is an introduction to the political parties and an overview of their positions on a wide range of policy areas. www.eauk.org/elections



SUSA is a new resource from the Bible Society and an urgent call to action. it aims to help the church in the UK to



increasingly see political engagement as biblical, missional and possible. It will achieve this by encouraging Christians to take up the challenge; and by equipping them with a range of practical high quality resources. www.susa.info

Make The Cross Count 2010 is a website from CARE aimed at equipping the church for the General Election, available on the site are:



My Manifesto: a unique opportunity to hear church leaders and Christian thinkers explore the issues they would like to see in a party manifesto.

Resources: Including a series of Bible studies for small groups or individuals to help you think through the issues of living out our faith in a modern democracy.

Policy Papers: Researched and written by CARE's Public Affairs team, the documents provide an overview of key policy areas and help Christians think through the issues.

All available at www.makethecrosscount2010.net

'THIS IS MY BODY' Maundy Thursday communion service

Open Doors is encouraging churches to remember the persecuted church on Maundy Thursday.

At 12 noon, Maundy Thursday, a small group of church leaders representing the denominations, streams and groupings of the church in the United Kingdom will stand in silent prayer outside the West Front of Westminster Abbey. They will be joined by two representatives of the worldwide church who have been threatened with death because of their faith.

Under the unseeing gaze of the statues commemorative the Christian martyrs of the last century, a wreath will be laid in memory of the Christian martyrs of the last year; those for whom, in 2009, faith cost the most.

Open Doors has provided prayers that can be used in Maundy Thursday services, small groups or individuals.



Visit www.opendoorsuk.org/wfcm for resources

information

For information on these and any other political issues, please contact our information line on: 020 7207 2129 or pub-aff@eauk.org

