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PRESS RELEASE

International Day of Persons with a Disability

Today (3 December) is the 'International Day of Persons with a Disability'. The Equality Commission is highlighting the impact which disability discrimination still has on the daily lives of disabled people – and in Northern Ireland around 25% of our adult population and 5% of children are classified as disabled.

“There is robust legislation in place to protect people against discrimination,” Dr. Wardlow, Chief Commissioner of the Equality Commission, said, “and the need for it is revealed by the continuing extent of the difficulties people face. The Equality Commission receives more potential complaints on grounds of disability than on any other equality ground. In the last year, 37% of all discrimination complaints the Commission received were about disability.”

Two complaints, assisted by the Commission and recently settled, involved a wheelchair user unable to access an auction house and a blind man who was unable to secure accessible documentation that he required in order to defend himself in court proceedings.

Ann Collins, who uses a wheelchair, encountered difficulties in accessing Wilson’s Auctions in Mallusk. She found there was no designated disabled parking bay and she was unable to access the auction viewing room as it was on the first floor and there was no lift access.

Ms Collins said: “When I got into the building I realised that all the viewing was upstairs and enquired about a lift. I was told that there was no disabled access to upstairs. When I contacted the company to complain, it was suggested that the matter could have been dealt with by staff carrying my wheelchair upstairs or by taking items down to me. I was not happy with this and contacted the Equality Commission. I am pleased that, after the Commission contacted the company, these issues have been resolved and important changes made.”

The Equality Commission welcomes the fact that Wilson’s Auctions reviewed its arrangements for physical access to its auction, without the need for Ms. Collins to take the matter to court. It has now arranged that auctions and viewings will take place on the ground floor of its Mallusk premises. Wilson’s Auctions also marked out an accessible car parking space of suitable dimensions at the premises. It paid Ms. Collins £1,000 in settlement.

“Following the reasonable adjustments made by Wilson’s Auctions, people who are wheelchair users can now access these premises and participate in the auctions in the same manner as everyone else,” said Dr. Michael Wardlow. “The duty to make reasonable adjustments is a unique feature of the Disability Discrimination Act, not found in other anti-discrimination legislation. It requires businesses and public bodies to take positive steps to remove barriers which might prevent disabled people participating in employment or accessing their services; as Wilsons have done in this case.”

Stephen George, who is a blind man, was engaged in a process of decisions and appeals regarding his Incapacity Benefit payments. At various times during this process, correspondence containing information essential to his case, from the Incapacity Benefits Branch of the DSD and the Appeals Service Northern Ireland, was sent to him in written format, despite numerous requests by him that it be in a format accessible to him, that is, audio recordings.

The Commission assisted Mr. George in taking a case to the County Court against the DSD and the Northern Ireland Courts and Tribunal Service. This was settled with the Defendants agreeing to jointly pay Mr. George £2,000 and apologising to him for the mishandling of his request for information in an accessible format. They undertook to meet with the Equality Commission and obtain its assistance with staff training with particular relation to disability awareness.

“I was sent written information which I couldn’t read, despite continually pressing them for an audio recording,” Stephen George said. “This increased the difficulty of challenging the decisions being made regarding my benefits and delayed the process, though I was eventually successful in my appeals. The settlement of this discrimination action is important if it means that other blind people will be treated properly in matters like this which are so important to them.”

“The stress Mr. George was under due to the dispute over his payments was added to greatly by the continuing failure to get information to him in accessible formats within the required timescales,” Dr. Wardlow said. “The protections afforded by the Disability Discrimination Act are of vital importance to people who are already facing many challenges in their daily lives. People with disabilities are entitled to be full and equal participants in every aspect of society and the law requires that organisations providing services to the public take steps to ensure that they remove any barriers preventing that.”