

## CASE NOTES

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EDITED BY RUTH ARLOW  
Chancellor of the Diocese of Norwich

### G v P

Ashford Employment Tribunal: 23 July 2012  
*Unfair dismissal – prayer sessions – discrimination*

P was a ‘donor processor’ for a charity whose fundraising arm produced and broadcast scripturally based Christian television programmes. The donor processors were required to take calls from the public, process donations and discuss the spiritual and theological content of the broadcasts; and because the charity believed that, in order to be able to discuss the broadcasts, the donor processors needed to have a detailed understanding of its theological stance and a strong grasp of Scripture, it held structured prayer and training sessions for them, which included specific (and to some extent prescriptive) guidance about the tenets of the organisation. P refused to participate on the grounds that her beliefs and interpretation of Scripture derived from her direct relationship with God and that the training interfered with that direct relationship. After two opportunities to change her mind, the charity terminated her contract. Before the Employment Tribunal she argued direct discrimination on grounds of religion or belief and unfair dismissal. At a pre-hearing review the Tribunal concluded that P had not been treated less favourably because of her (or the organisation’s) Christian beliefs and struck out her allegation of direct religious discrimination. Both parties had precisely the same beliefs and P’s contract had been terminated because she had refused to participate in structured training. At the substantive hearing the Tribunal held that it was legitimate for the organisation to want uniformity in its communication with its supporters and that there was a risk to the organisation if donor processors communicated with the public on complex theological issues without any training or control over standards; moreover, the charity had acted reasonably by giving P the chance to change her mind. The unfair dismissal claim was dismissed. [Frank Cranmer]

*This note is based on an item by Paul Jennings in the Bates Wells & Braithwaite Employment Law Update – Early Spring 2013 and is reproduced with permission: the Tribunal’s decision was delivered orally.*