

## Covid-19 vaccine beliefs held to be religious in nature

In *Wierowska v HC-One Oval Limited*, the Employment Tribunal had to determine whether the Claimant's beliefs in relation to Covid-19 vaccines amounted to religious beliefs for the purposes of the Equality Act 2010.

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In *Wierowska v HC-One Oval Limited*, the Employment Tribunal had to determine whether the Claimant's beliefs in relation to Covid-19 vaccines amounted to religious beliefs for the purposes of the Equality Act 2010. The Claimant, a Roman Catholic care worker, asserted that one of the reasons for her dismissal was that she refused on religious grounds to take a Covid-19 vaccine. At a preliminary hearing to consider the issue, the Claimant's beliefs were explored in more detail, including the fact that the Vatican had previously issued a statement to the effect that the vaccines were "morally acceptable".

The Respondent asserted that the views held by the Claimant were not religious beliefs but rather opinions based on the fact that she was unconvinced by the current evidence available as to the safety (or effects) of the vaccines available. The Employment Judge disagreed, finding that the concerns held by some members of the Catholic community about Covid-19 vaccines were "closely linked to the longstanding Catholic position on abortion and to the resulting opposition to the use of stem cells or foetal material in medical experiments of any sort. They are therefore part and parcel of a fundamental view about the sanctity of human life." As a result, the Claimant's views about the vaccine were held to be "intimately connected with her religious faith", entitling her to rely on that religious faith as a protected characteristic.

It should be of no surprise that certain religious beliefs can affect an individual's views on vaccination. However, the decision does highlight the difficulties that some employers have faced where asserted beliefs do not appear to align with the orthodox principles of that religion, and/or run contrary to scientific evidence available. In this case, the fact that the Vatican had issued a statement taking a contrary stance did not affect the finding that the Claimant's beliefs still amounted to religious beliefs. And the Claimant's resistance to scientific evidence and "stubbornness" was taken by the Tribunal to support the strength of the Claimant's beliefs.

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