

## Making a Difference! The story of our client who took on a major employer – and won

### Case Study – Employment (Gender Reassignment)

#### Landmark Case Ruling Taylor v Jaguar Landrover 2020



Rose Taylor approached EQUIP at Warwickshire Pride's summer gathering in 2018.

Our Client is a former employee of Jaguar Land Rover and they had worked for the company for 20 years as an engineer. In 2017 they began identifying as gender fluid.

Being gender fluid means that an individual does not necessarily identify as either gender on a permanent basis. Client identified as the term 'non-binary'.

Rose Taylor alleged that shortly after they began identifying as gender fluid, they became the subject of insults and abusive jokes from fellow colleagues and had difficulties in accessing the appropriate toilet facilities. Our Client also stated that their employer prevented them from reporting a hate crime and was threatened with disciplinary action they did so.

#### Intervention

As client was approaching the limitation period for action, a referral was made to Brethertons Solicitors who took on this case. EQUIP ensured that contact was maintained with our client to ensure the client was supported and to receive regular updates.

The matter went to Tribunal in September 2020.

#### Outcome / Judgement

The Equality Act 2010 clearly prohibits discrimination due to an employee having undergone a process of gender reassignment.

The Act describes an individual to have undergone a process of gender reassignment if they have started or are going to start a process that changes their biological sex (for example surgery or hormone treatment).

The issue in our client's case was that they had not undergone any treatment to change their biological sex. They simply identified as being gender fluid. Therefore, the tribunal had to consider whether they could stretch the definition of gender reassignment to include a gender fluid person.

Until now, there was uncertainty over whether The Equality Act protected those who fell into the gender fluid/non-binary category.

Jaguar Land Rover argued it did not but an employment judge said it was clear 'gender is a spectrum' and that it was 'beyond any doubt' Ms Taylor should be protected.

#### Outcome

In October our client was awarded a **£180,000** pay out from her former employer and told the judge: 'It's still all sinking in.'

Employment Judge Pauline Hughes said: 'Hopefully your case will bring about real change.'

'Everyone in the room can think of a person who has made a difference in their life.'

'The entire history of equality and equality movement has individuals such as the claimant who have made a difference.'

If you feel you have been discriminated against or treated unfairly then EQUIP can help. We run a free, confidential casework service supporting individuals and groups experiencing discrimination.

Call us on 07377 431997 for a confidential chat or email us at [advice@equipequality.org.uk](mailto:advice@equipequality.org.uk)

For more information please go to our website: [www.equipequality.org.uk](http://www.equipequality.org.uk)