

ELREC Newsletter



Edinburgh & Lothians Racial Equality Council

Promoting Racial Equality and Fighting Racial Discrimination

Editorial

Welcome to the fourteenth issue of ELREC Community Newsletter which aims to bring our readers news and information about our work as well as the latest developments in the race equality field.

Annual General Meeting

ELREC successfully held its 36th AGM on 24 October 2007. We were grateful that West Lothian Council kindly hosted the event and new Chief Constable David Strang attended as the keynote speaker.



A new Management Board was elected on that evening. At the first Board meeting held on 29 October, Mr Shami Khan was appointed as Chair.

Mr Shami Khan was a former councillor of City of Edinburgh Council and a long-stand member of ELREC.

Mr Khan has this to say on his appointment:

"I am honoured to take this appointment as Chair of Edinburgh and Lothians Racial Equality Council. There is a huge amount of work to be done to improve community relations. I will do my best to improve these. I will look to co-operate with partner agencies and community in this undertaking."

Foysoyl Choudhury MBE was re-appointed as Vice Chair. He wishes to express his gratitude:

"We had a great year, thank you to all our members for their support and contribution. I would like to particularly thank Professor Sinha and Amjad for their leadership and other retired board members for their dedication. I wish everyone a happy festive period."

There are currently two vacancies on the Board and one of which must be filled by a female. If you are interested in joining ELREC Management Board, please contact the office.

Equality Review

As previously mentioned in our September issue that a final report of the Equality Review has been launched and consultation on the recommendations was being conducted by the Scottish Government Equalities Unit. The final report is introducing a new system of understanding and analysing equality. The definition of an equality society being proposed is *"An equal society protects and promotes equal, real freedom and substantive opportunity to live in the ways people value and would choose, so that everyone can flourish."*

An equal society recognises people's different needs, situations and goals and removes the barriers that limit what people can do and can be."

As opposed to equality strands, the review is recommending that we analyse progress of equality by dimensions:

- Longevity, including avoiding premature mortality.
- Physical security, including freedom from violence and physical and sexual abuse.

- Health, including both well-being and access to high quality healthcare.
- Education, including both being able to be creative, to acquire skills and qualifications and having access to training and life-long learning.
- Standard of living, including being able to live with independence and security; and covering nutrition, clothing, housing, warmth, utilities, social services and transport.
- Productive and valued activities, such as access to employment, a positive experience in the workplace, work/life balance, and being able to care for others.
- Individual, family and social life, including self-development, having independence and equality in relationships and marriage.
- Participation, influence and voice, including participation in decision-making and democratic life.
- Identity, expression and self-respect, including freedom of belief and religion.
- Legal security, including equality and non-discrimination before the law and equal treatment within the criminal justice system.

The review also recommends that we monitor the progress by using "the Equality Scorecard".

Understandably there is a lot of anxieties as how these recommendations, along with Discrimination Law Review and establishment of Equality and Human Rights Commission, will impact on our work. Undoubtedly, we all wish to reach the utopia where organisations like ourselves will no longer be required. However how we will reach the utopia will be up for long debates.

By Nina Giles
Director

Issue 14
December 2007

ELREC MANAGEMENT

Honorary President
Prof Geoff Palmer OBE
Chair

Shami Khan

Vice Chair

Foysoyl Choudhury MBE

Treasurer

Ishrat Sharif

Company Secretary

Naren Sood

Ordinary Board

Members:

Amjad Chaudhry

Shah Noor Chowdhury

Susanne Munday

Ijaz Nazir

Parmjit Singh

Prof Braj P Sinha

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Complainant Aid

Employment Appeal Tribunal

Very few Employment Tribunal decisions are ever appealed to the Employment Appeal Tribunal. However, there is always the possibility that a client will wish to raise an appeal and for this reason, it is important that an advisor is familiar with the rules and procedures which need to be followed.

The Employment Appeal Tribunal (EAT) has an overriding objective to deal with cases justly (This can be found in Rule 2A of the EAT Rules). This means ensuring that the parties are on an equal footing, dealing with cases in ways which are proportionate to the importance of the issues; cases are dealt with expeditiously and fairly and saving expense. All Parties must help the EAT to achieve this overriding objective. An appeal can only be heard on an error of law, that is, it must identify a failure in the legal reasoning of the original decision. The EAT will not normally re-examine issues of fact.

If the appeal is against an order or decision, the appeal must be lodged within 42 days of the date of the order or decision. The EAT will treat a Tribunal's refusal to make an order or decision as itself constituting an order or decision. If the appeal is against a judgment, the appeal must be lodged within 42 days from the date on which the

written record of the judgment was sent to the parties.

Guidance contained in the decisions of the EAT and the Court of Appeal, is summarised in **United Arab Emirates v Abdelghafar [1995] ICR 65** and **Aziz v Bethnal Green City Challenge Co Ltd [2000] IRLR 111**. If a claim has to be lodged out of time, then the guidance referred to in the case of **Muschett v London Borough of Hounslow (EATPA/0281/07)** should be referred to.

Full hearing cases are normally heard in the order in which they are received. However, there are times when an appeal is heard as soon as it can be fitted into the list. Appeals placed in this Fast Track, at the discretion of a judge or the Registrar, will normally fall into the following cases:

- Appeals where the parties have made a case on the merits for listing a hearing on the Fast Track.
- Appeals against interim orders or decisions of an Employment Tribunal, such as those involving steps within a specified period, for example adjournments.
- Appeals depending on the outcome of other applications to the Employment Tribunal or the EAT or the civil courts.
- Appeals in which a reference to the European Court of Justice (ECJ), or a declaration of incompatibility under the

Human Rights Act 1998, is sought.

- Appeals involving reinstatement, re-engagement, interim relief or a recommendation for action (discrimination cases).
- Cases estimated to take two hours or less may also be allocated to the Fast Track.
- A Claimant who intends to complain about the conduct of the Employment Tribunal (for example bias, apparent bias or improper conduct by the Chairman or lay members or any procedural irregularity at the hearing) must include in the Notice of Appeal full particulars of each complaint made.

The Chairmen and Employment Tribunals are themselves obliged to observe the overriding objective and are given wide powers and duties of case management (see Employment Tribunal (Constitution and Rules of Procedure) Regulations 2004 (SI No 1861), so appeals in respect of their conduct of Employment Tribunals, which is in exercise of those powers and duties, are the less likely to succeed.

For practitioners dealing with appeals, they must be familiar with the EAT Practice Direction. If the guidance is not followed, the appeal is likely to be rejected.

By Rita Kochar

Complainant Aid Officer

Community Development

October saw the launch of ELREC's research reports: The Leith BME Fact Finder & The Restalrig Community Relations Project. The relevant services and service providers are currently working on the recommendations of the reports.

Check out the pictures:



Attitudes to discrimination

The Scottish governments Scottish Social Attitudes Survey published in December has shown some alarming findings. It has shown that half of Scots view Muslims as a cultural threat. This has undoubtedly been due to international tension, September the 11th, the London bombings and the wars on Iraq and Afghanistan. What is clearly worrying is that this survey was done before the Glasgow airport incident which means that numbers may indeed be even higher than initially reported.

The research, conducted by the Scottish Centre for Social Research, explores attitudes towards discrimination across six key equality areas - disability, gender, race, religion or belief, age and sexual orientation. The study has shown that the number of people who are prejudiced against gays and lesbians is decreasing however prejudices against Muslims are in fact increasing.

There is no denying that the war on terror has increased tensions amongst some Scots and their perceptions and views against Muslims. Islam is viewed as a major threat and Muslims are seen as a group that is currently threatening Scottish culture. Half of the sample group interviewed believed that Scotland would actually lose its identity if more Muslims came to the country. This is up 38% from 2003 when a similar study was taken. Ironically research from Joseph Rowntree Foundation has actually shown that in fact Muslims feel more Scottish than the population as a whole.

What the research has also revealed is that there is prejudice and discriminatory views based on faith and not just on colour. Unfortunately this is not surprising to those who follow a particular faith and/or are from a minority ethnic background. The study has shown that 4 per cent of people have stated that they would object to an Asian teacher while 21 per cent would do so if it was a Muslim

teacher. Clearly showing that some people in Scotland are more troubled by the Muslim faith opposed to the actual ethnicity of the person.

Studies such as this are essential in raising awareness of racism and discrimination that is occurring in our society. We talk about bringing faiths and cultures together in 'our Multicultural Scotland' yet recent surveys show that half of Scots see Muslims as a threat? We speak about diversity awareness and learning each others cultures but then some Scots feel that Scotland is losing its identity if more Muslims come to the country, and this has increased from previous years....What this survey has highlighted is that the people of Scotland regardless of faith, sex, disability, race....need to unite and work towards the elimination of all kinds of discrimination so that we can all live in a Scotland that is enriched in diversity and vibrant in colour and culture.....

Coming Up

In the new year, ELREC is hoping to open up some dialogue on areas around Islamophobia and media portrayal of bme people... If anyone is interested or has any ideas on how they feel we should tackle this area then drop me an email or call: shanif@elrec.org.uk or 0131 556 0441.

*By Shasta Hanif
Community Development Officer*



Youth Zone Updates

Firstly I would like to introduce myself as the new Youth Development Officer and thank the ELREC team for the much appreciated support they have given me during my first few weeks in post. I would also like to say goodbye to one of youth zones seasonal staff Jennifer Ba and thank her for her great work with Youth Zone. Jennifer is leaving Youth Zone as she has a wonderful career opportunity to take on. I wish her good luck with the future.

One to one work

One to one sessions have been particularly popular this term as many of the young people have exams and essays due before December and have asked for extra support from staff with their assignments. Study support and study skills sessions are extremely beneficial for the young people.

The young people have been taking advantage of the career

development support. As a result young people have improved their C.V's had guidance and assistance from staff when filling out application forms and have been introduced to online application.

The young people have expressed a keen interest in interview workshops being delivered. This would provide the young people with mock interviews and telephone interviews, they would work on the young people's communication skills and improve their confidence when attending real interviews.

What's been happening at Youth Zone

In October Youth Zone celebrated EID with a party and outside catering services Mrs Unis were used to provide food. Young people went out with the group for a Chinese meal. The Chinese restaurant catered Halal chicken, this gave the young people the opportunity to try traditional Chinese dishes.

Youth Zone were given the opportunity to take part in Childline's 'Boys Aloud' project. This encouraged the young people to express their ideas and opinions as to what would promote Childline. At the end of the project in 2008 there will be a video and book produced that will include the young people's names and acknowledgements for contributing to the project.

Youth Zone had a healthy eating session that discussed

various foods and information on what to eat and what not to eat. During this session the young people made fruit smoothies and had lots of fun. The young people will continue to use smoothie making as healthy snacks in Youth zone.

Youth Zone were visited from Edinburgh Interfaith Association as some of our members have recently been attending meetings for their new project for Muslim men 18-25yrs, they were hoping

Show Racism The Red Card Talent Show

Show Racism The Red Card Anti – Racism show has been organized for Friday 1st February 2008. All primary schools in Edinburgh have been invited to take part in the show. Each school participating will prepare an act for the show that delivers an anti racism message. The show will have a judging panel of four judges that will decide on the winning act. However all young people that take part in the show will receive a medal and each school will receive £50.

Other News

I attended Gracemount High Schools anti bullying week. I delivered bullying/racism workshops to over 100 young people in second year. The workshops were a huge success and the staff and young people really enjoyed the workshops.

*By Maryanne Barclay
Youth Development Officer*

What's Happening at the Youth Zone

I am currently working on 4 new projects for Youth Zone. These are Boyz on the Move, Girlz on the move, Junior Youth Zone (JYZ) and study club. These groups will hopefully all be up and running for February 2008.

Boyz on the Move

This project would be for young BME boys that have problems fitting in at school, meeting new people or perhaps lack confidence. The project is for a 12 week period using outdoor education to improve confidence, team working, communication skills and health. There are 10 spaces for the project and the young people will be referred to the project from school, social work, police and youth agencies. The project will consist of 8 weeks activities including Climbing, Fishing, Kayaking and white water rafting and 4 weeks workshop based looking at well being, mental health and nutrition. The project would hope to improve the young men's confidence so during their transition into adulthood and in the future they will hopefully be more confident in

New Opening times.....

Thursdays 4 to 8 pm

Fridays 1 to 5 pm

Drop in and see....

tackling cultural barriers and exploring new opportunities in education, employment and general. The Project should start Friday 15th February.

Girlz on the Move

This project is the same as the Boyz on the Move project however the young woman that take part in this project will not all be referred to the project. This project will run parallel to Boyz on the Move. It will include similar activities as the Boyz on the Move programme except the young women will do horse riding instead of fly fishing. This project hopes to improve the young women's confidence and fitness levels. It will give users the opportunity to take part in activities that due to social or cultural barriers they would not normally be able to. During the project, the young women can wear traditional dress and not feel restricted in their activities. The project will start February 2008.

Junior Youth Zone

Junior Youth Zone (JYZ) is similar to the current Youth Zone that is for young BME youths 14 - 21yrs. However JYZ is for younger BME YOUTHS 12 -14yrs. JYZ will

provide a safe and comfortable environment for young youths to chill out, play computer, access internet, take part in activities and meet new friends. It will also encourage young people approaching 14yrs to attend the older Youth Zone. JYZ will be for 2 hours after school on Tuesdays. This project will start late January early February 2008.

Study Support

ELREC has chosen to provide a study group as research shows that there is a need for BME young people to have extra support with school work. The group will provide the young people with tutors in Math's and English. The young people that attend the group will be young people from Primary 7 to S2. The school's will refer pupils that are in need of a little extra tuition. This group will be running late January 2008.

Up and Coming Activities

For Youth Zone 2008

- **Ratho adventure centre**
- **Laser quest**
- **Dance workshops**
- **Skiing**
- **Horse ridding**
- **Martial arts workshops**
- **Celebration for Chinese New Year**
- **Activities for February**





Lothian and Borders Police

NEW EDINBURGH CRIMINAL JUSTICE PROJECT FOR NORTH EDINBURGH

Police Officers working in North Edinburgh have been the first in the City to be involved in a groundbreaking project known as 'The Edinburgh Criminal Justice Project'.

The Project is intended to simplify processes and procedures over the entire criminal justice process for summary cases and partners include the Police, Procurator Fiscal, Defence Agents, Scottish Courts and Criminal Justice Social Work.

The project gives local police officers more control over their own workload and this has an enormous diffusion of benefits.

The project ensures that those who are arrested for crimes in North Edinburgh are either kept in custody or alternatively are bailed to appear at court within a few weeks of their arrest. This new process gets criminals into the criminal justice system more quickly. The cases are then dealt with more efficiently as a dedicated Procurator Fiscal is seconded to the project team to mark all cases.

In the first 3 months of the project some 1200 persons in North Edinburgh have been dealt with through the new arrangements.

The new arrangements get criminals off the streets more quickly so that they may be held to account for their actions.

Chief Inspector Brian Plastow who is in charge of Policing in North Edinburgh said 'It is hoped that these new arrangements will send out a strong message to those who break the law including those who are responsible for racial abuse and hate crimes as they will be dealt with far more robustly in future'.

The following list contains 5 'sanitised' examples of how persons have been dealt with for hate crimes under the new process. In these examples, 4 persons were kept in police custody until they appeared in court and the other was released on an undertaking (bail). As can be seen, one culprit was sent to Jail, 3 were fined a total of £800 and one was marked no proceedings due to evidential deficiencies.

RepType	Received	Notes	Close Date	Offence Description
1. CUSTODY REPORT	20/06/07	FINE £400	06/09/07	CRIM LAW CONSOLID 1995 S50A(1)(B) &(5)CAUSE DIST/ALARM RACIAL
MO: Shouting racial abuse Offences: 2 x s50 CLCA 95, BOP, s41 PSA 2x Assault				
2. UNDERTAKING	11/06/07	Fine £250	22/08/07	CRIM LAW CONSOLID 1995 S50A(1)(B) &(5)CAUSE DIST/ALARM RACIAL
MO: SHOUTING RACIAL ABUSE Offences: s50 CLCA 95 , Assault				
3. CUSTODY REPORT	20/07/07	4 wks JAIL	28/09/07	CRIM LAW CONSOLID 1995 S50A(1)(B) &(5)CAUSE DIST/ALARM RACIAL
MO: SHOUTING RACIAL ABUSE Offences:s50 CLCA 95 , Assault				
4. CUSTODY REPORT	30/07/07		30/07/07	CRIM LAW CONSOLID 1995 S50A(1)(B) &(5)CAUSE DIST/ALARM RACIAL
MO: SHOUTING RACIAL ABUSE AT COMPLAINER Offences: s50 CLCA 95				
5. CUSTODY REPORT	04/07/07	PG fine £150	04/07/07	CRIM LAW CONSOLID 1995 S50A(1)(B) &(5)CAUSE DIST/ALARM RACIAL
MO: DID SHOUT RACIAL ABUSE AT COMPLAINER Offences: s50 CLCA 95				

News from Diversity Unit

The force continues to examine ways of improving race relations and serving the minority ethnic communities. Recent initiatives have included the first of a series of workshop days working alongside the Amina Muslim Women's group and other partner agencies. These are aimed at raising the awareness among Muslim women of what Amina and the services can offer Muslim women but also for the service providers to have an opportunity at first hand to hear the needs of the Muslim women and help tailor services to their needs. We have also taken the opportunity at this and other events to highlight the career prospects offered by the force and are following up a few genuine enquiries from interested Muslim women.

The force has also been heavily involved with Edinburgh Interfaith in an exciting initiative aimed at young Muslim and Sikh men across the city. The project is focused on examination of identity and

the life experiences of these young people in Scotland today. Workshops are underway that will challenge the participants to discuss and evaluate things that affect them and to seek contributions and ideas to take things forward in a positive way. They will have the chance to meet with key individuals across a range of areas from the Scottish parliament to local authority and other areas of public life including the Police to discuss these issues and give their views. The initiative will run until the spring and a booklet highlighting the findings and hopefully with some considered recommendations will be published.

With effect from October this year the force has put in place arrangements to ensure that every victim of hate crime across the Lothian and Borders will receive a personal customer satisfaction survey questionnaire. This is aimed at giving people the opportunity to comment on how they felt they were

served by the police and give information to allow us to improve services or address any issues of concern. Hate crime is already the most scrutinised area of police enquiries and this will enhance our ability to get it right for the victims of this totally unacceptable behaviour.

The force's Diversity Unit who work closely with ELREC have welcomed two new members of staff in recent weeks. Chief Inspector Jeff White has come in from a safer Communities role in Edinburgh and is the new 'Head of Diversity' replacing Chief Inspector Doug Forsyth who has taken up a new post in the Borders division. Sergeant Michaela Kerr has come in from an operational post in West Lothian and will focus on work across the Race and Gender areas. We wish Doug well in his new post and welcome our new arrivals who are already making their mark with fresh ideas and energy in this important area of work for the force.

Community Planning Project

My name is Angus Kelly I am the new Community Development Assistant here at ELREC joining the team at the start of October. My main focus of work is to follow on from the ELREC-Community Planning Project (CCP) held early this year, which ELREC successfully secured funding from the Scottish Government to further the work and progress made within the four localities of Edinburgh, Midlothian, East and West Lothian. The Report of this project is available from our office and online on the ELREC website.

Working on both the recommendations of the previous project and the needs of the community ELREC has been working to promote community engagement and participation amongst members of the black and minority ethnic communities living and working within the four local authorities. One of the main outcomes generated from the seminars held in May was the lack of representation and engagement of BME population within community planning. These issues were discussed at the seminars within the workshop section and overwhelmingly the response was that not enough is done to actively engage and encourage individuals and communities to get involved. Even the process to which one could get involved was not known by many arguing that by not knowing how to get involved many felt a sense of isolation and apathy.

The current ELREC-CPP funded from October to March of next year aims to tackle under representation head on by working with local groups and individuals to increase awareness and engagement. In the last three months I have been working towards establishing local area forums for BME representation. Through these forums individuals will have the opportunity to be directly involved in engaging with the community planning partnerships and represent the views of the BME population. Community engagement is now and has been a statutory obligation of every authority in Scotland through The Local Government in Scotland Act 2003. So by generating awareness and increasing participation the views of

minority communities will reach those involved in the work of community planning. We will hold two forum meetings in each locality within the six month period, working on the issues raised and engaging with the community planning partnerships.

Through Outreach sessions across the Lothians I have engaged groups, visited sites and basically spoke to as many people as possible to promote the project and the overall benefits of engagement. Feedback from those who I have met with has been positive with the majority interested in getting involved or happy to receive more information. Outreach is an ongoing process and will continue even after the first events are held. If you know about the project please spread the word and encourage others to get involved.

So far in West Lothian we held our first focus group on the 11th of December and on the 17th of December an event was held in Midlothian. Feedback and points raised at these events was positive in the respect that it was people getting together and talking about their experience and sharing views. These points will be the focus for the next meeting within the respective locality. Where we will bring representatives from the planning partnerships to discuss what can be done.

Coming Up

After the Christmas break we will be holding the first forum event in **East Lothian on Wednesday the 9th of January at Brunton Hall, Musselburgh, from 6:30-8:30pm.** With an event in Edinburgh at the end of January- date still to be confirmed. Follow up meetings for all four areas will be held in February and early March.

Please get in contact if you are interested in having a voice - you can make a difference. I am more than happy to come and meet those interested.

By Angus Kelly

Community Development Assistant

City Centre Neighbourhood Partnership

'Working Together to Improve the Quality of Life in the City Centre'

In March 2007, the City of Edinburgh Council approved the establishment of 12 Neighbourhood Partnerships across the city in order to make recommendations and provide guidance and direction to the Council and other organisations. Edinburgh's city centre has its own dedicated partnership that meets five times per year and we are keen that people participate in it. It's only by hearing as wide a variety of views as possible can we get a true picture of what the main issues affecting the area are and, in turn, work out ways to address them. Our partnership is made up of councillors, community representatives, the Police, NHS Lothian and EVOC (who represent the voluntary sector).

One of the main tasks is to look at the issues that affect the city centre and that can only be tackled in partnership with other providers as well as addressing more immediate service delivery concerns. Before the start of each City Centre Partnership meeting, surgeries are held and Council staff are available to answer questions you may have about services and, if they can't answer your queries immediately, a response will be issued within 14 days.

We are in the process of developing the partnership so that it can become increasingly influential in improving the quality of life in the city centre and would encourage people to get involved. If you live, work, study, or regularly visit the city centre then please feel free to come along to any of our meetings.

The next partnership meeting takes place on Thursday 31 January 2008 at the Palmerston Place Church, 12 Palmerston Place, Edinburgh EH12 5AA. The meeting begins at 7.00pm with the surgery beforehand starting at 6.30pm.

If you would like to find out more about the City Centre Neighbourhood Partnership then please contact Alan Dean on 529-7519 or alan.dean@edinburgh.gov.uk

Alternatively, email

citycentre.neighbourhoodpartnership@edinburgh.gov.uk

Back Page Information



ADVERTISING

We welcome organisations to advertise in ELREC Community Newsletter, for example:

- Promoting services
- Disseminating flyers
- Advertising
- Vacancies
- Consultations
- General marketing

This service is available for a contribution of £100.

To find out more, please contact Nina Giles on 0131 556 0441 or admin@elrec.org.uk

The newsletter is available on a quarterly basis.

CONFERENCE ROOM

You can book our 20-seat meeting room on an hourly basis for £10 per hour

Tea & Coffee £1 per head

Please contact the office for any bookings

DONATIONS

ELREC is a registered charity in Scotland. We welcome donations however small, from individuals or organisations to help us to pursue our goal - *racial equality and justice for all*.

If you would like to share any interesting fundraising ideas with us, please give the office a ring.

SERVICES

Edinburgh & Lothians Racial Equality Council (ELREC), founded in 1971, is a voluntary body and charitable company made up of individual members and representatives from a wide range of organisations. ELREC has a remit to work across the areas of City of Edinburgh, East Lothian, Midlothian and West Lothian Councils.

We aim to:

- Work towards the elimination of racial discrimination
- Promote equality of opportunity and good relations between persons of different racial groups
- Promote and organise co-operation of the statutory authorities and voluntary organisations

We pursue our aims through:

- Individual Complainant Aid Service
- Education and Training
- Campaigning
- Publications
- Consultancy and Signposting

To contact us:

Edinburgh & Lothians Racial Equality Council
14 Forth Street
Edinburgh
EH1 3LH
(T) 0131 556 0441
(F) 0131 556 8577
(E) admin@elrec.org.uk
(W) www.elrec.org.uk

Charity Number: SC007896
Company Number: 183419

OUR TEAM

Nina Giles - Director

Tasneem Ahmed - Administrator

Rita Kochar - Complainant Aid Officer

Shasta Hanif - Community Development Officer

Angus Kelly - Community Development Assistant

Maryanne Barclay - Youth Development Officer

Tommy George - Youth Zone Support Worker

Brendan McGeever - Youth Zone Support Worker

Jacqui Kay - Youth Zone Support Worker