

Tribunal rules that ultra-Orthodox Jewish man who wouldn't work on Shabbat is entitled to benefits

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An ultra-Orthodox (Charedi) Jewish man who refused to work on Shabbat has won an appeal against the Department for Work and Pensions (DWP) after he was denied Jobseeker's Allowance for over six months. A tribunal ordered the DWP to pay Jacob Slinger from Manchester £1,500 of the benefits. It also called on other Jewish people similarly denied benefits to come forward.

Judge David Hewitt said that a hearing of the DWP's social entitlement chamber, which adjudicates benefits disputes, had been wrong to deny Mr Slinger the £56.80 per week benefit.

Mr Slinger, a 19 year old former student, left his course last year and applied for the benefit. But the Jobcentre in Prestwich refused his application on the basis that he had stipulated he would not work on Friday afternoons and Saturdays to observe Shabbat. This was deemed "not reasonable".

Mr Slinger claimed that he and his family had been forced into poverty as a result of the ruling. "My grandmother used every penny of her savings to support me," he said.

Regulations state that jobseekers must be available to work up for a minimum of 35 hours a week, which Mr Slinger had agreed to. In fact, the tribunal was told that he had made himself available for 53 hours a week.

Mr Hewitt said: "Mr Slinger has demonstrated that, even within the restraints he has set himself, he has reasonable prospects of securing employment and he is both available for and actively seeking work. If my understanding is correct, their original decision is found to be wrong. If people have been turned down for these reasons, they should make an appeal to this tribunal."

Commenting on the outcome, Jason Coppel QC, an expert in social security law, said he was not aware of such a decision being made by a tribunal before, and that it had implications for the government's new universal credit, and could affect Christians, Muslims and others, as well as Jews.

A DWP spokesperson said: "We will look at this judgement carefully and consider if we need to make any changes to the guidance given to Jobcentre Plus staff."

There could yet be a series of appeals about decision, thought to be the first of its kind.

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