

retain the woodwork and architectural interest in that part of the church.
[Catherine Shelley]

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Mba v Merton Borough Council

Employment Appeal Tribunal: Langstaff J, 13 December 2012

UKEAT/0332/12/SM

Discrimination – Sunday working

The appellant was a care worker in a children's home who was employed under a contract under which she could be required to work on Sundays. After accommodating her wish as a Christian not to do so for some two years, her employer required her to work as contractually obliged. She appealed against the Employment Tribunal's rejection of her claim that she had been unlawfully discriminated against on grounds of her religion and belief under the Employment Equality (Religion or Belief) Regulations 2003.

The Employment Appeal Tribunal (EAT) upheld the decision of the Employment Tribunal that the employer's aim in seeking to ensure that all full-time staff worked on Sundays in rotation was legitimate and was objectively justified, so that she could lawfully be required to do so. The appellant argued that the Employment Tribunal had impermissibly taken into account a view of what was 'core' to Christian belief, which was not part of its proper function. The EAT held that by using the expression 'core' the Employment Tribunal had intended to reflect the evidence put before it from an Anglican bishop that only some Christians felt obliged to abstain from Sunday work. On that basis it was permissible commenting on the degree to which Christians numerically would be affected, and was not attempting to tell Christians what was important in their faith. The appeal was dismissed. [RA]

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R (Hodkin) and another v Registrar General of Births, Deaths and Marriages

Administrative Court: Ouseley J, 19 December 2012

[2012] EWHC 3635 (Admin)

Scientology chapel – registration of marriages

Ms Hodkin and her fiancé, both Scientologists, wished to marry in a Church of Scientology chapel that was not registered under section 2 of the Places of