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Youth Crime debated at AGM

The Enfield Racial Equality Council's Annual General Meeting (AGM) was held Thursday July 17th 2008 at the Council Chamber in Enfield Civic Centre.

Bevin Betton (EREC Chair) welcomed members and guests to the AGM and followed with his report outlining EREC's successful year and issues facing this and many other organisations regarding funding. He congratulated EREC trustees Cllr Kate Anolue and Ken Allen who were honoured with the Freedom of the London Borough of Enfield.

The Mayor Councillor Lee Chamberlain's opening remarks at the AGM congratulated EREC on their achievements through the year and wished EREC well in future endeavours.

Next Chandra Bhatia (EREC Chief Executive) presented her report and affirmed EREC's commitment to using fair-trade products where possible.

The guest speaker Joanne McCartney (London Assembly Member) followed with a talk on youth crime. A packed AGM made up of councillors, police, voluntary group and community group representatives were keen to have their views heard on this current high profile topic.

Joanne McCartney posed several questions for the audience, including: How do we engage with young people? What is the link between youngsters and underachievement in education? Is there enough for young people to do? What do members think of policing and stop and search? How can we make knife crime uncool?

Joanne thanked members and guests and ensured everyone that their views would be passed on to the London Mayor strategy's for inclusion in his strategy for tackling youth crime.

EREC PHOTOGRAPHS

Top left: *Bevin Betton (Chair), Mayor Councillor Lee Chamberlain & Chandra Bhatia (Chief Executive)*

Top right: *Members and guests*

Bottom left: *Richard Garland (Treasurer), Bevin Betton (Chair), Mayor Councillor Lee Chamberlain, Chandra Bhatia (Chief Executive) and Vicky Dungate (Vice-Chair)*

Bottom right: *Joanne McCartney (London Assembly Member), Mayor Councillor Lee Chamberlain, Chandra Bhatia (Chief Executive)*

PHOTOGRAPHS OF THE EREC AGM



Advice Information & Training Project

The Enfield Racial Equality Council is working in partnership with Enfield Citizens Advice Bureau to provide a series of **FREE** training sessions for community advisors on the Equalities and Human Rights Legislation. We will also hold three meetings of an 'Advisors Network' to share our knowledge and practice, trends arising from advice work, organisational issues, policy and practice and implementing our learning.

Next course: **DISABILITY**

When? Tuesday 23rd September 2008, 9.30am – 4pm, at Community House

We will also cover the following course topics:

<i>Sexual Orientation:</i>	October 08	<i>Gender:</i>	February 09
<i>Race:</i>	November 08	<i>Human Rights:</i>	March 09
<i>Religion or Belief:</i>	January 09		

To book a place please contact Sophie (020 8373 6275 / aip@enfieldrec.org.uk) or Indrani (020 8373 6272 / admin@enfieldrec.org.uk)

Supported with funding from the Equality and Human Rights Commission

Case Law

Disability claim: London Borough of Lewisham v Malcolm

Facts

Mr Malcolm, who suffered from schizophrenia, was the tenant of a flat owned by Lewisham Borough Council. The council brought a possession order after Malcolm sublet the flat without obtaining their consent. Malcolm contended that he was a disabled person under the Disability Discrimination Act 1995 (DDA), and that in bringing the proceedings the landlord had unlawfully discriminated against him.

At first the court agreed with Lewisham and the judge granted them the possession order concluding that there was no causal relationship between the subletting of the flat and Malcolm's schizophrenia. Malcolm then took his case to the Court of Appeal who allowed the

appeal, dismissing proceedings for possession, **saying that the tenant's** mental impairment rendered him disabled under the terms of the DDA. The court also found that Lewisham Council was guilty of discrimination. Lewisham then appealed to the House of Lords.

Decision

The House of Lords **dismissed Malcolm's claim.** It was not enough for Malcolm to show that there may have been a casual relationship, unknown to the local authority, between the schizophrenia and the subletting. Malcolm needed to show that his disability was a motivating factor in the local **authority's decision to terminate his tenancy and recover possession.** That he had not done.

They held there was no evidence that the local authority was aware Malcolm was suffering from schizophrenia and the reason for seeking possession of the flat was a pure housing management decision, which had nothing to do with **Malcolm's disability.**

A comparison was considered to distinguish whether the treatment was discriminatory or not. If compared to a secure tenant without mental disability, who had sublet **one of the landlord's flats** and gone to live somewhere else, had Malcolm been treated any less favourably? It was held that such a tenant would not be treated differently but exactly the same way, therefore no discrimination was found.

Case Law

Indirect Discrimination on Grounds of Race and Religion

**Sarika Angel Watkins-Singh
(A child acting by Sanita Kumari Singh, her Mother and Litigation Friend)**

v

The Governing Body of Aberdare Girls' High School And Rhondda Cynon Taf Unitary Authority

Facts

Sarika, a 14 year old Sikh schoolgirl of Punjabi-Welsh heritage challenged a decision made last year by her school (Aberdare Girls High School) which prevented her from wearing a Kara at her school. The Kara is a plain steel bangle which has a width of about a half of an inch. It is worn by Sikhs as a visible sign of their identity and faith. The school is a **maintained girls' non-denominational** school in Wales.

A teacher at the school observed Sarika wearing her Kara asked her to remove it because it **contravened the school's uniform** policy which permitted only one pair of plain ear studs and a wrist watch to be worn by pupils. Sarika refused to remove it, and sought an exemption from the uniform policy because she stated she was wearing her Kara

as something which was central to her ethnic identity and to her religious observance as a Sikh.

Sarika continued wearing the Kara and at first she was taught in isolation and kept socially segregated from all the other pupils. She was then placed on seclusion and later excluded. Sarika felt unable because of her identity as a Sikh to remove the Kara and so the court case was commenced.

The court heard explanation that the Kara is a circle that reminds **Sikhs of God's infinity and it shows that they are linked in other words, they are handcuffed by it to God. Sarika's evidence** was that it is important for Sikhs to continue to wear the Kara on his or her right arm or wrist.

Sarika's main claim was that the continuing decision of the school not to allow her to wear the Kara at school amounted to discrimination on grounds of religion and race.

Decision

Sarika's claim for discrimination on grounds of race and religion was found successful.

Mr. Justice Silber said that although it was not a **requirement of Sarika's religion** or race to wear a Kara, he felt satisfied that it would be a **"particular disadvantage"** or **"detriment"** for an observant Sikh like Sarika to be forbidden for wearing an item which she genuinely believes for reasonable grounds was a matter of exceptional importance to her racial identity or her religious belief and that the wearing of this item can be shown objectively to be of exceptional importance to her religion or race as a Sikh.

It was also held that the **school's decision amounted** to indirect discrimination on the grounds of race and religion in the light of the provisions of the Race Relations Act 1976 as amended and the Equality Act 2006.

After the draft judgement was circulated the School agreed to allow Sarika to return as a pupil and to wear her Kara.

Sophia Khan
Co-ordinator of EREC Advice, Information and Training Project

Community Festivals 08.....Fun, Fun, Fun for all the community

FREE family entertainment, world music, dance, food village, global market, workshops, kids' area and demonstrations.

Look out for an event near you during August, September and October, 1.00—5.00pm. For information call 0800 40 80 160.

The festivals include: international dance, bouncy castles, african drumming, live world

music, sumo suits, gladiator duels, children's carnival procession, international food village, clown & circus skills, council stalls, face painting, community stalls, arts & craft workshops, global market, sports demons and steel band.

Saturday 30th August
St James Open Space, Grove St, N18

Saturday 13th September
High Street Open Space,

Springfield Rd, N11

Saturday 20th September
Chelsfield Green,
Mottingham Rd, N9

Sunday 5th October
Hilly Fields,
Phipps Hatch Lane, EN2

Sunday 19th October
Albany Park, Hertford Rd, EN3

Contact us:

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Become a member of Enfield Racial Equality Council.

If you support the work of EREC, then why not come on board as a member. Membership is free and is open to individuals who live or work in Enfield and to organisations operating in Enfield, who are committed in furthering the work of EREC.

The views expressed in this newsletter are not necessarily those of the Enfield Racial Equality Council. EREC cannot take responsibility for information or articles submitted for inclusion in the newsletter.

We welcome your comments about this newsletter.
If you would like to include information or an article in our next edition please contact us.

*Challenging Racism and Promoting Racial Equality
within the London Borough of Enfield*

Strategic Race Forum 8/7/08

The July meeting had a packed agenda. Chandra Bhatia (Chief Executive) began by presenting her report and outlined that as the forum had not received any funding from the Equality and Human Rights Commission, there would be limited future meetings until further funds could be attracted.

Martin Garnar (London Borough of Enfield) opened discussions with forum members, requesting their views on the location and design of the Plaque to Commemorate the abolition of the Slave Trade.

Forum members then received a presentation by Ms Liz Smale on Enfield's Revised Homeless Strategy 2008-2013. Followed by the final presentation by Ms Kate Tordoff on Enfield Homes Equality and Diversity Strategy.

If you would like copies of these documents, or information about the Strategic Race Forum contact EREC.



Martin Garnar (London Borough of Enfield) receiving forum members views on the Plaque to Commemorate the Abolition of the Slave Trade in Enfield

North London Waste Plan Update

The Strategic Race Forum held earlier this year in April looked at the North London Waste Plan consultation. The following letter is an update for EREC readers.

Thank you for your contribution to the consultation on the North London Waste Plan earlier in the year.

We have now produced a report on the findings from the consultation. It can be found in the Document Centre on the North London Waste Plan website (www.nlwp.net). If you do not have access to the internet and would like to order a hard copy, please contact Archie Onslow, the programme manager for the North London Waste Plan, on 020 7974 5916 or by email to feedback@nlwp.net.

The next key stage of the process is the publication of the Preferred Options document, which is due in early 2009. This will set out the seven boroughs' preferred options for dealing with North London's waste up to 2020 and will include a shortlist of potential sites for new waste facilities. There will be many opportunities to have your say at the Preferred Options stage and we will contact you with further details nearer the time.

In the meantime, thank you again for taking the time to contribute to the development of the North London Waste Plan.

*With kind regards
Tim Maiden*

**CAG Consultants
on behalf of the North London Waste Plan team**