

Latest 'persecuted Christian' case dismissed by employment tribunal?

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The latest Christian to claim victimisation in the workplace has had his claim for religious discrimination dismissed by an employment tribunal in Birmingham.

Dr David Drew was dismissed for "gross misconduct and insubordination" in December 2010 after refusing to accept the conclusions of a report into his relationship with Walsall Healthcare NHS Trust.

The doctor was first suspended in 2009 for six weeks following a complaint by a senior nurse that he was undermining her, but which was subsequently dismissed.

A grievance by Dr Drew about his suspension was dealt with by an independent review panel. He was told to accept the recommendations of the panel's report in full. One of the recommendations included refraining from making reference to religion in professional communications.

The [Daily Mail](#) and the [Telegraph](#) picked up the story in March 2012 when Dr Drew told an employment tribunal that he was unfairly dismissed on the grounds of his religious beliefs. The *Daily Mail* ran with the headline "Christian doctor 'sacked for emailing a PRAYER to hospital colleagues to raise their spirits'".

However, when Sue James, current chief executive of Derby's hospitals was called to give evidence, she revealed that Dr Drew produced a "toxic environment" at the hospital by constantly raising complaints against his co-workers. Mrs James said: "For two and a half years we had a relationship that wasn't working."

Dr Drew emailed a prayer to colleagues to try to "motivate his department". But Mrs James told the employment tribunal that Dr Drew's religious references were "highly marginal" in the investigation. She told the hearing: "It was about the verbosity and length of his emails. He deconstructed every sentence and sent it to so many people."

Mrs James said she was soon being sent numerous emails from Dr Drew complaining about the report's findings. She said: "I was the chief executive running the hospital and David was taking up one day of my personal time a week. We needed to move forward."

In reaching its unanimous decision, the employment tribunal this week said it had found no evidence that Walsall Healthcare NHS Trust or the members of an independent panel that investigated Dr Drew were influenced, even subconsciously, by a prejudice against Christians. The tribunal said there was no need for Dr Drew to refer to himself as a Christian or to make religious references in professional communication if they are considered inappropriate and if they hinder proper communication.

In dismissing the claim the judgement concluded:

"The panel dismissing the claimant were entitled to conclude that the implementation of that report without reservation was key to the future of the Paediatric Department and that the claimant's continued failure to accept and adopt the recommendations had potentially harmful consequences for the Department. Furthermore, the claimant had admitted clear breaches of confidentiality in choosing to widen the distribution of certain conclusions in the report contrary to his express agreement not to do so."

Despite claiming for unfair dismissal on the grounds of religious discrimination, Dr Drew also says he was dismissed for whistle-blowing over child protection. In a witness statement to the tribunal, Dr Drew said problems began in 2008 when he complained about hospital practices. He cited two occasions when children had allegedly been sexually assaulted on the ward and another where a child had died after a consultant let him go home.

However, despite Dr Drew referring to himself as a whistleblower (his twitter account is @NHSwhistleblowr) his claim for unfair dismissal was not brought under the Public Interest Disclosure Act which protects whistleblowers from detrimental treatment by their employer.

In dismissing Dr Drew's appeal to amend his claim in December 2011, the employment judge concluded:

"I find it difficult to understand why, if public interest disclosure played such a significant role in the claimant's mind in the alleged detriments and his subsequent dismissal, that through a process of years and multiple opportunities no attempt was made at an earlier stage to apply to amend the claim"

Stephen Evans, Campaigns Manager at the National Secular Society, said: "Yet again we find that when claims of discrimination against Christians in the workplace are properly scrutinised, they fall flat on their face.

"The Christian propaganda machine, so enthusiastically assisted by certain sections of the British media, is attempting to gain special privileges in all areas of life for those who declare themselves to be Christian. It is time their false narrative of Christian persecution in Britain was exposed as the pernicious pack of lies that it is."

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