



Press release – 9 March 2009

Harlow District Council breached its statutory duties towards vulnerable individuals

In an important judgment for the people of Harlow, the High Court has ruled that the council failed to discharge its duties towards disabled people, women and black and ethnic minority residents. Mr Justice Davis so held in upholding a claim for judicial review brought by three local people, Geraldine Meany, Pat Glyn and Greig Sanders, who challenged a decision by the council to reduce the budget for funding advice on social welfare matters (such as debt, homelessness, and welfare benefits) by 80%, from £500,000 to £100,000. The Public Law Project acted for the service users.

Conrad Haley, Director of the Public Law Project, said:

“The High Court has today confirmed that the Council’s decision to reduce its budget by £400,000 was unlawful because it did not have regard to its duties to take into account the need to promote equality of opportunity and eliminate unlawful discrimination towards disabled people, black and ethnic minority people and women. These groups of people would have been particularly hard hit by the reduction in services that the council proposed to implement. The law requires that these groups are given careful consideration before decisions are taken which will adversely affect them. That was not done in this case. It must be done now.

At a time of recession when resources are scarce, it is especially important that the Council’s decisions are taken lawfully, and that the Council is mindful of the consequences of its decisions on the most vulnerable members of the community. The Council should now withdraw the threat of closure hanging over the main service provider, Harlow Welfare Rights and Advice, while careful consideration is given to the High Court’s judgment”.

For further information, please contact Conrad Haley or Ravi Low-Ber at the Public Law Project by telephone: (020) 7697 2195 and/or 020 7697 2194, or by email: r.lowbeer@publiclawproject.org.uk

Notes for editors

1. The Public Law Project (www.publiclawproject.org.uk) is a national legal charity which aims to improve access to public law remedies for those whose access to justice is restricted by poverty or some other form of disadvantage. Within this broad remit PLP has adopted three main objectives:
 - increasing the accountability of public decision-makers;
 - enhancing the quality of public decision-making;
 - improving access to justice.

Public law remedies are those mechanisms by which citizens can challenge the fairness and/or legality of the decisions of public bodies and so hold central and local government and other public authorities to account. They include non-court-based remedies such as complaints procedures and ombudsman schemes and also litigation remedies, in particular judicial review.

To fulfill its objectives PLP undertakes research, policy initiatives, casework and training across the range of public law remedies.

2. A copy of the full judgment will be available on PLP's website once it is received from the Court.