

Judgement in Race Relations Board's first prosecution

The defendants, Messrs. George H. Haigh & Co., when developing a new housing estate in Huddersfield, had entered into lease agreements with prospective customers but had refused to do so with the complainant on the grounds of his colour. A case was brought by the Race Relations Board. On 10 September 1969, judgement was given against the Race Relations Board on a technicality. According to Runnymede Director, Dipak Nandy, the rest of the judgement deserved emphasis.

First,

Judge McKee decided unequivocally that discrimination had occurred.

Secondly,

he rejected two of the three arguments presented by the defendants.

that at the time of the alleged act of discrimination there were no completed houses for sale, and that an incomplete house was not 'housing accommodation' under the terms of the Act.

Thirdly,

the only reason for dismissing the Board's application was that the committee which had investigated the case had, at the time, not had formal approval from the Home Secretary.

Thus, as Judge McKee put it, this case 'was and must remain unique in that a technical defence which had nothing to do with the merits had been raised that could never again be put forward.'

Such a situation, therefore, cannot arise again.

Finally, the chief executive of Messrs. Haigh & Co. is reported to have said that, as a result of this case, his firm's policy of not selling houses to coloured persons would have to be altered.

The main objective of the Race Relations Act is not to punish the discriminator, but to alter discriminatory conduct. It is clear that, although the Board lost the case on technical grounds, the main objective of the law has been achieved in this case. |
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