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the law covers gender, race and
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extend to religion, sexual orientation

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In addition, the book contains a section on procedural matters. It takes account of the numerous legislative developments which have taken place since the last edition. The text has also taken account of the many new cases since 1998, which include: *Pearce v Governing Body of Mayfield*

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Secondary School (2003); Nagarajan v LRT (1999); Chief Constable of West Yorkshire v Khan (2001); R v Secretary of State for Employment exp Seymour-Smith (1999 and 2000); Harvest Town Circle Ltd v Rutherford (2001); South Ayrshire Council v Morton (2002); Lawrence and Others v

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This text seeks to consolidate the law

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comparatively new subject, the
chapters search for and develop the
concepts of discrimination law on the
basis of a wide variety of young and
often still emerging case law and

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- provides practitioners with ready access to primary and secondary legal material needed to assist them in crafting test case strategies. - provides the judiciary with the tools needed to respond sensitively to such cases. - provides material for teaching non-discrimination law to law and other

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students. - provides a basis for ongoing research on non-discrimination law. - provides an up-to-date overview of the implementation of the Directives and of the state of the law. This Casebook is the result of a project which has been supported by a grant from the European

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EU Anti-Discrimination Law provides a
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Corpus of European Union law prohibiting discrimination on the grounds of sex, racial or ethnic origin, religion or belief, disability, age, and sexual orientation. It takes into account the changes brought about by the Treaty of Lisbon and contains a thorough examination of the relevant

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case law of the Court of Justice of the EU. The book examines the background to the legislation and explains the essential characteristics and doctrines of EU law and their relevancy to the topic of anti-discrimination. It also analyses the increasingly significant general

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principles of EU law, the Charter of Fundamental Rights, and the relevant law flowing from the European Convention on Human Rights. The key concepts contained in anti-discrimination law are subjected to close scrutiny. The substantive provisions of the law on equal pay and

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the workplace and non-workplace provisions of the governing Directives are similarly examined, as are the numerous exceptions permitted to them. The complex rules governing the rights of pregnant women and those who have recently given birth are dealt with comprehensively and in

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a separate chapter. Equality in social security schemes is also discussed. The book concludes with an assessment of the practical utility of the existing law and the current proposals for its reform.

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In 1856, the US Supreme Court denied Dred Scott, now free of slavery, his Constitutional rights, solely because he was black. According to the Court, when the Constitution was drafted, some 60 years earlier, its authors would not have intended that

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□ a subordinate and inferior class of beings □ qualified as citizens of the United States. Thus, the meaning of language drafted over half a century before was frozen in time. This case, perhaps more than any other, demonstrates that the matter of statutory interpretation is critical,

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Discrimination, and, sometimes, highly emotive. The case is not a mere nugget from history to indulge our disgust with values of another age, and with it a satisfaction of our progress to today's higher moral ground. It is the unfortunate case that the senior courts of England continue

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to produce highly contentious
interpretations of our equality and
discrimination laws. This book
examines these cases from the
perspective of statutory interpretation,
the judge's primary function. The
scrutiny finds the judgments
technically flawed, overcomplicated,

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excessively long, and often unduly restrictive. As such, this book explains how the cases should have been resolved – using conventional methods of interpretation; this would have produced simpler, technically sound judgments. Rather like the case of Dred Scott, these were easy cases

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In identifying a number of "fuzzy border" cases (notably where pensionable age, pregnancy, residence, and marriage, are proxies for unlawful discrimination), Equality, Discrimination and the Law argues

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that the traditional notions of discrimination and victimisation are inadequate to implement equality policy and cannot represent fully the reality of discriminatory practices.

When Mr and Mrs James - each aged 61 - went swimming, Mr James was charged for entry, while Mrs James

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was admitted free. The reason was that the local authority offered free swimming to those of "pensionable age" (at the time, 65 for men and 60 for women). The House of Lords found that Mr James had suffered direct sex discrimination. This majority plurality decision indicated that sometimes a

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given set of facts does not neatly accord to traditional definitions of discrimination. This in turn encourages the judiciary to shape the law to fit the facts, which results in an inconsistent body of law full of "fuzzy borders". Starting with the James case, this book investigates a number of "fuzzy

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border cases in the EU and UK based on nationality discrimination, notions of indirect discrimination, pregnancy and sex discrimination, marriage and sexual orientation discrimination, perceived discrimination, and victimisation. The argument concludes that fixed notions such as "direct and

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indirect discrimination are mutually exclusive – do not stand up to scrutiny and that it must be recognised that the traditional concepts of discrimination and victimisation do not reflect the reality of practice. This work is essential reading for students, scholars and practitioners in all EU

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and English-speaking jurisdictions, particularly post-graduates, Policy/Law-makers, and those on dedicated equality undergraduate courses.

This book is a detailed, thought-provoking and comprehensive text that is valuable not only for students but

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also for all those interested in the
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