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PRESS RELEASE

DARD Pays Vet £50,000 In Settlement of Victimisation Case

Dr. Crispin Madavo, a Zimbabwean born veterinarian, has been paid £50,000 by the Department of Agriculture and Rural Development, in settlement of cases he brought, with the assistance of the Equality Commission for Northern Ireland, under the Race Relations (Northern Ireland) Order 1997 as amended.

Dr. Madavo was employed by the Department as an Official Veterinary Surgeon and based at an abattoir in Coleraine, where he was responsible for the enforcement of veterinary public health and animal welfare legislation. He complained to the Industrial Tribunal that internal disciplinary proceedings, and sanctions imposed upon him, were acts of victimisation because he had made earlier complaints of racial discrimination and victimisation.

“A person who raises a complaint of discrimination is protected by law from being subjected to further discrimination because they have complained.” Anne McKernan, Director of Legal Casework at the Equality Commission said. “Dr. Madavo has had difficulties over a long period following initial complaints he made of racial discrimination. This culminated in disciplinary proceedings and penalties imposed upon him which the Department has now acknowledged should not have occurred.”

Dr. Madavo had, in 1999, brought proceedings alleging racial discrimination against the Department and these had been settled in 2003. Dr Madavo subsequently brought a case against the Department in 2006 alleging that he had been victimised because of those earlier proceedings. An Industrial Tribunal, in a decision in June 2008, stated “*We found that Dr. Madavo was singled out and victimised by reason of his bringing earlier race discrimination proceedings*”. The Tribunal awarded him the sum of £8,136 in compensation.

Prior to the hearing of that case the Department had instituted internal disciplinary proceedings against Dr. Madavo in September 2006, following an allegation of harassment made by a person named in Dr. Madavo's complaints. After a disciplinary hearing in June 2007, the Department imposed on Dr. Madavo a disciplinary transfer and a disciplinary warning of two years duration. Following this, Dr. Madavo made further complaints of discrimination.

In settling these complaints, without admission of liability, the Department has agreed to pay Dr. Madavo £50,000, has apologised unreservedly to him for wrongly subjecting him to disciplinary proceedings and disciplinary sanctions and unequivocally accepts that it was incorrect to conclude that Dr. Madavo was guilty of harassment. The Department also states that it accepts the earlier decision of the Industrial Tribunal, in June 2008, that Dr. Madavo was victimised, and accepts that the Department should not have subjected him to disciplinary proceedings nor to any disciplinary sanction. It confirms that the sanctions imposed on him have been rescinded and are null and void. It also confirms that Dr. Madavo has made a professional and valued contribution to the work of the Department.

Dr. Madavo said that he had felt extremely angry and stressed as a result of these events. "I believe I was punished simply for refusing to accept treatment which I think amounted to unlawful discrimination. I am happy to see the matter finally resolved with the acceptance by the Department that I had acted reasonably in pursuing my concerns, and in the rescinding of the disciplinary action incorrectly taken against me."

The Department has undertaken to meet with the Equality Commission to review its Equal Opportunities policies, practices and procedures and to provide equality training to all staff in relation to their obligations under the Race Relations (NI) Order 1997 and best practice. The Department has also informed all staff in the Veterinary Service of the resolution of the matter through a written statement in the Veterinary Service's Core Brief.