

Age Concern's Heyday frustrated by delays to mandatory retirement court hearing

A European legal decision on the government's mandatory retirement age has been hit by "frustrating" delays, the campaign group behind the challenge has revealed.

Heyday - a spin-off of charity Age Concern - claims the Department of Trade and Industry's transposition of the age discrimination regulations is illegal, as it allows companies to force people aged 65 and over into retirement.

The High Court ruled in December 2006 that the case should be referred to the European Court of Justice (ECJ). But solicitors working for Heyday are still thrashing out the terms of the referral, pushing back the expected judgment towards autumn 2008.

Andy Skarzynski, Heyday's operations director, told Personnel Today: "It is frustrating as we have a barrage of people who are being affected by this now." However, he warned employers not to "foolishly" ignore the case. There was precedent to suggest that employees forced to retire now could lodge age discrimination claims and win them retrospectively if the ECJ ruling went against the government, he said.

Last week, it emerged that a retired partner from one of London's leading law firms has brought one of the first cases of age discrimination in the UK. Peter Bloxham, 54, is believed to have filed the claim against his former partners at Freshfields Bruckhaus Deringer based on his retirement and pension rights.

Ronnie Fox, principal of City employment law firm Fox, said: "Retirement of partners has become a minefield for law firms. This is a real area of uncertainty and firms have difficult choices to make."