



**Centre on Human  
Rights for People  
with Disabilities**



**Advocacy Service**

# **Real Life Stories**

**Supporting people with disabilities to achieve their human rights**

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## Who we are

Disability Action's Centre on Human Rights works to promote and protect the human rights of people with disabilities through education, capacity building, outreach work, campaigning, research and advocacy support.

## What are human rights?

Human rights are entitlements that every human being has to be treated fairly and involved in society. Some examples of human rights include the right to:

- healthcare;
- education;
- live independently and participate in the community;
- privacy;
- access justice;
- an adequate standard of living; and
- freedom from torture or cruel, inhuman or degrading treatment or punishment.



## Supporting people with disabilities to achieve their human rights

Although people with disabilities have the same human rights as everyone else, they often encounter a range of physical, cultural, social and attitudinal barriers, which prevent them from accessing the same rights as non-disabled people.

When faced with these barriers, it is important that disabled people understand their rights, know the options available to enable them to overcome these barriers and feel empowered to take action and speak up for their rights.

In these situations, an advocate from Disability Action's Centre on Human Rights may be able to help. Our advocates support people with disabilities to take action to secure their human rights and represent their interests. The advocacy service is provided to people with all types of disabilities and our advocates have excellent experience in working with people with multiple disabilities.

Since 2008, the Advocacy Service has supported over 250 people with disabilities in a wide range of situations, including cases where people have been denied their right to education, to work, to live independently, to access a good standard of healthcare and to respect for home and family life.

This booklet provides real life examples of some of the human rights violations experienced by people with disabilities in Northern Ireland and shows how Disability Action's advocates supported them to take action to achieve their rights.

The stories have been written with the permission and cooperation of the people involved and their names have been deliberately changed to protect their identity.

## **Ann's story**

'Ann' is a wheelchair user who had cancer. As she lived quite far away from the cancer treatment centre, she expected to stay with her husband in hospital-owned accommodation for cancer patients and their spouses during her treatment. However, Ann was not allowed to use this accommodation as due to her physical disability, it was considered to be 'inaccessible'.

Ann had to stay in a hospital ward throughout her treatment. As Ann's husband was unable to stay with her, she missed out on the support of her family. She was also unable to avail of the support network of the other cancer patients, who were staying in the accommodation that she did not have access to. She lost privacy and independence and felt disempowered at a very difficult time in her life.

### **What human rights were violated?**

Ann was deprived of her right to access all aspects of society on an equal basis with others including buildings and facilities and services provided to the public.

### **Support provided by the advocate**

When Ann contacted Disability Action, the advocate was able to advise her of her rights. The advocate used the expertise of colleagues working in Disability Action's Access Team to determine that the accommodation was accessible for Ann to use. Ann decided to proceed with a disability discrimination claim. The advocate signposted Ann to sources of support and legal representation and acted as a witness for the Tribunal to the attitudes she experienced. In the end, the Tribunal concluded that Ann had been discriminated against because of her disability.

## Harry's story

'Julie,' the mother of 'Harry' - a child with a learning disability, also believed Harry had Autistic Spectrum Disorder (ASD). The educational psychologist from the Health and Social Care Trust did not agree. Julie was convinced that Harry showed signs of ASD and this was affecting his performance at school, so she went privately to a doctor for a second opinion. He diagnosed ASD.

Julie subsequently sought reasonable adjustments to be made for Harry at the school. However, the Education and Library Board would not help as their policy is to only accept a diagnosis from a professional working within the Trust. As Harry did not have ASD included in his Statement of Special Educational Needs, he could not avail of the additional reasonable adjustments he required.

### What human rights were violated?

As a child with a disability, Harry has the same human rights as other children. He has the right to an education and the support necessary to maximise his academic and social development.

### Support provided by the advocate

The advocate contacted the Trust's educational psychologist, the school and the Education and Library Board and helped to secure additional reasonable adjustments for Harry at school. However, the Education and Library Board continued to discount the diagnosis of ASD and Harry found it increasingly difficult to cope at school, without the extra support he needed.

The family felt they had no other option but to educate Harry at home. The advocate supported the family to present their case for home education to the Education Welfare Service and signposted them to sources of support.

## Philip's story

'Philip' missed a term at university due to the deterioration of his health. Although the university was aware of his condition, it did not recognise it as a disability. A disciplinary meeting was called by the university to expel Philip for his long period of absence and the university applied pressure on him to pay his outstanding fees.

Philip was under a lot of pressure to cope with his deteriorating condition and the effect it was having on his daily life. The thought of being expelled from university and of accumulating debt for tuition fees covering his period of sickness absence was too much to bear. He wanted to return to university to complete his course when he was able to, but did not think this would be possible.

### What human rights were violated?

The university failed to recognise Philip's disability and to offer reasonable adjustments which would enable him to access the university on an equal basis with others. Philip's right to receive an education, to not be discriminated against, and to be included whilst at university were not respected.

### Support provided by the advocate

An advocate from Disability Action's Centre on Human Rights provided Philip with advice on his rights and set up a meeting between Philip and the university. The advocate supported Philip to explain the nature of his disability and the reasons why he was behind in his tuition fee payments. The advocate called on the university to recognise Philip's disability and provide him with the opportunity to avail of reasonable adjustments to access the university.

Following the meeting, the university recognised Philip's disability and offered him his place back at university with the opportunity to avail of reasonable adjustments. The university also agreed not to charge Philip for his period of absence.

## **Fred's story**

'Fred', a visually impaired man was a victim of hate crime. He experienced verbal abuse because of his disability on a daily basis from his neighbour's children. He was threatened and also experienced violent behaviour. Fred felt very insecure in his own home and dreaded leaving the house.

### **What human rights were violated?**

Fred's right to be protected from all forms of exploitation, violence and abuse.

Fred's right to respect for his physical and mental integrity on an equal basis with others.

### **Support provided by the advocate**

The advocate advised Fred of his rights and what could be done about his situation. She put him in touch with police officers specialising in hate crime. She also advised Fred of the Northern Ireland Housing Executive's responsibilities to ensure a safe and peaceful living environment for tenants and that tenants do not behave in an anti-social manner.

Despite warnings from the police and the Housing Executive, Fred's neighbours continued their abusive behaviour. The advocate supported Fred to prepare for and attend meetings with representatives of the police and the Housing Executive to discuss what could be done about the situation. In the end, the neighbours agreed to stop the abuse and signed a Community Good Behaviour Contract with the police. Failure to keep to the contract could result in an Anti-Social Behaviour Order (ASBO) being issued to the family. There have been no breaches to the agreement.

## **Fiona's story**

Having had a stroke, 'Fiona' experienced difficulty with communication and required homecare assistance and a battery-powered wheelchair. When the wheelchair needed to be repaired, Fiona was told by NHS Wheelchair Services, that she was over-using the wheelchair and should not go out as much. If she continued to 'overuse' the wheelchair, they said they would not repair it.

The wheelchair was also very big, which made it difficult for Fiona to access buildings, particularly at university and at the hospital. The problems Fiona experienced with the wheelchair and NHS Wheelchair Services could have prevented Fiona from going to university and left her feeling isolated.

### **What human rights were violated?**

Fiona's right to access all aspects of society on an equal basis with others including buildings and facilities and services provided to the public.

Fiona's right to live independently in the community.

Fiona's right to personal mobility including access to quality mobility aids.

## Support provided by the advocate

The advocate supported Fiona at meetings with the NHS Wheelchair Services explaining her rights to go out and participate in education and community life. As a result of these meetings, Fiona is now able to go out in her chair as often as she needs and has the necessary repairs for her wheelchair provided.

The advocate also contacted the university regarding the difficulties Fiona was experiencing in accessing the buildings. The university made changes and continues to work to accommodate Fiona. The advocate continues to support Fiona to ensure she has access to health care buildings as required.



## Rachael's story

'Rachael' is a teenager with multiple disabilities including Autistic Spectrum Disorder (ASD) and a mental health disability. When Rachael's mental health deteriorated, she was detained under the Mental Health Order.

While in hospital, Rachael experienced many problems, as staff did not understand the effects of her multiple disabilities, in particular autistic spectrum disorder and how it affected her behaviour. This caused added stress for Rachael and her family, who believed this lack of understanding was preventing her from getting the treatment she needed.

An advocate from Disability Action's Centre on Human Rights spoke with Rachael and her family and realised that the problems went further than her treatment in the hospital. Rachael was also not getting the support she needed at school and in the community, which seemed to contribute to the deterioration of her mental health.

Medical professionals from the Trust and representatives of Rachael's school, social services and voluntary organisations, were due to meet to coordinate support for when Rachael was discharged from hospital. However, some representatives failed to show up to these meetings. Rachael's condition became life threatening.

## **What human rights were violated?**

Rachael's right to the highest attainable standard of health.

Rachael's right to education with support to maximise her academic and social development.

Rachael's right to live independently in the community, with the support necessary to do so.

Rachael's right to respect for home and family. Rachael and her family needed more support.

## **Support provided by the advocate**

The advocate liaised with the hospital immediately to highlight the issues Rachael was experiencing. She explained Rachael's multiple disabilities and the adjustments she required and eventually the hospital responded positively. The advocate contacted representatives who attended the multi-disciplinary meetings. She explained the importance of these meetings, in developing joined-up provision of support for Rachael. Where a representative failed to attend a meeting, the advocate liaised with them directly and presented proposals.

The advocate negotiated new arrangements for Rachael with social services and the Education and Library Board. A new social care package was also agreed. The advocate has also ensured that Rachael's support package is now regularly reviewed. Rachael successfully returned to school and obtained GCSEs before progressing on to college.

For further information on the Advocacy Service or the work of Disability Action's Centre on Human Rights, please contact:

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