

Religious Harassment – context is everything

written by BDBF

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The Times' senior sub-editor's comment "Can anybody tell me what's happening to the f***ing Pope?" in the context of a busy newsroom with a looming deadline on a story about the Pope, did not amount to religious harassment.

Mr Heafield, a Roman Catholic, claimed that he had been shocked into silence by his line manager's comment and found it to be offensive, unnecessary and blasphemous and therefore brought a claim for religious harassment.

The EAT stated that whilst the use of an expletive in a sentence about the Pope might be interpreted as disrespectful to a devout Catholic, in reality people are not perfect and use bad language.

When taking into consideration the context in which the statement was made and the fact that in referring to "the Pope" in this context, the editor was talking about the article and not the Pontiff, it was not intended to be anti-Catholic; it was therefore unreasonable for Mr Heafield to feel that his dignity had been violated or that he had been subjected to an adverse environment. On this basis, Mr Heafield's claim of religious harassment was rejected.

This case (*Heafield v Times Newspaper Limited*) will provide some comfort to employers, as it reinforces the previous decisions of that it does not wish to encourage a "culture of hypersensitivity" in the workplace.

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