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# PRESS RELEASE

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## DWP discriminates against blind woman

**A Sheffield woman has won her case for disability discrimination against the Department for Work and Pensions. Sheffield County Court awarded £2,500 after the ruling.**

Angela Sharrock is registered blind. In 2006, the DWP received an anonymous complaint about her and spent several months investigating her, both with secret surveillance and with taped interviews. Her income support entitlement was stopped in February 2007. With advice and representation from Manor Rights and Advice Service in Sheffield, she took her case to an independent appeal tribunal, which ruled against the DWP.

However, the DWP repeatedly failed to put its letters and legal documents into an accessible format that she could read, despite admissions at Sheffield county court that it was able to do so. This was in breach of the duty under the Disability Discrimination Act 1995 to make reasonable adjustments to its usual services by providing an auxiliary service.

At Sheffield County Court, District Judge Mort said that other members of the public *“would get letters and would be able to read those letters and act on them and decide whether or not they needed advice.”* Relying on the statutory Code of Practice, he said that, *“the aim of the duty to make reasonable adjustments is to provide access as close as possible to the way in which access is normally offered to the public at large.”*

He found that the DWP’s failure to comply with its own practices caused Miss Sharrock inconvenience, effort, discomfort, anxiety and loss of dignity.

However, he found that her upset was *“partially due”* to the DWP’s treatment of her in the taped interviews. As these occurred before the relevant sections of the law came into force on 4<sup>th</sup> December 2006, he could not take them into account in awarding compensation.

After the hearing, Angela Sharrock said,

*“I have always been as independent as I can. I feel ashamed when I have to ask for help. Doing something simple like putting my letters in a large print size would make it much easier for me to keep my independence.”*

Douglas Johnson, who represented Miss Sharrock, said:

*“The court was limited to the complaint only about the DWP’s correspondence. However, Miss Sharrock had earlier complaints about the handling of the anonymous complaint about her. She found the investigator to be abusive and to have made inappropriate comments about her disability. These matters were not taken to court because the relevant legal provision came into force on 4<sup>th</sup> December 2006, which was after the investigation had taken place. The DWP will have to ensure it complies with these provisions of the DDA in future.”*

Referring to the fact that the DWP is the Government Department responsible for the Disability Discrimination Act, Christopher Cole, Chair of Sheffield Law Centre, said,

*“It is astonishing that the government department responsible for introducing the DDA should fail so comprehensively to apply the DDA. Providing access to people with disabilities takes many different forms and this case shows that government departments cannot ignore people’s rights and hinder access to justice.”*

## **NOTES TO EDITORS**

1. The Disability Discrimination Act 1995 prohibits discrimination on grounds of disability. It applies to the fields of employment, education, goods and services and public authority functions. Part 3 of the Act requires service providers to make “reasonable adjustments” to their services so as to provide as close a service as possible to that provided to other members of the public. Service providers may make adjustments to their policies or practices, as well as to any physical barriers on their premises.
2. The DWP, as a public body, is also subject to the “disability equality duty” to:
  - Promote equality of opportunity between disabled persons and other persons
  - Eliminate unlawful discrimination.
  - Promote positive attitudes towards disabled persons
  - Take steps to take account of disabled persons’ disabilities, even where that involves treating disabled persons more favourably than other persons.

3. Disabled people who have been discriminated against unlawfully can bring a complaint in their local county court. Where discrimination has occurred, county courts have the power to award compensation for “injury to feelings” – this is to cover humiliation, embarrassment, inconvenience and stress, even where there has been no financial loss.
4. Sheffield Law Centre is a registered charity and provides specialist legal advice in social welfare law. The equality rights post is funded by the Equality and Human Rights Commission. There are 60 law centres altogether in the UK, supported by the Law Centres Federation.
5. Angela Sharrock was represented by Douglas Johnson of Sheffield Law Centre in her claim for disability discrimination and by Stella Blizzard of Manor Rights and Advice Service for her income support appeal.
6. For further information, please contact Douglas Johnson, Disability Rights Worker at Sheffield Law Centre, Waverley House, 10 Joiner Street, Sheffield S3 8GW. Tel 0114 273 1501, fax 0114 279 7778 or e-mail [Douglas@slc.org.uk](mailto:Douglas@slc.org.uk)