

Gay Bar

June 2012



Lesbians, gay men, bisexuals and transgender persons at all levels of the profession



WELCOME JUNE 2012

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Welcome to our first magazine. We hope to publish two per year and to contain news and information about BLAGG and other matters gay and legal. In this edition, we share news of last year's Pride March and invite you to join us on the one to be held later this summer, our recent drinks events and formal dinners and other social events in which we have participated. We do more, however, than hold social activities. We have responded to a Ministry of Justice consultation on diversity in the judiciary and a Home Office consultation on gay marriage. We hope you enjoy reading about it.

We do more than hold
social activities, fun
though they are



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BLAGG news & events

On 16th May 2012, we held a women's event with Gill Phillips of the Guardian. It was an opportunity for like minded professional women to relax after work, have a friendly space to socialise in and make friends and contacts. After such success, we will endeavour to do more events just for women.

By 14th June 2012, we will have replied to the Home Office Consultation on equal civil marriage. We asked our members to reply to the questions posed by it and formulated a response that reflected the views expressed. Thank you to all of those who assisted us with this.

A number of members attended the discussion in Parliament on the international development of human rights as they relate to gay rights, which took place on 20th February 2012. Speaking were Chris Bryant MP and Jonathan Cooper OBE.

A number of members attended the invitation to the London and Lesbian Gay switchboard party on 6th March 2012.

We held a splendid BLAGG dinner on 16th March 2012 at Chez Gerard where our speaker Anthony Hayden QC, the 'Diamond of the North', showered us with his wit and anecdotes. We hope to have another dining event this coming autumn.

On 13th February 2012, we replied to the Ministry of Justice consultation on Judicial Appointments. Thank you to those who contributed.

Arm of the law

Christian hoteliers had discriminated against a homosexual couple when they refused to honour their booking of a double-bedded room.

Bull and Bull v Hall and Preddy [2012] EWCA Civ 83 CA; Times, April 2, 2012.

A same-sex couple could not comply with the hoteliers' requirement that they be married before sharing a double-bedded room as they were of the same sex and therefore could not marry. Accordingly, the restriction was discrimination on grounds of sexual orientation. The hoteliers were not prevented from manifesting their religious beliefs pursuant to Article 9; they were merely prohibited from so doing in the commercial context they had chosen. This limitation was necessary for the protection of the rights and freedoms of others.

Persons convicted of handing out leaflets with the intent to stir up hatred on the grounds of sexual orientation were sentenced to custodial sentences of fifteen months and two years.

R v Ijaz Ali, Razwan Javed and Kabir Ahmed (2012) Crown Ct (Derby), 10.2.2012.

The defendants distributed anti-gay leaflets outside a mosque and to homes. One of them depicted a mannequin swinging from a hangman's noose, under the caption of "Death Penalty?" On the other side was text stating that the only debate about how to punish homosexuality was the method of carrying out the execution: burning, flinging from some high place or stoning; and that the death sentence was the only way that the immoral crime could be erased from corrupting society. The main organiser was sentenced to two years' imprisonment. The others were sentenced to fifteen months' imprisonment. They were to serve up to half the sentence in prison.

An employee who had widely revealed his sexual orientation in one workplace did not suffer harassment or discrimination where his sexual orientation was disclosed against his wishes in a different workplace.

Grant v Land Registry [2011] EWCA Civ 769; [2011] I.C.R. 1390; [2011] IRLR 748

When an employee informed colleagues of his homosexuality, he put such knowledge into the public domain and took the risk that he might become the focus of conversation and gossip. When a manager with no ill purpose but contrary to the employee's wishes informed other colleagues that he was gay, it could not amount either to direct discrimination or harassment.

A pub treated an employee less favourably on the ground of sexual orientation where it operated a policy to treat gay customers less favourably than heterosexual customers.

Lisboa v Realpubs Ltd, Mr N Pring, Mr M Heap (2011) UKEAT/0224/10/RN

The new owners of a formerly gay pub asked their assistant manager to put up a sign stating that the premises were no longer a gay pub and encouraged staff to seat visibly non-gay customers in prominent places. It was plain that gay customers were treated less favourably on the grounds of their sexual orientation and the assistant manager resigned. The reason for the employee's resignation was prompted by the unlawful discrimination against customers, which was a repudiatory breach of contract.

Disregarding convictions for buggery etc.

The Protection of Freedoms Act 2012 has been granted Royal Assent. Sections 92 to 101 permit a person who has been convicted or cautioned for offences of buggery or gross indecency between men to apply to the Home Secretary for that conviction or caution to become disregarded. The sexual activity which formed the offence must have involved consenting adults aged 16 or over and not amount to an offence of sexual activity in a lavatory (which remains an offence under the Sexual Offences Act 2003). The sections are not yet in force.

Removal of restrictions on times of civil partnerships

Section 114 of the Protection of Freedoms Act 2012 remove the current restriction that marriages and civil partnerships take place between 8.00am and 6.00pm. The section is not yet in force.

Part of the PRIDE

On 2nd July 2011, members of BLAGG walked with members of the Law Society and the Lesbian and Gay Lawyers' Association (LAGLA) as part of the London Pride parade.

This was the second occasion on which we had taken part in the parade and worn full court robes, for which the Bar Council had given their permission.

World Pride 2012 will take place from 23rd June - 8th July, with the main parade to be held on 7th July. We would welcome all members of BLAGG at all levels of seniority to join us. For those who are interested, email contactus@blagg.org.



Dates not to avoid

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- 14 June** **Blagg drinks, the Yard, Soho**
 - 28 June** **Salsa dancing**
 - 13 July** **Curry dinner**
 - 7 July** **Pride March 2012**
 - 27 September** **Surrogacy lecture**
 - 19 October** **Drinks to welcome new practitioners**
 - 2 November** **Manchester Blagg event**

The details of all the events above are listed on our website <http://www.blagg.org>. Alternatively, do not hesitate to email us at contactus@blagg.org. We will also email details of these events as their dates approach.

and also

We are currently in the process of having two articles published in Counsel magazine. The first considers civil marriage from BLAGG's perspective. The second is about BLAGG more generally, its history, aims and successes. This will also include mention of the equality legislation that is being implemented by the Bar Council, including the requirement that all those who are to be part of an interview panel must have training in equal opportunities.

We have no money other than that which we receive through membership donations. Where possible, we use our limited funds to subsidise our events for students, pupils and new practitioners. Although we have no membership fee, we respectfully invite each member to contribute £20 per annum.

Should you wish to contribute this modest sum, we would invite you to contact us for a standing order form or to make a direct bank transfer to: BLAGG, s/c 60-40-04 a/c 16118855. Please put your name as the reference and send us an email to let us know.

We welcome members who wish to get involved. Should you be interested in organising an event or just learning more about us, please email us at contactus@blagg.org. Our committee meetings are open to all, the dates of which are listed on our website <http://www.blagg.org>.

Finally, this is the first issue of what we hope will be a bi-annual magazine. Please consider this an open invitation for you to write an article on any subject that is likely to be of interest to BLAGG members.

Committee

Co-chair	Claire Fox, Renaissance Chambers
Co-chair	Hassan Khan, 4 Paper Buildings
Treasurer	Jennifer Lee, Pump Court Chambers
Secretary	Stephen Lue
Membership	Elliot Gold, 5 Essex Court



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