

Russell Jones & Walker Wins Claim Against London's Oldest Gay Pub



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Industry: [Law](#)

Russell Jones & Walker has won a claim of adopting 'an anti-gay policy' against the new owners of London's oldest gay pub on behalf of Mr Charles Lisboa, 41, who joined the Coleherne Arms as Assistant Manager shortly before it re-opened as the Pembroke Arms in December 2008.

The pub, regarded as London's first 'gay pub', had attracted an exclusively gay clientele until its acquisition by Realpubs in 2008. The new owners stated that they intended to refurbish the pub and re-package it as a gastro-pub, to attract patrons from a wider section of the community.

However, soon after the pub re-opened as the Pembroke Arms, Malcolm Heap, Director at Realpubs, expressed concern to staff that the clientele had not really changed. The Tribunal accepted that Mr Heap, along with Jimmy Sydney, the pub's General Manager, took various steps to 'de-gay' the pub, including putting a sign up outside proclaiming, 'This is not a gay pub'.

Mr Heap also stressed in an email to one of Realpub's investors that he was attempting to ban the pub's 'over the top' customers.

Mr Lisboa was uncomfortable with the stance taken by Realpubs' management regarding their attitude to him and the pub's gay customers. On one occasion, Mr Lisboa was asked by Mr Heap to reprimand a gay couple for their behaviour, referring to them as

'queens'. Mr Heap then went on to say that Mr Lisboa was 'another kind of gay'. On a separate occasion, Mr Heap stated that one of Mr Lisboa's colleague's 'walked too camp'.

Only four weeks after joining the Pembroke Arms Mr Lisboa tendered his resignation due to [sex discrimination](#).

The London Central Employment Tribunal has upheld Mr Lisboa's claim that he was the victim of [discrimination at work](#) and awarded him compensation. However, his claim of constructive dismissal was deemed unsuccessful.

Paul Daniels, partner in the award-winning [Employment Law](#) Team at Russell Jones & Walker, who acted for Mr Lisboa, said:

"This landmark decision confirms that an establishment that wishes to change from serving a mainly gay clientele to a mixed clientele, must not do so in a way that discriminates against gay clients. The decision also serves as a stark warning to any employer who tolerates abuse and prejudice against gay staff or customers."

Mr Lisboa stated: "I am delighted to have won my case and to have exposed the discriminatory and anti-gay actions of RealPubs.

No-one should have to put up with repeated abuse and prejudice in the workplace. That is why I brought my case. However, I do not understand how the tribunal found that I had been the victim of a repeated pattern of discriminatory treatment and yet decided I was not entitled to resign in response."

Mr Daniels concluded: "In this case, the tribunal accepted that numerous abusive comments were made by Realpubs managers referring to gay customers as 'queens' and accusing someone of being 'too camp' and that this amounted to unlawful sexual orientation discrimination against a gay employee.

It is, however, disappointing and very surprising that the tribunal saw fit to conclude that our client was not constructively dismissed following the discriminatory treatment and abusive remarks the tribunal unanimously found he had been subjected to. We are closely studying an appeal on that point."

- ENDS -

Notes to editors:
Case number: 609803.1

About Russell Jones & Walker:
Russell Jones & Walker employs over 400 staff (with 181 lawyers) and is renowned as the leading national firm of solicitors in protecting the rights and legal interest of individuals and those who represent them, and independantly recognised as one of the leaders in the field of [Business Crime](#) and regulation. RJW has a network of regional offices and includes those in the following centres: London, Birmingham, Bristol, Wakefield, Manchester, Newcastle, Sheffield, Cardiff and an associated office in Edinburgh.

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