

SCIENTOLOGY REPORT

QC criticizes ban on entry of foreign members but urges legislation on psychotherapy

By a Staff Reporter

Government measures in 1968 to exclude scientologists from the United Kingdom are criticized by Sir John Foster in his report on the practice and effects of scientology, published yesterday.

His introduction says: "The mere fact that someone is a scientologist is in my opinion no reason for excluding him from the United Kingdom, when there is nothing in our law to prevent those of his fellows who are citizens of the country from practising scientology here."

This reference to steps announced by Mr Kenneth Robinson, the Minister of Health, to the Commons on July 25, 1968.

Before announcing the measures Mr Robinson described scientology as a pseudophilosophical cult introduced from the United States with world headquarters in East Grinstead. He said it had been described by its founder, Mr L. Ron Hubbard, as "the world's largest mental health organization."

Mr Robinson said the Government was satisfied that scientology was socially harmful. It alienated members of families from each other; its authoritarian principles were a potential menace to the personality and wellbeing of its followers; above all, its methods could endanger the health of those who submitted to them. There was evidence that children were being indoctrinated.

Mr Robinson said there was no power under existing law to prohibit the practice of scientology "but the Government have concluded that it is so objectionable that it would be right to take all

steps within their power to curb its growth."

He then announced the following measures "to take immediate effect":

(a) The Hubbard College of Scientology, and all other scientology establishments, will no longer be accepted as educational establishments for the purposes of Home Office policy on the admission and subsequent control of foreign nationals:

(b) Foreign nationals arriving at United Kingdom ports who intend to proceed to scientology establishments will no longer be eligible for admission as students;

(c) Foreign nationals who are already in the United Kingdom, for example as visitors, will not be granted student status for the purpose of attending a scientology establishment;

(d) Foreign nationals already in the United Kingdom for study at a scientology establishment will not be granted extensions of stay to continue these studies;

(e) Work permits and employment vouchers will not be issued to foreign nationals (or Commonwealth citizens) for work at scientology establishments;

(f) Work permits already issued to foreign nationals for work at a scientology establishment will not be extended.

Speaking of the then Home Secretary's refusal to allow a scientologist into the country, and referring to the steps announced by Mr Robinson, Sir John states: "We pride ourselves that England is a free country. Despite increasing encroachments on the freedom of the individual in an increasingly

complex society, we are certainly a good deal more free than the subjects of many other states.

The attitude of the general public in Britain to foreigners—and to a good many other questions—demonstrates conflicting feelings of friendliness and hostility. On the one hand, there is the centuries-old insular tradition of contempt for dagoes, frogs, wops and other lesser breeds without the law, who should be allowed to come here only for brief periods on sufferance, and then go home where they came from and trouble us no more. On the other hand, there is the equally old tradition of welcome and hospitality, founded on a desire to learn from others, to widen our horizons, to enrich our experience and especially to help those who suffer persecution in their own countries.

The general principle on which the Home Office has in fact (even if not in theory) acted for a very long time is that foreigners should be free to come and go through our ports of entry as they please, unless there is clear evidence that they are likely to do us some specific harm, such as the commission of crimes, political activity endangering national security, the passing on of contagious diseases, putting our own people out of work, or indigence as the result of which we shall find ourselves forced to support them.

In my view, such a policy has been right in the past and is right at the present time; as the world becomes smaller and the mobility of its peoples greater, it becomes more rather than less important that we should encourage rather than re-

strict the free flow of people and ideas.

Against that background, it seems to me wrong in principle for the Secretary of State for Home Affairs to use his wide powers of exclusion against those scientologists who happen to be foreigners or Commonwealth citizens, when there is no law which prevents their colleagues holding United Kingdom citizenship from believing in their theories or carrying on their practices here.

If the practices of scientology are thought to constitute a danger to our society sufficiently grave to warrant prohibition or control under the law, then it is for Parliament to make such a law and for the Executive to apply it impartially to Britons and foreigners alike within the confines of this country.

But so long as none of our laws are being infringed, the classification of foreign scientologists as "undesirable aliens" so that they are forbidden entry through our ports, while the accident of birth permits those scientologists who happen to be citizens of the United Kingdom to proceed and be processed here with impunity, seems to me to constitute a use of this discretionary power which is quite contrary to the traditional policy followed by successive Home Secretaries over many years.

In the view which I take, therefore, there is no reason why scientologists of foreign or Commonwealth nationality should not henceforth be admitted to this country as visitors on precisely the same footing as other people. This would normally entitle them, under current policy set out in paragraph 14 of the Instructions to Immigration Officers, to a stay of up to three months at a time.

Again, foreign or Commonwealth scientologists who wish to come and work here should in my view be granted or refused a work permit on precisely the same criteria as everyone else, and the fact that they or their proposed



Mr. L. Ron Hubbard, founder of Scientology, who has described it as "the world's largest mental health organization", and (right) Sir John Foster, Q.C. whose report criticizes the Labour Government's measures in 1968 to exclude scientologists from the United Kingdom.

employers are scientologists should be regarded as quite irrelevant. The position of students is somewhat different. Under present Home Office policy, they form a privileged class in that they are normally given leave to stay for up to 12 months in the first instance, that is four times as long as an ordinary visitor.

One of the necessary conditions for this is acceptance for a course of full-time study at a "bona fide educational establishment" and I am bound to say that on the evidence before me I am not satisfied that Scientology establishments as now organized can be said to fall within that description.

Sir John recommends the passing of legislation for the organization of psychotherapy as a profession. If

Parliament accepts it, there will in due course be a professional body which will have, among its other functions, the duty to approve or disapprove courses of training leading to registration as a practitioner under its jurisdiction. The report says:

If and when the time arrives when Scientology training receives the approval of this body, foreign or Commonwealth students wishing to take it should be admitted on the same considerations as all other bona fide students.

Until that time, however, I see no objection to the continuance of the present Home Office policy in this respect only: foreign or Commonwealth scientologists wishing to come here for study at a scientologists' establishment should

be admitted as visitors only, and not as students.

Sir John says he has become convinced that "it is high time that the practice of psychotherapy for reward should be restricted to members of a profession properly qualified in its techniques, and trained—as all organized professions are trained—to use the patient's dependence which flows from the inherent quality of the relationship only for the good of the patient himself, and never for the exploitation of his weakness to the therapist's profit. Such legislation already exists in a number of states in Europe, the Commonwealth and the United States".

I cannot see any reason why

scientologists should not be allowed to practise psychotherapy if they satisfy the proposed professional body that they are qualified to do so, and their techniques are sound, that their practitioners receive adequate training and operate under stringent ethical code, and that there is no hint of exploitation.

Sir John says:

One other matter of substance has arisen in the course of this inquiry which, in my view, merits further consideration, and that is the variety of privileges which the laws of this country confer upon associations of mortals who combine for religious purposes.

He concludes:

Whether or not it may be thought desirable to continue to confer these privileges on bona fide religions having a substantial following, there seems to me to be a clear need for precautions which will ensure that there can be no abuse.

In these circumstances, I recommend that the time is ripe for a review of the law which accords these privileges to religious bodies, with the object of at least ensuring that they are restricted to religious movements having a substantial number of adherents, and engaging in genuine acts of worship.

I am struck by the ease with which "non-profit-making" companies or associations are able to escape the payment of taxes, even if they are not charities.

This aspect of our tax system is in my opinion ripe for review.

The other matter which deserves attention is the failure of a number of the Scientology companies to file accounts and annual returns within the time prescribed by the law, without apparently incurring any sanction at the hands of the Registrar of Companies. These sanctions seem to me pointless if they are not enforced.

Enquiry into the Practice and Effects of Scientology (House of Commons Paper 52, Stationery Office, £1.20).

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