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CJEU judgment: Police rule on height limit may discriminate against women

The Court of Justice of the European Union (CJEU) has ruled that a law that lays down, as a criterion for admission to a police school, a minimum height requirement irrespective of sex may constitute unlawful discrimination against women.

However, the CJEU said the rule would not constitute discrimination if it could be proved it was necessary to the proper functioning of the police force.

The judgment is a request for preliminary ruling from the Symvoulío tis Epikrateias (Council of State) in Greece (Case C-409/16).

The case was brought by a female would-be police cadet, whose application to join the academy was turned down on grounds of height.

This case interprets [Council Directive 76/207/EEC](#), amended by [Directive 2002/73/EC](#). See also [Directive 2006/54/EC](#) on the implementation of the principle of equal opportunities and equal treatment.

List of documents

- [Judgment of the Court \(First Chamber\) of 18 October 2017. Ypourgos Esoterikon and Ypourgos Ethnikis paideias kai Thriskevmaton v Maria-Eleni Kalliri. Case C-409/16](#).
- [Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation \(recast\)](#).
- [Directive 2002/73/EC of the European Parliament and of the Council of 23 September 2002 amending Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions \(Text with EEA relevance\)](#).

Summaries of EU legislation

- [Gender equality in the labour market](#)
- [Tackling the pay gap between men and women](#)

Glossary terms of the summaries of EU legislation

- [Equality between women and men](#)
- [Equal opportunities](#)
- [Non-discrimination \(the principle of\)](#)

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