

ET rules that belief in the existence of a satanic plot to establish New World Order lacked ‘cogency’ and ‘coherence’.

By [Nathan Combes](#)

Intriguing and well reasoned judgment from the Sheffield Employment Tribunal (Employment Judge Rostant) concerning a former Principal Intelligence Analyst’s claim that he had been unfairly dismissed and discriminated against on the grounds of his philosophical belief[1].

The facts

Mr Farrell worked for the South Yorkshire Police Authority (SYPA) as a Principal Intelligence Analyst. During his time in this role, Mr Farrell was tasked with producing an annual assessment of the various strategic risks that might threaten SYPA’s operational area. Two of the key risks concerned the potential for internal and external terrorist attacks. Mr Farrell’s final report concluded that the 9/11 and 7/7 attacks had in fact been ‘false flag operations’ carried out with the backing of the US and British governments and that they formed part of a wider strategy by a secret global elite intent on enslaving the masses and establishing a New World Order. Mr Farrell’s employment was terminated by SYPA on 2 September 2010 on the grounds of Some Other Substantial Reason (namely that Mr Farrell’s views were incompatible with the requirements of his role and that they precluded him from effectively discharging his duties).

The question as to whether or not Mr Farrell’s views and/or standpoint was capable of constituting a belief attracting protection under Regulation 2(1) of the Religion and Belief Regulations 2003 (the ‘Regulations’) came before Employment Judge Rostant in a Preliminary Hearing.

Evidently, the hearing was an interesting one. Mr Farrell argued that his beliefs formed part of a relatively obscure but nonetheless genuine strand of Protestant Christian Theology which maintains that the end of the world will be presaged by the rise of a New World Order. Mr Farrell went on to confirm his view that the rise of a

New World Order was historically preordained and were a necessary precursor to the 'end of time'. Mr Farnell then went on to express his view that both the 9/11 and 7/7 attacks and the wars in Iraq and Afghanistan were evidence of the emergence of that New world Order. Importantly, the tribunal drew a distinction at this point between Mr Farrell's religious beliefs and the subsequent philosophical beliefs (concerning the nature and cause of the 9/11 and 7/7 attacks) that he had developed which were linked to his religious beliefs but were not an inevitable and unavoidable consequence of them.

The decision

It was accepted by all parties that Mr Farrell's beliefs were genuinely held and that they related to 'weighty' and 'substantial' aspects of human behaviour. However, the tribunal made it clear that the previously decided authorities in this area (*Williamson*[2] and *Granger*[3]) required that a belief should ".....attain a certain level of cogency, seriousness, cohesion and importance" [4] in order to gain protection under the Regulations.

Employment Judge Rostant made in clear in his judgment (which is very well reasoned and worth a good read) that he believed Mr Farrell's beliefs failed even to meet the 'bare minimum' standard of coherence. Explaining his decision, Employment Judge Rostant confirmed that the cogency and coherence of a particular philosophical belief can, in part, be determined by taking account of the broadly accepted knowledge that is already in the public domain concerning events that give rise to a particular philosophical belief. In the present case the tribunal held that the conspiracy theories that Mr Farrell had advanced were, in light of 'subsequent events' and the sheer weight of evidence 'wildly improbable'.

Finally, the tribunal made it clear that there was no dispute concerning the fact that Mr Farrell's claim had been commenced in good faith and that his religious and philosophical beliefs were genuinely held. However, the tribunal went on to confirm that a subjective test (based on whether or not a belief is genuinely held) will be insufficient on its own to afford protection for that belief under Regulations. Instead, the tribunal's emphasised the need to objectively assess the cogency and coherence of a particular belief in order to avoid extending protection to beliefs (however widely or narrowly held and regardless of their popularity) that are plainly absurd and appear incapable of rational justification.

[1] *Farrell v South Yorkshire Police Authority* ET/2803805/10

[2] *Williamson -v- The Secretary of State for Education and Employment* [2005] 2Ac 246HL

[3] *Granger -v- Nicholson* [2010] IRLR 4

[4] *Farrell v South Yorkshire Police Authority* ET/2803805/10 [5.6]

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