

Veganism and manufacturing: Protected characteristics from discrimination in employment law

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Back in 2020, a preliminary hearing for Casamitjana v The League Against Cruel Sports determined that "ethical veganism is a philosophical belief which qualifies as a protected belief within the meaning of section 10 of the Equality Act 2010".

In this instance, 'ethical veganism' distinguishes between the belief that "seeks to exclude... forms of exploitation and cruelty to animals for food, clothing or any other purpose" and simple dietary choice.

In order to reach this finding, Mr Casamitjana's belief was tested in accordance with the Grainger criteria, derived from the case of the same name. The criteria are:

- Is the belief genuinely held?
- Is it a belief, as opposed to an opinion or viewpoint?
- Does the belief concern a weighty and substantial aspect of human life and behaviour?
- Has the belief attained a certain level of cogency, seriousness, cohesion and importance?
- Is the belief worthy of respect in a democratic society, not incompatible with human dignity or in conflict with the fundamental rights of others?
- Does it have a similar status or cogency to a religious belief?

Philosophical beliefs are tested on a case-by-case basis, so the purpose of this case is to show that vegans can be protected under the Equality Act.

Interestingly, the case of Conisbee v Crossley Farms determined vegetarianism did not pass the above tests. This is not really a surprise given vegetarianism is more often seen as a diet whereas veganism tends to cover more aspects of a person's life and purchasing decisions (e.g. visiting zoos, buying leather/glues etc.).

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