

Legal Services Report:
Review of Legal Services -
2018 - 2019

MAY 2019

Equality Commission

FOR NORTHERN IRELAND

EQUALITY COMMISSION FOR NORTHERN IRELAND

Review of Legal Services 2018-19

Introduction

This is a report of the work undertaken in the past year within Legal Services, to provide advice and guidance to individuals who believe they have been subjected to discriminatory treatment; to consider applications for assistance with legal cases; to provide legal representation in strategic cases; and to report on the outcomes of casework.

Advisory Service

The Commission provides an information and guidance service for members of the public who believe that they have been discriminated against. For many individuals this is their main point of contact with the Commission. In the year from **1 April 2018 to 31 March 2019** the Discrimination Advice Officers dealt with enquiries from **4,144** people.

This is the highest number of annual enquiries to this service in the past decade. Of the enquiries received this year:

- 43.5% were about disability discrimination, including SENDO
- 24.5% were about sex discrimination
- 12% were about religious/political discrimination
- 10% were about racial discrimination
- 8% were about age discrimination
- 2% were about sexual orientation discrimination.

The percentage breakdown of enquiries, relative to each other, has remained consistent over the past five years. The actual numbers of enquiries in all areas rose. Disability, while accounting for proportionately less this year (47% last year), remains the largest area of complaint by quite some margin.

Enquirers to the Helpline receive advice on rights and remedies, jurisdiction (Tribunal or County Court usually), time limits, lodgement of proceedings, information resolutions and ECNI assistance with litigation. Information and materials on the Commission's website support this service. The Discrimination Advice Officers signpost enquirers to the website and to other potential sources of help and assistance. The

service aims to empower individuals to resolve discrimination problems in relation to employment and in the provision of goods, facilities and service at an early stage, by providing authoritative information. A small proportion of those who seek advice do not resolve the issue to their satisfaction and a number return to the Commission to apply for assistance with a legal case.

Legal Assistance

Applications for assistance with a legal case are decided by Legal Funding Committees, comprising of three Commissioners on each occasion. Legal Funding Committees (LFC) met for 23 scheduled meetings and 4 ad-hoc meetings during the business year. The ad hoc meetings were in respect of single applications and were convened to facilitate responsiveness to Tribunal/court timetables.

The LFCs considered 317 **new applications** for assistance, which was 8 more than last year. All applications for assistance were considered in line with the Commission's *Policy for the Provision of Legal Advice and Assistance*. Applicants were advised at the outset that not all cases would be assisted. The assistance rate for new applications this year was **21% assisted** (67 cases out of 317 applications) compared to 16.8% (52 cases) last year and 23.1% (59 cases) in 2016-17. The largest number of new applications was granted in the area of disability discrimination, followed by sex, religion/politics, race, age and sexual orientation and was generally reflective of the pattern of enquiries to the Helpline.

Assisted cases are routinely **reviewed** to determine whether assistance should be continued or withdrawn. 53 cases that had been granted assistance (including some in the previous year) were reviewed in 2018-19. Cases may be reviewed by LFC more than once during the lifetime of a case. Unless withdrawn by the Applicant, all cases will be reviewed by a LFC when sufficient evidence has been gathered to enable Counsel to assess whether or not the case has 'reasonable prospects' of success. All claimants are advised of the strengths and weaknesses in their cases. 45 of the cases reviewed were granted further assistance (85%) and 8 cases had assistance withdrawn by the Commission, following receipt of Counsel's opinion in which Counsel could not indicate that there were reasonable prospects of success, or claimants themselves decided to withdraw. The 85% retention rate for funded cases is up 17 percent in points from last year when 68% of cases

granted preliminary assistance had assistance extended following review.

Applicants who had been refused assistance at the outset may request to have the decision **re-considered** by LFC. A decision not to grant assistance can be overturned if the claimant can show a 'material change in circumstances' that warrants a review. During this year, 21 applicants requested a re-consideration but none of the cases re-examined had the original decision overturned. The number of applicants seeking a re-consideration of a decision not to assist or to withdraw from a case increased from 9 last year. However, in both years, none of the applicants could show a material change of circumstances, either with regard to strategic considerations or the merits of the case, that warranted overturning the original decision.

Settlements for assisted complainants

In 2018-19 cases on behalf of 38 individuals were concluded by way of negotiated /conciliated settlement. Settlement terms were agreed in writing between the parties and the implementation of terms concluded proceedings. During this business year, over £950K was recovered by way of compensation. This large sum includes the final financial settlements reached for eight former employees of Gallaghers/JTI who settled claims following the successful decision in the case of *Barnard Barlow –v- JTI* (reported last year).

Other settlements negotiated this year secured agreements employers and service providers to:-

- commit to equality principles;
- undertake to liaise with the Commission to review policies, practices and procedures;
- provide training for staff and management;
- provide references;
- provide reasonable adjustments (in disability cases).

Appendix 1 sets out short summaries of cases that settled this year.

Further details of each of the settled cases will be placed on the Commission's website as a 'learning tool' to assist in fulfilling the Commission's statutory functions. They are used in education and training by Commission staff and others, as well as a reference point for individuals who feel they may have been the victims of discrimination.

The Commission's Advice and Compliance staff provide follow up on all settlements where a liaison clause has been agreed. They meet with the employers and service providers; provide information, guidance and 'model' policies; and discuss how the organisation or business can ensure 'best practice' and avoid discrimination claims in the future.

The combination of litigation and post litigation action by the Commission ensures that the support for individuals meets the Commission's aims by:-

- raising public awareness regarding individual complaints and about the protection afforded by the law;
- having a significant impact either in terms of bringing about changes in discriminatory practices and procedures or otherwise;
- having potential for follow-up by the Commission in discharging its statutory functions.

Decisions

In addition to the cases which settled before hearing, the Commission provided legal representation for four people in cases which were heard and decided during the year. The decided cases (click on links to see the written judgements) were as follows:

Lee –v- Ashers Baking Co Ltd & others

<https://www.supremecourt.uk/cases/uksc-2017-0020.html>

In the much publicised case, the UK Supreme Court upheld the appeal of the bakery in this sexual orientation and political opinion case. The Court held that the objection of the service provider was to the message on the cake, not any personal characteristic of the messenger or anyone with whom he was associated; that religious/political discrimination has to be on the ground of religion or politics of someone other than the alleged discriminator; and that there was no justification to require the bakery to provide a cake with the message "support gay marriage" thereby allowing the bakery and its owners to rely on Article 9 (*freedom of thought, conscience and religion*) and Article 10 (*freedom of expression*) rights in defence of the claim.

Da Costa –v- Summer Garden Salads Ltd

<https://www.equalityni.org/ECNI/media/ECNI/Cases%20and%20Settlements/2018/DaCosta-V-SummerGardenSaladsLtd.pdf>

The claimant was awarded £12k for a disability discrimination case following her dismissal and the failure to make reasonable adjustments to working conditions to take account of her eye condition.

McLaughlin -v- Charles Hurst Ltd

https://www.bailii.org/cgi-bin/format.cgi?doc=/nie/cases/NIIT/2018/01195_16IT.html&query=charles+hurst

A Tribunal dismissed the claims of disability discrimination, constructive dismissal and victimisation taken by an employee of car sales company who suffers from depression.

Kayla Hanna –v- Event Sec Ltd

A County Court judge delivered an *oral judgement* in the case of a disability discrimination claim taken by a young woman who is diabetic and who was refused entrance to a concert venue with a glucose drink. The judge awarded £2k for a failure to make a reasonable adjustment to their policy of not allowing liquids to be brought into a concert.

Decisions Awaited

A sex discrimination case was heard in Tribunal on 4-8 March 2019 with a further two days added during April 2019 to conclude the hearing. We are awaiting the judgement.

A sex discrimination case of **D-v- E & F** was heard in tribunal between 31 July and 9 August 2017. We are still awaiting the judgement.

In response to a request from the Social Security Commissioner, the Commission acted as **amicus curiae** (friend of the court) in a benefits appeal where the claimant alleged disability discrimination. Both the claimant and the Department had their own legal representation. The Commission engaged a specialist Counsel and provided an expert opinion on 15 September 2017 for the benefit of the Social Security Commissioner. We are still awaiting the judgement.

Performance Measures and Trends

With regard to enquiries received by the Discrimination Advice Helpline, there has been upward trend in the last 5 years and a significant increase this year, with over 4,000 people receiving advice and guidance between April 2018 and March 2019 (increase of 13 percent in points).

Disability discrimination complaints (including SENDO) represents 43% of all calls to the Helpline. This is down from 47% last year. However, the number of callers has increased and disability still remains a significant proportion of all calls from the public. Customer feedback is obtained via an electronic survey and/or email. Satisfaction levels are very high with a number of clients advising that due to the advice received they were able to satisfactorily resolve their problems without the need for legal action. Work to improve the volume of feedback and overcome the limitations of a self-selecting survey is on-going.

With regard to applications for assistance with a legal case, there has been a downward trend over the last few years. While historically, 10% of enquirers made a formal application for assistance, last year this had dropped to 8.4% of the total enquiries and it fell again this year to 7.6%. This may be reflective of potential claimants considering other options, including informal resolution. However the increase volume of calls to the Helpline resulted in an increase in the numbers of people seeking assistance with litigation.

Conclusion

The Commission is working to develop its data collection systems to ensure that we can effectively demonstrate and track outcomes from casework; that rights are enforced in practice; and the overall impact of strategic litigation in challenging and eliminating discrimination is maximized.

Case grounds	Details
<p>Disability (employment)</p>	<p>£15K settlement, without admission of liability, of a disability claim by a pharmacy advisor. She lives with <i>mental health conditions</i>. She complained about the behaviour of her managers towards her. An internal grievance taken by her was upheld in relation to the Performance Improvement Plan, the health and safety failures and the harassment. In settling the case, the Respondent expressed regret; affirmed a commitment to equality of opportunity; undertook to liaise with the Commission with the aim of reviewing its policies, practices and procedures; and consideration given to implementing reasonable changes suggested, including communication of same with staff.</p>
<p>Disability (employment)</p>	<p>£25k settlement, without admission of liability, of a disability discrimination case in which a woman with 39 years employment in the NI Civil Service challenged the Department's attempts to force her medical retirement following <i>cancer</i> and other significant health problems. She alleged that the processes to consider reasonable adjustment to allow her to stay in her job were not effective. In settling the case, the Respondent expressed regret; affirmed a commitment to equality of opportunity; undertook to liaise with the Commission with the aim of reviewing its policies, practices and procedures; and consideration given to implementing reasonable changes suggested, including communication of same with staff.</p>
<p>Disability (employment)</p>	<p>£17.5k settlement, without admission of liability, of a disability discrimination case taken by a welder in a manufacturing company. The claimant was dismissed while on sick absence following two seizures. He alleged the company failed to consider an alternative post as a reasonable adjustment and alternative to dismissal. In settling the case the Respondent affirmed its commitment to the equality of opportunity; undertook to liaise with the Commission with the aim of developing equal opportunities and disability policies, practices and procedures including communicating and implementing such policies.</p>
<p>Disability (employment)</p>	<p>£4K settlement, without admission of liability, of a disability discrimination case in which an agency employee and contract worker who has <i>epilepsy</i> alleged that his working prospects were significantly reduced due to the failure to make reasonable adjustments. Following a seizure at work and paramedic comments about his working on 8th floor, He was offered and eventually accepted a post located on the first floor, but he believes prospects are not as good in the new post. Additionally he alleged that an Occupational Health report and advice from his neurologist were ignored. In settling the matter both Respondents affirmed a commitment to equality of opportunity; undertook to liaise with the Commission with the aim of reviewing its policies, practices and procedures; and will implement reasonable recommendations from the Commission.</p>

<p>Disability (employment)</p>	<p>£7.5K settlement, without admission of liability, of a disability discrimination case regarding a sales support administrator who was absent on sick leave due to <u>pancreatitis</u> and whose employment was terminated, despite OHS report recommending a phased return to work. In settling the matter the Respondent affirmed a commitment to equality of opportunity; undertook to liaise with the Commission with the aim of reviewing its policies, practices and procedures.</p>
<p>Disability (employment)</p>	<p>£6K settlement (to be paid in instalments) without admission of liability, of a disability discrimination case taken by a production operative in insulating company. She has <i>COPD</i> and other <u>respiratory</u> disability and had employment terminated due to ill health. She alleged that Occupational Health recommendations were not followed and she believes reasonable adjustments could have been made upon her request, allowing her to remain in work. In settling the matter the Respondent affirmed its ongoing commitment to equality of opportunity; undertook to liaise with the Commission with the aim of reviewing its policies, practices and procedures; and will implement reasonable recommendations within an agreed time scale. NOTE: <i>The respondent defaulted on this settlement which will now proceed to hearing, unless the Respondent re-engages with the settlement terms.</i></p>
<p>Disability GFS (banking services)</p>	<p>£4.5K settlement, without admission of liability, of a disability claim following the reduction of a mortgage offer by the bank, because part of the claimant's income is in the form of disability benefits. The Claimant lives with debilitating pain and <i>depression</i>. In settling the case, the Respondent affirmed a commitment to equality of opportunity; undertook to liaise with the Commission with the aim of reviewing its Income Methodology Documentation for assessing disposable income. It will re-examine the allowable proportion of income derived from disability related benefits, and in particular Industrial Injuries Disablement Benefit, and whether there is a need to import a greater level of discretion to remove and/or vary the allowable proportion in respect of such benefits as reasonable adjustments for disabled people.</p>
<p>Disability GFS (banking services)</p>	<p>£2K settlement, without admission of liability, of a disability discrimination case regarding access to banking services by a customer with a hearing impairment who lip-reads and uses hearing aids. She had attempted to report an issue of fraudulent activity on her personal bank account by telephoning the bank and having her brother act as an interpreter. The agent refused to deal with the call. A manager later suggested a mandate allowing her brother access and transaction rights to her account. The Applicant did not want to give control of her finances to any third party and found this suggestion excessive. In settling the matter the Respondent affirmed a commitment to equality of opportunity; undertook to liaise with the Commission in respect of access to its services for disabled customers; and will implement reasonable recommendations suggested by the Commission. Specific reasonable adjustments regarding claimant telephone banking, with an interpreter and using biometric technology and the use by the bank of contact through the banking app or letter, were also agreed.</p>

<p>Disability GFS (entertainment services)</p>	<p>£1.5k settlement, without admission of liability, of a disability discrimination case taken by a <u>deaf</u> man regarding the failure to make a reasonable adjustment by providing a sign language interpreter for a 'Showband' concert in the Ulster Hall. In settling the case, the Respondent apologised unreservedly for the way in which his complaint was handled by a former employee of the company; affirmed a commitment to equality of opportunity; undertook to review its policies and procedures with a view to ensuring equal opportunities for all patrons.</p>
<p>Disability GFS (retail services)</p>	<p>£2.5k settlement, without admission of liability, of a disability discrimination case taken by the mother of an 18 year old woman with Autistic Spectrum Disorder (ASD), a learning disability and epilepsy. The mother alleged that her daughter was discriminated against when she visited the retail store with her carer and that she was treated less favourably in the manner in which the store offered its services to her. In settling the case, the Respondent expressed regret; affirmed a commitment to equality of opportunity; undertook to liaise with the Commission with the aim of reviewing its policies, practices and procedures; and agreed to facilitate a visit to the store in the company of family and carers.</p>
<p>Disability and sex discrimination (employment)</p>	<p>£12.5K settlement without admission of liability, of disability and sex discrimination claims by a disabled employee in a management role in the bank. She became pregnant and was on sick absence due to complications relating to a bladder disability. While on later maternity leave, she was advised of restructuring. This ultimately led to her not being mapped to a suitable job and being made redundant. Within days of lodging proceedings, she was offered a job and compensation to withdraw her claim. She refused as relationships had broken down. In settling the matter the Respondent affirmed its ongoing commitment to equality of opportunity; undertook to continue to liaise with the Commission in relation to its policies, practices and procedures; and will consider the implementation of reasonable recommendations the Commission may make in relation to its business in Northern Ireland and which is compatible with its Group diversity and inclusion policies.</p>
<p>Sex discrimination (employment)</p>	<p>£25K settlement, without admission of liability, of a sex discrimination claim taken by a woman employed by the Council as a yard/store person in the depot. Her claims included access to overtime and training and inappropriate comments relating to gender. In settling the matter, the claimant decided to resign. The Respondent agreed to provide a reference; affirmed a commitment to equality of opportunity; undertook to liaise with the Commission with the aim of reviewing its policies, practices and procedures; and will consider the implementation of reasonable recommendations suggested, including training of staff.</p>
<p>Sex discrimination (sexual harassment)</p>	<p>£35K settlement, without admission of liability, of a sex discrimination case in which the claimant, who was an employee of 35 years, claimed sex discrimination, bullying and harassment by a new manager. The claimant lodged three sets of proceedings relating to insulting and lewd comments, a dispute over proposed changes to working arrangements and victimisation. In settling the matter, the claimant gave notice of her intention to resign and the Respondent affirmed its commitment to equality of opportunity; undertook to liaise with the Commission with the aim of reviewing its</p>

<p>Sex discrimination (sexual harassment)</p>	<p>policies, practices and procedures; and will consider the implementation of reasonable recommendations the Commission may make.</p> <p>£7.5K settlement, without admission of liability of a sexual harassment case taken by a part-time waitress in bar/restaurant. The young woman alleged that she resigned from her job after being sexually harassed (inappropriate comments and touching) by the manager. In settling the matter the Respondent recognised the claimant was a valued member of the company and agreed to provide a reference; affirmed a commitment to equality of opportunity; undertook to liaise with the Commission with the aim of reviewing its policies, practices and procedures on sexual harassment; and will consider the implementation of reasonable recommendations suggested, including training of staff</p>
<p>Sex discrimination (sexual harassment)</p>	<p>£10K settlement, without admission of liability of a sexual harassment case. The Claimant was employed in an administrative role. She alleged she was subjected to sexual harassment which forced her to leave her job. In settling the matter the Respondent agreed to provide a reference; affirmed a commitment to equality of opportunity; undertook to liaise with the Commission with the aim of reviewing its policies, practices and procedures; and will consider the implementation of reasonable recommendations suggested, including training of staff.</p>
<p>Sex discrimination (pregnancy)</p>	<p>£20K settlement, without admission of liability, of a sex discrimination claim arising from the selection for redundancy of the claimant following her pregnancy and maternity leave. She had been employed as an operations manager. In settling the matter the Respondent affirmed a commitment to equality of opportunity; undertook to liaise with the Commission with the aim of reviewing its policies and procedures, as applied to employees in NI; and will consider in good faith reasonable recommendations suggested by the Commission.</p>
<p>Sex discrimination (pregnancy)</p>	<p>£5k settlement, without admission of liability, of a sex discrimination claim taken by a woman employed as a beauty therapist who claimed she was victimized and subjected to sex discrimination on grounds of pregnancy. In settling the matter the Respondent expressed regret for the distress caused by the circumstances leading to her resignation and apologised for injury to her feelings; affirmed a commitment to equality of opportunity; undertook to liaise with the Commission with the aim of reviewing its policies, practices and procedures; and will consider the implementation of reasonable recommendations suggested, including training of staff.</p>
<p>Sex discrimination (pregnancy)</p>	<p>£5k settlement, without admission of liability, of pregnancy discrimination claim. The Claimant was employed by a recruitment agency and placed within a company. She was temporarily moved within the company when she had told them she was pregnant. The agency then terminated her employment. In settling the matter the Respondent affirmed a commitment to equality of opportunity; undertook to liaise with the Commission with the aim of reviewing its policies, practices and procedures; and will consider the implementation of reasonable recommendations.</p>

<p>Sex discrimination (pregnancy)</p>	<p>£10.5K settlement, without admission of liability of sex discrimination claim. A part time shop assistant alleged that she was not allowed to return after maternity leave. In settling the matter the Respondent agreed to provide a reference; affirmed a commitment to equality of opportunity; undertook to liaise with the Commission with the aim of reviewing its policies, practices and procedures; and will consider the implementation of reasonable recommendations suggested, including training of staff.</p>
<p>Sex discrimination (childcare/ flexible working)</p>	<p>£8.5k settlement, without admission of liability, of a sex discrimination claim taken by a female solicitor with a child, who claimed she was unfairly dismissed after she sought to work flexibly. In settling the case, Respondent provided a written reference and affirmed a commitment to equality of opportunity and to ensuring that its policies, practices and procedures comply in all respects with its obligations under national and European equality law and relevant Codes of Practice and Guidance.</p>
<p>Sex discrimination (childcare/ flexible working)</p>	<p>£12.5K settlement, without admission of liability, of a sex discrimination case taken by a male senior cabin crew member with airline. He was refused flexible working to accommodate his childcare needs, and alleged that his employer said he was not seen to have the primary characteristics of a carer of his children and his wife did. In settling the matter the Respondent affirmed its ongoing commitment to equality of opportunity; undertook to liaise with the Commission with the aim of reviewing its policies, practices and procedures in respect of their flexible working procedures to ensure they are effective, conform with airline industry best practice and the Sex Discrimination (NI) Order 1976; and will implement reasonable recommendations which are compliant with regulatory obligations and agreed by the recognised Trade Union.</p>
<p>Sex discrimination (childcare/ flexible working)</p>	<p>£5K settlement, without admission of liability, of a sex discrimination case in which an English teacher who was on her second period of reduced hours (three days per week) alleged indirect sex discrimination and part-time working discrimination in the failure to allow her to compete for position of Head of English (temporary) because she didn't work full-time. In settling the matter the Respondent acknowledged that the procedure to select for the post to did not give the complainant an opportunity to apply and to that extent disadvantaged her as a part-time/flexible worker; it acknowledged that the claimant is held in very high regard in the school and confirmed that there will be no future disadvantage to her; it undertook to liaise with the Commission in relation to appropriate training in relation to recruitment and selection with specific focus on part-time workers.</p>
<p>Sex discrimination GFS (transgender Health services)</p>	<p>£7k settlement, without admission of liability, of a sex discrimination case regarding refusal of funding for electrolysis hair removal in preparation for vaginoplasty as part of gender re-assignment surgery. Additionally the respondent agreed to fund electrolysis; apologised to the claimant; and has submitted a draft consultation paper and policy position to the Department of Health recommending the revision to their current commissioning positions in relation to hair removal.</p>

<p>Religion/politics GFS (sporting facility)</p>	<p>£8.5k settlement, without admission of liability, of a religious/political discrimination case concerning the non-selection of a Protestant amateur boxer for the Commonwealth Youth Games. In settling the case, the Respondent acknowledged the hurt and distress suffered by the claimant; affirmed a commitment to equality of opportunity; and have introduced new polices, practices and procedures to ensure compliance with its legal obligations.</p>
<p>Religion/politics (employment)</p>	<p>£6.5k settlement, without admission of liability, of religious/political discrimination case taken by Catholic employee who alleged less favourable treatment (in the allocation of work and misrepresentation of the quality of his work) than his Protestant colleagues. He was put on notice of redundancy but resigned when not allocated new work. In settling the matter the Respondent expressed regret at the upset caused to the claimant; affirmed a commitment to equality of opportunity; undertook to liaise with the Commission with the aim of reviewing its policies, practices and procedures; and will consider the implementation of reasonable recommendations suggested, including training of staff.</p>
<p>Religion/politics (employment)</p>	<p>£16K settlement, without admission of liability, of a religious/political harassment case. The Claimant is a Humanist but would be perceived Protestant. After his son was born, the owner of the business became aware, for the first time, that the Claimant's wife was a Catholic. The Claimant alleged that thereafter he was subjected to stereotypical sectarian comments and insults. He alleged direct discrimination by association with his Catholic wife. In settling the matter the Respondent agreed to provide a reference and affirmed a commitment to equality of opportunity.</p>
<p>Religion/politics (employment)</p>	<p>£30k settlement, without admission of liability of religious/political discrimination claim. The Claimant is Catholic and described his political opinion as Republican. He was employed as Director of Operations and alleged that he was forced to resign from this role due to less favourable treatment and harassment. In settling the matter the Respondent affirmed a commitment to equality of opportunity; undertook to liaise with the Commission with the aim of reviewing its policies, practices and procedures; and will implement any reasonable recommendations which are complaint with regulatory compliant and agreed by the recognised Trade Union.</p>
<p>Age (older workers redundancy payment)</p>	<p>Substantial financial settlement reached following the successful age discrimination case of <i>Bernard Barlow</i> in which a Tribunal found that the failure to allow workers over the age of 60 years to access an enhanced redundancy scheme on the closure of the factory was discriminatory on grounds of age. Settlement was on the condition that all eight claimants agreed to settle and that actual figures, which were personal to each claimant depending on factors such as length of service and seniority, remain confidential.</p>
<p>Age (younger worker starting pay)</p>	<p>£14k settlement, without admission of liability, of age discrimination cases taken by a customer services employee who left her employment in circumstances where she alleged age discrimination in starting pay. She believed older employees were recruited on a higher salary. In settling the matter the Respondent agreed to provide</p>

<p>Race – GFS (retail services)</p>	<p>a reference; affirmed a commitment to equality of opportunity; undertook to liaise with the Commission with the aim of reviewing its policies, practices and procedures; and will consider the implementation of reasonable recommendations suggested, including training of staff.</p> <p>£3k settlement, without admission of liability, of a race discrimination case in which a 13 year old mixed race school boy claimed he was subjected to harassment (shouted at and asked to leave) when he purchased a computer keyboard and mouse in a Newry store. It was alleged that staff said that blacks/Africans had caused trouble in the store previously. The boy had not been in the store before. In settling the case the company confirmed its commitment to the principles of equal opportunity and agreed to liaise with the Commission; and to take steps to include reasonable recommendations, which may include staff training.</p>
<p>Race and Religion (employment)</p>	<p>£10k settlement, without admission of liability, of a race and religious discrimination case in which a Pakistani Sunni Muslim woman who had been employed for 5 months was dismissed when she did not pass her probation period in a post as a PIP benefits advisor. She alleged that she was the victim of racial and religious harassment during her employment. In settling the case, agreed to provide a work reference; affirmed a commitment to equality of opportunity; undertook to liaise with the Commission with the aim of reviewing its policies, practices and procedures; and will give consideration to implementing recommendations including race awareness training for staff.</p>

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