

Mark McKnight & Fiona Currie v Odyssey Arena & SMG (Northern Ireland) Ltd

Disability discrimination proceedings brought in the County Court which settled on 1 May 2015.

Summary

Both Plaintiffs have Spina Bifida which is a congenital condition of the spine. They are both wheelchair users. They both attended a concert at the Odyssey Arena on the 16 May 2013. It was a heavy metal concert. Ms. Currie purchased two tickets one for herself and the other for Mr McKnight on the occasion of his birthday. The tickets were £49.00 each and were for wheelchair users. Both tickets were marked "wheelchair area". Both Plaintiffs arrived together and in good time and were shown to the designated area marked on the tickets. Ms. Currie took her feet off the wheelchair foot rest and placed her bag on the floor.

The concert commenced. It was alleged that they were approached mid-performance by a member of staff who attempted to speak to them. The music was particularly loud and they couldn't hear what was being said. Ms Currie became anxious at this stage. Mr McKnight asked them to wait. However, it was alleged that members of staff then proceeded to move the Plaintiffs. They alleged that they did not know what was happening. Such was the abrupt nature of the movement, Ms Currie caught her foot trying to place her feet back on the foot rest.

The Plaintiffs were moved to another area. It was alleged that Mr McKnight attempted to speak to a manager but this request was denied. Both Plaintiffs were highly embarrassed by the treatment they were subjected to. They believe they were man handled and generally treated very badly. An offer was made to move them closer to the stage, this was declined by the Plaintiffs. Mr McKnight explained that wheelchair areas in modern venues are placed at mid level. This gives those who utilise them a good view of the event. He did not regard the "traditional" practice of placing wheelchair users beside the stage as best practice. Often it is too loud and the view is restricted. There is the view that by doing this Wheelchair users are being treated like children. This is how he regarded the offer of placing them nearer the stage on the night. Mr McKnight in particular is familiar with the odyssey and its layout and is experienced in the practice of purchasing tickets for events there. He was happy with where he was initially placed and alleged that there was ample room there.

The Plaintiffs lodged a complaint and followed this up with a telephone call. In response the Defendants sent him a £10 voucher for food and drink at the odyssey. The Plaintiffs regarded this as a further insult.

Mr McKnight engaged in correspondence with the Defendants. They allege that they needed to move the Plaintiffs to an area with two wheelchair spaces. The Defendant maintained that the Plaintiff bought her tickets online and they encouraged her to

contact the box office in future so that she can be better advised. The Plaintiffs alleged that this was erroneous. The tickets were purchased in person from a box office. They considered their treatment to be discriminatory.

In settling the case the First named Defendant agreed to pay the Plaintiffs £1,000 each along with their county court scale costs without admission of liability. The First named Defendant re-affirmed its commitment to the principle of equality of opportunity and undertook to continue to ensure that its policies, practices and procedures in terms of service provision comply with relevant equality legislation applicable to Northern Ireland and in particular the Disability Discrimination Act 1995, as amended and with all relevant Codes of Practice. The First named Defendant undertook to liaise with the Commission in relation to the development of its policies, practices and procedures on equality in terms of service provision.