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Settlement in disability discrimination case on BSL sign language

A disability discrimination case concerning a woman who did not realise until the year before she died that she was entitled to a British Sign Language interpreter for her medical appointments has been settled. The case was brought by her daughter Carole Curlett and supported by the Equality Commission for Northern Ireland.

The Parkside Surgery in Belfast has paid Carole, the daughter and personal representative of the late Mrs Ida Curlett, £4,250 without admission of liability.

Mrs Curlett was profoundly deaf and died in January 2019. She was a BSL user and at no point was she offered a sign language interpreter in any of her many GP appointments. She relied on her daughter being there to interpret.

The Curletts were not aware that she was entitled to an interpreter until a taxi driver told them in May 2018. He had heard of [a similar case](#) publicised by the Equality Commission in March of that year.

Mrs Curlett's daughter Carole said: "My mother was a patient at that practice for more than 30 years. At no time was she offered any sign language interpretation. In fact we didn't even know that as a disabled person she had a right to that service until we heard of another family who had had a very similar experience and had gone to the Equality Commission for help.

"My mother relied on me for all her medical appointments and I had to attend all of them with her. She really needed a professional interpreter to give her a proper service and a full understanding of what the doctor

was saying. She felt that her enquiries about her health were never fully explained and she found the lack of privacy difficult. It was a strain on both of us. I'm glad it is settled now, but I can't help feeling aggrieved that we went through all those years not even knowing she was entitled to an interpreter. It's good that part of the settlement is that the practice will now advise all of its deaf and hard of hearing patients about the availability of a signer."

Anne McKernan, Director of Legal Services for the Equality Commission, said: "The Disability Discrimination Act is 26 years old this year and it's disappointing that we're still dealing with failure to provide access to everyday services such as a GP surgery. Not having a professional interpreter in place in a medical setting could give rise to problems not just for the patient, but also the practice – problems such as misdiagnosis, misunderstanding of how to follow a treatment plan or inadequate informed consent. And it puts an unfair burden on the unofficial interpreter, in this case Mrs Curlett's daughter Carole.

"We support these sort of cases to raise awareness of rights and to effect change. It's great that the surgery has taken steps to advertise the availability of sign language interpreting for its patients."

The Parkside Surgery paid the £4,250 with no admission of liability, affirmed its commitment to the principle of equality of access to goods, facilities and services and to ensuring its policies, practices and procedures conform to the relevant Northern Ireland equality laws. The practice agreed to use the services of sign language interpreters in future when dealing with deaf patients and to advertise this facility clearly within the surgery.