

# Supreme Court continues to look to Europe to avoid discrimination

The Supreme Court have today allowed the appeal of Mr Walker, a gay man, who argued that his husband should be entitled to receive his pension in the same way a heterosexual couple would. His employer refused to confirm it would pay a full spousal pension because his service began before 2005 when civil partnerships became legal. Para 18 of Schedule 9 of The Equality Act 2010 contains an exemption for employers in relation to benefits payable in respect of service before 2005. Although two of the Law Lords slightly differed in their reasons the decision to allow the appeal was unanimous and the declaration that Para 18 is incompatible with European law will serve as a timely reminder as to how many employment rights are derived from EU Law and will no doubt be pointed to as another example of the risks to workers rights that Brexit presents.



Mr Walker said it was "to our government's great shame that it has taken so many years, huge amounts of taxpayers' money and the UK's highest court to drag them into the 21st Century".

 <http://www.bbc.co.uk/news/uk-40580596>

