

Trade Unions lose appeal to stop churches right to not employ homosexuals

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The High Court has blocked attempts by the Trade Unions Congress (a group of seven trade unions) to remove the right of religious organisations to refuse employment of homosexuals.

The unions were seeking from the High Court to make the Government's 2003 Employment Equality Regulations invalid as it did not follow the European Union's original directive because it allowed for religious organisations the right not to employ homosexuals.

This clause in the Employment Equality Regulations was inserted after pressure from Church leaders who claimed that they could face prosecution if they refused to employ homosexuals in churches and faith schools. Christian charities and organisations said that their beliefs would be attacked and undermined if they were forced to employ people whose behaviour was contrary to the bible.

The Government's position was supported by Mr Justice Richards who upheld the legality of the regulations and refused to condemn the exemption as incompatible with European Law. Mr Justice Richards said "The right not to be discriminated against on the grounds of sexual orientation was not an absolute right....much of this case is concerned with the striking of the balance between that right and other interests.'

However, the judge did give permission for the unions to take their case to the Court of Appeal.

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