



Discrimination Law Association

ANNUAL REPORT 2000-2001

**Presented to the
Annual General Meeting**

held at the offices of

**Irwin Mitchell Solicitors
150 Holborn
London
WC1N 2NS**

**on Tuesday 11th September 2001
at 5.30pm**

**Discrimination Law Association
PO Box 6715
Rushden
NN10 9WL**

**Company Limited by Guarantee 3862592
Incorporated in England & Wales**

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1. History and Aims

The Discrimination Law Association was founded in 1995 with the objective of pushing forward the practice of complainant-oriented discrimination law and creating resources for those involved in practice. From the start strong emphasis was placed on the needs of the voluntary sector.

In 1998 a three-year grant was received from the Community Fund (formerly the National Lottery Charities Board). This enabled us to employ a part-time Development Officer. Membership grew rapidly and in October 1999 the Association was incorporated as a company limited by guarantee.

This report covers the period from July 2000 to September 2001.

Our aims

Our aims are:

1. to promote and improve the giving of advice, support and representation to individuals complaining of discrimination, harassment or abuse on grounds such as race, gender, religion, disability, sexual orientation, age, health status, political opinion, marital or family status and trade union affiliation or activity;
2. to raise awareness and encourage debate on discrimination law and practice;
3. to promote the teaching of discrimination law;
4. to secure improvements in the scope and enforcement of UK anti-discrimination legislation; and
5. to share information and ideas internationally.

Membership of the Discrimination Law Association is open to any individual or organisation interested in discrimination law who is in general agreement with the Association's aims.

2. Overview

This has been a year of challenge for practitioners of discrimination law. Both law and practice are becoming ever more complex through case law and legislative amendments, posing difficult questions about expertise and resources for this area of work. In July 2000 the Cambridge Review of Discrimination Law (the Hepple Report) called for a single equality statute and a single enforcement body.

The European Union Council of Ministers agreed the texts of two important Directives - the Race Directive and the Framework Employment Directive. Preparations for their implementation are already the subject of debate, and the Discrimination Law Association will contribute to this with a major conference to be held in Central London in October 2001.

The Human Rights Act came into force in October 2000, and the first provisions of the Race Relations (Amendment) Act 2000 came into force in April 2001.

Since the General Election, new tribunal rules have imposed a much tighter costs regime. Far-reaching proposals from the Department for Trade and Industry for the reform of the employment tribunals will have to be addressed in the autumn, including proposals for tribunal fees that will have a heavy and possibly highly detrimental impact on complainants and their advisers.

Internally, this year was marked by the appointment of a new Development Officer to replace Paul Crofts, who returned full time to his post of Director of Wellingborough and District Racial Equality Council. It is in large part because of his contribution that the Association is on a sound financial and organisational footing.

There was a consequent relocation of the office from Wellingborough to London. This change was carefully planned to minimise disruption and inconvenience.

Our funding from the Community Fund came to an end in December 2000. Thanks to careful husbanding of resources, our reserves were adequate to enable us to continue our activities, secure in the knowledge that we could service our membership and meet all our commitments.

Our financial strategy during this period was to make ourselves self-sufficient through income from membership fees, provision of

training, and advertising on our e-mail list and in *Briefings*. Although the quality of the training provided was high, income from training was disappointing, and this part of our financial strategy has had to be reviewed.

3. Membership and Groups

The Discrimination Law Association has two categories of membership, associate membership for organisations, and individual membership. On 31st March 2001 our membership stood at 380, of whom 177 (47%) were associate members and 203 (53%) were individual members. During the period 1st April 2000 to 31st March 2001 approximately 70 new members were recruited. In other words, 18% of our membership at the end of the year had been recruited during the year. This represents steady, if rather disappointing, growth.

The Practitioners' Group for members wholly or mainly advising complainants has continued to meet in Central London. Three meetings were held during 2000/01. The topics were: Using the Human Rights Act; Personal injury claims in discrimination cases; and the Race Relations (Amendment) Act 2000. We are grateful to Doughty Street Chambers for hosting those meetings. A fresh programme has now started, with meetings being held at Matrix Chambers. There was one meeting before the summer break, on compensation in discrimination cases. These meetings are always well attended.

There has been no formal activity by regional groups during the year. However, contact has been maintained with many members in the regions through e-mail and personal telephone calls, and at members' request contact lists were circulated for members in Northern Ireland. Assistance was also given to West Midlands Low Pay Unit in setting up an umbrella organisation in the Midlands, embracing both our members and members of another group (ELGAR) for applicant representatives.

The Trade Union Group failed to meet, since although those who had attended the previous year found the meetings useful, no one was in a position to take on the task of organising further meetings, and doing so was not seen as a key task for the Development Officer.

4. Briefings and E-mail News

Developing our information services has been a key priority for this year.

Briefings

Briefings are edited by Gay Moon, latterly with assistance from David Massarella. The aim is to provide succinct and accurate summaries of cases and practice issues, geared to the needs of practitioners, who cannot be assumed to be qualified lawyers or to have access to the full range of law reports. The strong demand for *Briefings* from within the legal profession testifies to their quality.

Four issues of *Briefings* (Volumes 10 to 13) have been issued since the last Annual Report, containing a total of 54 individual briefings. They appeared in June 2000, November 2000, March 2001 and July 2001.

With Volume 13 in July 2001, *Briefings* became a printed journal. It has been professionally designed to be elegant in appearance while remaining clear and readable. Initial reactions have been very favourable.

E-mail News

The E-mail News service has been expanded. E-mails are now numbered in sequence, with a clear heading for each one. The list of recipients has been enlarged to include multiple addresses in the offices of associate member organisations. These e-mail now go to more than 400 recipients, and in many cases are forwarded on. During the current calendar year there have been nearly 90 so far, including Requests for Information from members, and job advertisements which have brought in income.

This e-mail service is valued greatly by members. It also helps us to keep in touch with our membership and respond quickly to their needs.

Expansion of our information services is a priority for the coming year.

5. Conferences and Training

No major conference has taken place this year, nor was any training provided after June 2000. The reasons have been given briefly in the introduction.

A sub-group of the Executive Committee has been examining our training strategy. Informal market research has been done to ascertain what training needs exist in two sectors: the voluntary sector, whose need is primarily for daytime skills training, and continuing professional education for the three branches of the legal profession (barristers, solicitors, and legal executives). We are an accredited training provider for all three.

We now take the view that the provision of daytime training to the voluntary sector requires external funding. We still see the provision of such training as a core activity, but with the Development Officer working only 17.5 hours, we have lacked the resources to plan and implement a training programme. The way forward may be to work with another training provider with a similar ethos, while retaining our own identity as a provider of high quality training in the field of discrimination law.

We have applied successfully to the Stone Ashdown Trust for funding for a major conference on the areas of law covered by the new EU directives, to be held on 29th October 2001 at the TUC Congress Centre.

The Development Officer has attended several conferences and seminars on behalf of the Association, and ran a stall at the TUC Human Rights conference in November 2000 which attracted considerable interest.

6. Policy Issues

We have submitted responses to the following Government consultation documents:

- the consultation on the implementation of the EC Employment Framework Directive
- the consultation on the implementation of the EC Burden of Proof Directive

(both DfEE, now renamed DfES).

- consultation on proposals for implementation of the Race Relations (Amendment) Act 2000 (Home Office)

Responses to these three consultation documents were co-ordinated by the Development Officer, with the assistance of Gay Moon on the EU directives, and Henrietta Hill on the Race Relations (Amendment) Act. Details of the submissions are available from the office on request.

The Discrimination Law Association has begun to enter into public debate on major policy issues affecting the practice of discrimination law. We were invited to contribute a critique of the new tribunal costs regime to the journal of the Employment Law Association. We hope to have further opportunities to write opinion pieces for other journals.

7. Referrals

The Discrimination Law Association is not an advice agency. We do not give legal advice to individuals.

We do however receive many calls each year from members of the public seeking advice. In each case, we ascertain the broad nature of the problem, and the caller's circumstances, and then provide referral options.

By far the largest group of callers were seeking advice about disability issues, mainly disability discrimination.

8. Organisational Development and Funding

Funding from the Community Fund ended on 31st December 2000, the final quarterly grant payment being received in October 2000. In addition to the quarterly revenue funding, in April 2000 the Community Fund made a one-off capital payment for the purchase of computer equipment. We are enormously grateful to them for their support over these three years.

While we cannot expect to replace this core funding, we are confident of being able to obtain project-related funding, and we anticipate a steady income from advertisements in *Briefings* and E-mail News. We expect to be able to increase the Development Officer's paid hours during the coming year.

9. Treasurer's Report

The year 2000-2001 was a significant milestone in our funding arrangements as it marked the end of our main source of income from the Community Fund. Appointment of a new Development Officer entailed changes in our way of working and the extra cost of moving to new premises.

The crucial challenge for us has been to source new funds that will underpin future developments. As Treasurer, I have been aware of the importance of financial stability, which is required to ensure that we can function effectively and strive to provide a quality service.

Having achieved the shift in our income reliance from the Community to membership fees, we successfully completed the laborious task of upgrading our membership records to enable us to more effectively track our income generation.

After several years as Treasurer, it is time to hand over to someone else. The principal challenge for my successor and for the Discrimination Law Association will be to manage its future activities in such a way that it continues to support organisations that assist applicants, while generating the level of income that can ensure its long term financial stability.

Farhad Shahrokni
Honorary Treasurer

Appendix 1: staffing

Paul Crofts served as Development Officer until 31st May 2000.

Gaby Charing became Development Officer on 1st June 2000, working 17.5 hours a week.

There are no other paid or unpaid staff.

Appendix 2: support

During the year we have benefited from the support of the following barristers' chambers, who have allowed us the use of their rooms for meetings:

- ◆ Cloisters
- ◆ 39 Doughty Street
- ◆ Matrix

Cloisters' generosity enabled us to produce this report free of charge.

Irwin Mitchell (solicitors) are hosting the Annual General Meeting.

We are very grateful to them all.

Appendix 2: Executive Committee

Membership

The following individuals have served on the Executive Committee during the period covered by this report:

| | | |
|---------------------------|-------------------------|---------------------------|
| Robin Allen QC | elected June 2000 | Director |
| Elaine Banton | co-opted September 2000 | |
| Christopher Benson | elected June 2000 | Director |
| Paul Crofts | elected June 2000 | Director |
| Sandhya Drew | elected June 2000 | Director |
| Bela Gor | elected June 2000 | Director |
| Philip Greasley | elected June 2000 | Director |
| Dai Harris | elected June 2000 | Director |
| Siân Hughes | elected June 2000 | Director |
| David Massarella | co-opted January 2001 | |
| Keith McMahon | co-opted June 2001 | |
| Gay Moon | elected June 2000 | Director |
| Ijeoma Omambala | elected June 2000 | |
| Simon Robinson | elected June 2000 | Director |
| Farhad Shahrokni | elected June 2000 | Director (Hon. Treasurer) |
| Harminder Singh | elected June 2000 | Director (Chair) |

Attendance at meetings

Twelve meetings of the Executive Committee were held between July 2000 and September 2001. Attendance figures are shown below.

| Name | Possible | Actual | Notes |
|---------------------------|----------|--------|----------------------------------|
| Robin Allen QC | 12 | 2 | |
| Elaine Banton | 9 | 8 | |
| Christopher Benson | 12 | 1 | |
| Paul Crofts | 12 | 3 | |
| Sandhya Drew | 12 | 0 | |
| Bela Gor | 12 | 5 | |
| Philip Greasley | 6 | 3 | on sick leave from April |
| Dai Harris | 12 | 6 | |
| Siân Hughes | 5 | 0 | on maternity leave from February |
| David Massarella | 6 | 5 | |
| Keith McMahon | 2 | 0 | |
| Gay Moon | 12 | 10 | |
| Ijeoma Omambala | 12 | 0 | |
| Simon Robinson | 12 | 4 | |
| Farhad Shahrokni | 12 | 8 | |
| Harminder Singh | 12 | 7 | |

As well as editing *Briefings*, Gay Moon chaired all but two of the Executive Committee meetings held in 2001 and line managed the Development Officer.