



ASLEF **LGBT** Representative Committee Newsletter

# **EQUALITY BILL WELCOMED BY GAY LOBBY GROUPS**

DURING the Queens Speech on Wednesday 3 December she said 'My government is committed to ensuring everyone has a fair chance in life. My government will bring forward a Bill to promote equality, fight discrimination and introduce transparency in the workplace to help address the difference in pay between men and women.'

This Equality Bill has the potential to secure greater fairness and equality for lesbian, gay and bisexual people across Britain. It could see improvement in areas such as family courts, housing and health services. Various LGBT organisations will be pushing hard for this.

Gay Rights lobbying group Stonewall believe that a single equality duty, replacing existing measures for race, disability and gender, could have a transformative effect on gay people's lives in areas where they have often faced discrimination, by encouraging public bodies to tackle discrimination before it happens and

accommodate the needs of lesbian and gay service-users in the design and delivery of public services.

Such an extension would be welcomed by many of the public bodies who work with Stonewall and a number of whom have already adopted a joined-up approach to equality that includes sexual orientation. 'A single duty must be focused on actions and outcomes that make a real difference to people's lives, proportionate to different kinds of organisations.'

The Government has said it will include 'positive action' measures in the Bill. It is essential that any such measures apply to all equality strands or areas - positive action measures that include lesbian and gay equality could make a difference to under-representation in public appointments such as the judiciary, university vice chancellors, local government and both Houses of Parliament.

Positive action will also help organisations that want to increase the number of

employees from a certain under-represented group, so that they better reflect their local community or customer base.

Stonewall have welcomed the new Equality Bill as a step to reforming a currently complex, and in many cases uneven, framework of anti-discrimination legislation. They believe the Bill should simplify and modernise all equality laws to make them easier to understand and to increase their impact on real people's lives.

They say 'It is essential that there is no regression from the levels of protection already established in current legislation. The Government should set its sights on the 'highest common denominator' to ensure no dilution of existing rights.'

● For more information on the Equality Bill visit <http://www.publications.parliament.uk/>. More information can also be found at <http://www.stonewall.org.uk/> for the Stonewall response and to follow up campaigns to the Bill.



## PROTECTION FOR VICTIMS OF HOMOPHOBIC HARASSMENT

THE Equality and Human Rights Commission is supporting the case of Stephen English, a married heterosexual man who has brought a claim against his former employer after suffering years of homophobic taunting. The Court of Appeal has reserved judgement on the case, which was heard on 31 October 2008.

A landmark decision by the Court will determine whether anti-discrimination laws on harassment cover homophobic abuse where the perpetrators are fully aware that the victim is not gay, but where their abuse is motivated by homophobia and associated stereotypes.

A positive result will mean protection for others who are subjected to harassment because they have what some people see as stereotypical qualities of members of a group currently protected under existing anti discrimination legislation.

Stephen English suffered years of homophobic taunting including abusive name-calling and having jokes made at his expense by colleagues. The abuse was so habitual that homophobic jokes identifying him were printed in an official staff newsletter on several occasions.

His colleagues were aware that he was not gay and Mr English accepted that they knew that he was not gay. However, after his employers, Thomas Sanderson Blinds Ltd, failed to take action, he brought a claim against them for harassment on grounds of sexual orientation under regulation 5 of the Employment Equality (Sexual Orientation) Regulations 2003.

An employment tribunal subsequently dismissed his case on the grounds that Mr English was not covered by regulation 5, which only applies to harassment based on actual or perceived sexuality.

Following a further appeal to the Employment Appeal Tribunal on 17 January 2008, supported by the Equality and Human Rights Commission, the Tribunal gave him permission to appeal to the Court of Appeal to clarify the law surrounding his treatment.

The Commission will also continue to take a firm position on cases of discrimination brought by lesbian, gay and bisexual people.

John Wadham, Group Legal Director of the Equality and Human Rights Commission, said:

'Victims of this type of abuse currently have little or no legal protection, and this is a new area of law that needs to be tested. By supporting Mr English's case, we hope to clarify the law to protect those who suffer sustained harassment based on old-fashioned stereotypes.'

This case highlights the situations where the term gay is still used in a negative and derogatory way. It is unacceptable for anyone of any sexual orientation to suffer homophobic abuse.

For more information on this case and other work done by the Equality and Human Rights Commission visit the website <http://www.equalityhumanrights.com>



## BRIGHTON PRIDE 2008

PRIDE DAY in Brighton was held in very wet and windy conditions. Shorts and T shirts should have been the order of the day, the weather more suited to coats, hats and "wet" T shirts, but it didn't stop thousands of gay, lesbian, transgender and bisexual people and their families from turning up at what is possibly the biggest Pride event in the country.

The ASLEF banner was held high in the procession just behind the Rainbow Railway Staff Association and in front of the very noisy Brigades Union and the ever present fire engine. When we got to the Park, the sun managed to shine on us. It was a brilliant day for us and I look forward to an even bigger Brighton PRIDE day in 2009.

STEVE SWAIN LGBT Committee



Members of the ASLEF LGBT committee

## TfL IN STONEWALL

BRITAIN'S leading gay and lesbian equality organisation, Stonewall, has rated Transport for London (TfL) fifth in the list of top 100 employers in the country for lesbian, gay and bisexual and transgender staff.

Stonewall's annual Workplace Equality Index is a definitive national benchmark of Britain's top employers of LGBT staff, and ranks the top employers according to criteria including the implementation of effective equality policies and the support of lesbian, gay and bisexual staff, customers and service users engaged with.

This year, LGBT staff from over 317 organisations were surveyed, up from 240 last year, from both the private and public sector were surveyed.

Transport for London's position in the index has moved up one from last year's ranking of sixth. TfL has also been cited as an example of good practice for career development by ensuring that all staff have equal access to personal and career development opportunities and allowing staff to request a gay mentor.



## POLAND; HOMOPHOBIA CLOSER TO HOME

POLAND is one of the few countries in which homosexuality has never been punished by state law, but do not for one moment think this is a gay friendly nation. Centuries of hardcore Catholicism matched with provincial attitudes have conspired to create an atmosphere where homosexuality is still regarded as morally incorrect by a vast number of the population. A recent opinion poll suggested 53 per cent of the population believes homosexuals are sinners and 45 per cent believe that they should be encouraged to try to change their sexual orientation. Only a few years back a Pride march in Kraków – Poland's self-proclaimed capital of culture – ended in bloody street battles after being ambushed by local thugs and extremists. In Warsaw, last year, a similar march went off peacefully, in spite of the veiled threats from a hundred or so skinheads. The march, banned for the previous two years by city authorities, was deemed a success, and attended peacefully by over two thousand demonstrators. Whether or not attitudes are softening remains open to debate.

Both the prime minister, Jarosław Kaczyński, and his president and twin, Lech Kaczyński, have stirred discontent; the latter by proclaiming homosexuality as being 'unnatural' and the former for declaring homosexuals should be banned from taking teaching posts. Harsh sentiments, but not nearly as malignant as the ones voiced by LPR politician Wojciech Wierzejski whose memorable rants reasoned 'gays should be bludgeoned... they are all paedophiles and members of the mafia'. Polish gays are experiencing both queer-bashing attacks by neo-Nazis and government-orchestrated denunciations and discrimination.

Poland's new Education Bill includes a Section 28-style clause that will outlaw any objective, factual or sympathetic mention of homosexuality in schools. It is feared gay teachers may be sacked. On the 25 April 2007, Members of European Parliament called on the Polish government to abandon the homophobic clause in their new Education Bill. The European Parliament asked the Polish government to: "publicly condemn and take measures against declarations by public leaders inciting discrimination and hatred based on sexual orientation." Polish government ministers have refused to accept or even consider these criticisms.

Polish junior education Minister, Miroslaw Orzechowski, told a recent press conference that the new law will: 'punish whoever promotes homosexuality or any other deviance of a sexual nature in educational establishments'.

Gay rights activists have been up in arms over the proposed measures – in May 4000 demonstrated in Warsaw and were joined by 25 members of the European Parliament who travelled to express their solidarity with the movement. On the 17th May a protest took place outside the Polish Embassy in London, this was as part of a worldwide series of protests in over 50 countries to mark IDAHO – the International Day Against Homophobia. The London demo was organised by the British Youth Council, and supported by the LGBT human rights group OutRage! And by IDAHO. David Allison of OutRage! said "We condemn rising homophobia in Poland and the increased persecution of Poland's lesbian and gay citizens," The UK has strong bi-lateral relations with Poland. And he called on the UK government to take action within the EU and the Council of Europe to challenge Poland's anti-gay policies."

Yet at the same time inroads into bigotry are being made. In 2004 Poland had its first gay wedding (not officially recognized), and 2005 Warsaw's public transport body became the first company to officially acknowledge homosexual relationships by giving gay employees and their partners the right to free transport. A threatened conflict over Polish toddler's right to watch Teletubbies looks to have been avoided after a government minister denied expressing concerns that Tinky Winky might be homosexual. The legal situation there at the moment is that age of consent is the same as for straight couples: 15. Adoption by homosexuals is not permitted, and though marriage is not recognized there are no legal issues associated with being registered as a gay couple.

Poland is a beautiful country and I have found the people very friendly on my visits there. For gays in Poland the road ahead remains a long one, but for a country that still listed homosexuality as a disease up until 1991 the nation has started cautiously edging forward.

SUSAN GREENWELL - LGBT National Secretary

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## PROFILE



*MY name is Shaun Lambert-Atkins and I was proud to be elected as the L.G.B.T. Representative for district one, I work for South West Trains.*

*I have been a Train Driver for 5 years based at Salisbury in Wiltshire and was Salisbury's first openly gay driver. I live in Salisbury with my partner of 11 years Martin. We had our civil partnership ceremony in 2007 after 10 years together. Martin is a Commercial Guard also based at Salisbury.*

*Before we joined the railway we ran Salisbury's only Gay pub for 5 years and worked closely with the Gay Men's Health Project and Wiltshire Police Lesbian, Gay, Bisexual and Transgender officers tackling hate crime, homophobia and domestic violence to name just a few!*

*Sadly we had our windows smashed on a number of occasions as well as death threats and various items posted through our letterbox!*

*Prior to the law being changed with regards to discrimination in goods and services I am disappointed to say that our local, long established newspaper, refused to take advertisements from us on the grounds that the promotion of homosexuality may offend their readership.*

*We campaigned for equality for Lesbian, Gay, Bisexual and Transgender people and I am proud to bring my experience to ASLEF as their District one representative.*

*I may be contacted by e-mail  
Shaun.aslef@ntlworld.com*

## Committed to sexual equality

The trade union movement represents all working people regardless of their gender, race, religious belief, sexual orientation or disability.

ASLEF believes in fairness at work for everyone and is fully committed to the elimination of discrimination in all its forms, both at work and in the community.

The LGBTRC wishes to ensure that Gay, Lesbian, Bisexual and Transgendered people are fully represented and a voice within the workplace.

The LGBTRC was set up

- to provide support for LGBT people within our workplaces
- identify and deal with issues/problems faced by LGBT people
- highlighting issues of human rights abuse of LGBT people internationally
- provide members with the opportunity to talk/meet with other members.

Any Lesbian, Gay, Bisexual or Trans person can contact the committee for advice or assistance on a **STRICTLY CONFIDENTIAL** basis by ringing 0207 317 8600.

## Get Involved

We are anxious to contact as many lesbian, gay and transgender ASLEF members as we can. We now have a confidential database of LGBT members at head office so that we can get information to you direct.

Should any member require a personal copy of this newsletter and future newsletters, confidential arrangements can be made for a copy to be mailed direct to your home address. Just contact the LGBTRC delegate for your District or Victoria Holloway at ASLEF Head Office and we will add your name to our confidential mailing list. This mailing list will be treated in the strictest confidence and no information held on it will be divulged to branches or other members.



## DATES FOR YOUR DIARY 2009



### FEBRUARY 2009

LGBT History Month - Nationwide

### March 7-15 2009

Winter Pride - Brighton

### March 25 - April 8 2009

London Lesbian & Gay Film Festival

### May 23-25 2009

Birmingham Gay Pride

### May 17 2009

International Day Against Homophobia -IDAHO

### June 6 2009

Oxford Gay Pride

### June 18-28 2009

Dublin Gay Pride

### June 20 - July 5 2009

Pride London Festival

### June 27 2009

Swansea Pride

### July 4 2009

Pride London - Parade and rally

### July 5-6 2009

LGBT TUC Conference

### July 10-12 2009

Sparkle - the national transgendered celebration

### July 25 - Aug 2 2009

Brighton and Hove Gay Pride - Festival

### August 1 2009

Brighton and Hove Gay Pride - Parade and park party

### August 8 2009

Cornwall Gay Pride - Truro

### August 15 2009

UK Black Pride - London

### August 16 - 31 2009

Manchester Gay Pride - Festival

### August 29 2009

Manchester Gay Pride - Parade

### November 20 2009

Transgender Memorial Day

## Contact Details

**District 1** - Sean Lambert-Atkins

**District 2** - Gary Conn

**District 3** - Darran Brown

**District 4** - Susan Greenwell

**District 5** - Steve Swain

**District 6** - Angie Butler

**District 7** - Neil Adams

**District 8** - Ben Wallington

For contact details on your representative committee member please contact Victoria Holloway - Equal Opportunities Administrator on 0207 317 8600 or at [vholloway@aslef.org.uk](mailto:vholloway@aslef.org.uk)

## Useful Addresses

**Broken Rainbow** Support for LGBT people experiencing domestic violence  
Helpline: 08452 604460  
[www.broken-rainbow.org.uk](http://www.broken-rainbow.org.uk)

**Stonewall** National campaigning organisation for LGBT people  
Tel: 0207 7881 9440  
Email: [info@stonewall.org.uk](mailto:info@stonewall.org.uk)

**Press for Change** Organisation campaigning for equal rights for transgender people  
BM Network, London WC1N 3XX  
Email: [letters@pfc.org.uk](mailto:letters@pfc.org.uk)

**The Gender Trust** UK Charity Helping adults who are transsexuals  
Tel: 01273 234024  
Email: [info@gendertrust.org.uk](mailto:info@gendertrust.org.uk)

**Mermaids** Support group for children and teenagers with gender identity issues  
Helpline: 07020 935066

**Terrence Higgins Trust** Charity offering information and support on HIV and AIDS  
Tel: 0845 1221200  
Email: [info@tht.org.uk](mailto:info@tht.org.uk)