Religious belief and the employment rights of medical staff.

Lucy Vickers
Abortion Act 1967

Section 4(1):

• ‘no person shall be under any duty...to participate in treatment authorised by this Act to which he has a conscientious objection.

• Section 38, Human Fertilisation and Embryology Act 1990 contains provisions in similar terms.
Equality Act 2010

• Direct Discrimination
  • less favourable treatment ‘because of religion or belief’

• genuine occupational requirement exception
Equality Act 2010

• Indirect discrimination

• Applying a neutral criterion to everyone which

• ‘puts persons [of the religion in question] at a disadvantage compared to others’ and

• which cannot be shown to be a proportionate means of achieving a legitimate aim.
Indirect Discrimination

• *Eweida and Chaplin v. United Kingdom* [2013]

• *Ladele v Islington Borough Council* [2009] and [2013]

• Article 9 European Convention on Human Rights