

Employment E-Brief No 76

INJURY TO FEELINGS AWARDS - UPDATE

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E-Brief No 62 (19th February 2004) reported on the Court of Appeal Decision in Dunnachie v Kingston-upon-Hull City Council. The Decision meant that injury to feelings awards were available for unfair dismissal cases.

The matter has now been heard by the House of Lords, who said that the Court of Appeal were wrong. The matter is now settled therefore (unless Parliament intervenes at some point in the future) and compensation for unfair dismissal cannot include awards for non-economic loss, such as injury to feelings.

Applicants in the future (and those applicants who had previously claimed for such an award under the Court of Appeal finding, but who had their case put on hold while the House of Lords determined the issue once and for all) will only be able to get compensation for their economic loss (ie loss of salary and so on).



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29th July 2004

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