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PRESS RELEASE

Daughter had to tell her father his illness was terminal

The South Eastern Health and Social Care Trust has apologised and paid £7,000, without admission of liability, to the family of a profoundly deaf County Antrim man, now deceased, to whom they did not provide a sign language interpreter while he was in their care.

"My father, Thomas Carson, was taken ill quite suddenly and, because the hospital did not provide a sign language interpreter, I had to communicate the news to him that his condition was terminal and he was going to die," Jillian Shanks, Mr. Carson's daughter, said. "That was very distressing - for him, for myself and for my mother, who is also deaf and was with him throughout."

Both the late Thomas Carson and his wife Mary are profoundly deaf and have always used British Sign Language as their first language. It is through that language that their daughter Jillian communicates with them. The Equality Commission for Northern Ireland supported Jillian and her mother to bring a case under the Disability Discrimination Act over the Trust's failure to provide interpretation services.

In settling the case the Trust has apologised for the upset and distress the family experienced and for the fact that, by not providing an interpreter to Mr. Carson, it had not acted in accordance with its 'Policy on Access on Interpreting and Written Translation Services'.

"The lack of a qualified sign language interpreter to communicate with my father and mother during his last days added greatly to the ordeal for all of us," Jillian Shanks said. "As a family it was inevitably a most difficult time, but the lack of this key support made it worse. At one stage a picture board was used to try and communicate with my father – that was humiliating and simply not appropriate in the circumstances."

"The hospital knew that both my husband and I were deaf and they should have followed their own policy and ensured that we had an interpreter at such a critical time,"

Mary Carson said. "We just hope that this will mean that no other family have to face such a problem."

Anne McKernan, Director of Legal Services, Equality Commission for Northern Ireland, welcomed the fact that the Trust has now taken steps, on the ward concerned, to highlight the importance of providing independent interpreters for patients who need them. "The Trust's failure to implement the policies they already had in place meant that an additional degree of unnecessary distress and hurt was caused to this family. It could and should have been avoided," she said.

"In Northern Ireland around 2500 deaf people use British Sign Language and over four thousand people communicate through it. For people like the Carson family, this is their first language, and the lack of an interpreter placed a huge additional burden on them at a most difficult time in their lives", Anne McKernan said. "The Trust has undertaken to liaise with the Commission in respect of its training and to ensure all its staff are aware of their policy on interpreters."