

# Judgements due on landmark religious discrimination cases at European Court

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The European Court of Human Rights will announce its judgement on four landmark cases of alleged religious discrimination in the workplace on Tuesday 15 January.

In all four cases Christian applicants complained that UK law does not sufficiently protect their rights to freedom of religion and freedom from discrimination at work.

The National Secular Society is the only organisation that has [intervened to support the UK Government](#) to argue that all four cases of Eweida, Chaplin, Ladele and McFarlane were correctly dismissed by the UK courts. Our submission was prepared by leading human rights lawyer Lord Lester of Herne Hill.

Eweida and Chaplin concern the wearing of crosses at work. Ladele was an Islington registrar and McFarlane a Relate councillor, both of whom objected on religious grounds to dealing with same sex couples. All four are applying to the European Court of Human Rights claiming that the dismissal of their cases was in breach of the European Convention on Human Rights and that the UK law must therefore be changed.

Keith Porteous Wood, Executive Director of the National Secular Society, said:

"This is likely to be a landmark case determining the future direction of equality law in the UK, and potentially also in Europe.

"In the cases of Ladele and McFarlane, the rights of gay people are placed at risk if it is decided that 'reasonable accommodation' is acceptable when religious people provide (or refuse to provide) services to them. We have argued that such accommodations are humiliating and unacceptable. Such accommodation would not be suggested if the objection were on the basis of race, and it should not be granted on grounds of sexual orientation.

"In the case of the wearing of religious symbols at work — Eweida and Chaplin — we think the English courts reached the correct decisions based on the relevant facts.

"We argue strongly that religious conscience should not override uniform policies or health and safety regulations in the workplace. We uphold everyone's right to manifest their religion and wear religious insignia, but occasionally there may be limited circumstances where the State and private employers will be justified in restricting the display of religious symbols, or indeed, expressions of non-belief, in the interests of protecting the rights of fellow employees, users of public services, and private customers.

"We very much regret the disingenuous and persistent portrayal of the current situation as being a blanket ban on religious symbols in the workplace. As the millions of people who wear a cross to work will testify, there is no such ban, nor should there be such a ban. But it is important that employers maintain their rights to ask their staff to comply with reasonable uniform policies or health and safety regulations. We must at all costs avoid creating a hierarchy of rights with religious

rights firmly at the top."

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