

ERA

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'REMEDIES & SANCTIONS'

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INTRODUCTION

- AIMS OF THE LEGISLATION
- WORKPLACE CONSIDERATIONS
 - ECONOMIC SENSE
 - HUMAN DIGNITY

LEGAL FRAMEWORK

- ARTICLE 9 'DEFENCE OF RIGHTS'
- ARTICLE 11 'VICTIMISATION'
- ARTICLE 16 'COMPLIANCE'
- ARTICLE 17 'SANCTIONS'

CASE LAW

- *Unibet (London) Ltd. v Justitiekanslern* Case No. 432/05
 - PRINCIPLES OF EQUIVALENCE & EFFECTIVENESS
- *Marshall (No. 2) v Southampton and South-West Hampshire Area Health Authority* Case No. 271/91
 - REAL EQUALITY OF OPPORTUNITY
- *Coote v Granada Hospitality Ltd.* Case no. 185/97
 - EFFECTIVE VICTIMISATION PROVISIONS

THE UNITED KINGDOM EXPERIENCE

- IMPLEMENTATION – THE EMPLOYMENT TRIBUNAL / ACAS
- ASSISTANCE – EQUALITY & HUMAN RIGHTS COMMISSION
- SANCTIONS
 - DECLARATION
 - FINANCIAL COMPENSATION
 - RECOMMENDATION

DISCUSSION

- EXPERIENCES IN OTHER EU JURISDICTIONS:
 - IMPLEMENTATION –
 - CIVIL / CRIMINAL?
 - TYPE OF COURT
 - REMEDIES & SANCTIONS
 - OTHER TYPES OF ACTION
 - POSITIVE ACTION / PUBLIC SECTOR DUTIES / MEDIATION

CONCLUSIONS

- DISCRIMINATION IS HARMFUL
 - ECONOMICALLY / MORALLY
- INCUMBENT ON MEMBER STATES TO HAVE:
 - EFFECTIVE PROTECTION
 - EFFECTIVE REMEDIES & SANCTIONS

THANK YOU FOR LISTENING