

## **After Your Day in Court – by Pam Thomas**

***(This article appeared in Greater Manchester Coalition of Disabled People Magazine Coalition November 2003)***

“What a day I’ve had” said the judge to her partner that night. “One after the other – what a load of scroungers. They’ve got a cheek you know expecting us to put ourselves out just for them.” She settled back into her comfortable arm chair as he handed her a large G&T and she allowed herself to be surrounded by the calming tones of Vivaldi. “Hmm thank you darling, it’s lovely to come home and relax, do you know I am so pleased we chose these colours for the room, the designer was right those other colours were just too bright. What we need after a hard day’s work is a nice relaxing bath and a bit of peace and quiet. Romano is such a sweetie keeping our table for tonight he was quite booked up. Oh by the way I have had the Mercedes filled up so that should be fine for the weekend, I am so looking forward to the health spa before Toby and Charlotte are back from school next weekend.”

On the other side of town Jay was on the street in the pouring rain five taxis having passed him by, then one stopped. The driver jumped out – “Alright mate don’t worry I’ll get you in.”

“We need the ramps” said Jay.

“No, we don’t need to bother with all that, we’ll be alright I’ll give you a push” said the driver grabbing the handles on the back of Jay’s wheelchair.

“No really we need the ramps this is a powered chair it can’t be pushed.”

“Well what’s it got handles for then? Oh alright then I suppose I better get the bloody ramps out.”

Jay watched, tense, as the driver huffed and puffed, slamming the ramps and boot. He put them on the edge of the cab floor without extending them. Jay told him they need extending. "No they don't" said the driver, "they'll be alright."

"No really," said Jay calmly (having had this same conversation 10 million times before).

"Oh alright then, you're the boss" more slamming around of ramps, "Come on then."

"They need to be further apart,"

"Humph!!" moving the ramps apart.

"Thank you" said Jay wheeling up the ramps.

"That's ok so long as you've got a licence and you don't go speeding in my cab!"

More huffing and puffing and slamming of ramps and doors before the driver gets in. "Where to?"

Jay gave his home address and added, "I had one of your taxis booked to pick me up half an hour ago, could you please ask the control room why it didn't come?"

"Are you sure you booked it?"

"Yes, I have a regular booking with them through Access to Work."

"Through what?"

"Oh never mind, I'll ring them on Monday."

"Had a bad day have you mate? So what's the matter with you then? I mean, you know, what happened, how long have you been wheelchair bound?"

Somehow Jay is still lost for words even though he has been asked this many times before. All the witty replies seem to have flown away somewhere. "I use a wheelchair because it gets me about, I can do more with it than without it, it is just a piece of equipment."

“Oh I know. There was a bloke like you used to come to the Legion I thought you were him when I stopped – we’d carry him up the stairs like, you know. We used to have a bit of a joke with him but God what a grumpy sod he was!”

Jay held onto the grab bar in silence as the cab swung him about for the rest of the journey home. Then his brief thank you and paying of the fare with the ramps procedure in reverse.

Getting inside he calls “hello” but he knows this will not be heard above the blaring music of his teenage kids. Making his way to the kitchen avoiding the clutter of discarded shoes, coats and bags on the floors he sees that at least they heard the supermarket delivery and brought the shopping through. They remembered to put the ice cream in the freezer, found the crisps and made a sandwich or six. He got on with putting the rest away, clearing the dirty dishes and putting empty wrappers in the bin.

He ignores the dirty corners, chipped paint on the woodwork and grubby wall paper. No point in wasting energy fretting about it, there is no way of getting it cleaned let alone decorated.

He glanced at the pile of letters on the table all waiting to be dealt with. One is from the Department of Work and Pensions. In order to improve their service and make sure he is getting the right entitlement, Jay is required to undergo a medical examination to prove he is still entitled to the Disability Living Allowance and would he fill in the attached form – it might take about two hours. Jay knew that since he is already gets the highest rate they could only be hoping to reduce it.

No less than three letters from Social Services, but from different departments. The occupational therapist has written to say Jay is not a priority for getting his bathroom adapted since if he is fit enough to go to work he must be fit enough to use the bathroom as it is. A letter from the Children in Need section saying that they cannot help with the housework since that is the adults responsibility, so they will refer his case to adult services. However they will be monitoring the situation since if the children are being neglected they may have to take action. A letter from the social services adult services community care assessor saying he is not entitled to any help with the housework as housework is not a priority and in any case surely the kids are quite capable of doing it. (Jay wondered if these people know many teenagers).

A letter from the 'staying put scheme' to say they only provide odd jobs and decorating help to people of retirement age and they hope he can find someone else to help him.

Access To Work have written to say they cannot provide any help toward an accessible vehicle since he would get social benefit from that and his need is met by the use of taxis.

The Education Authority has written to thank Jay for his application, but in their assessment for relief from paying forthcoming university fees they do not take account of any "disability expenses". They are sure he gets allowances from elsewhere for this. There is a letter from the school saying they are sorry that Jay cannot come to parents evening because of his inability to get up the front steps to the school. They hope to be able to get a ramp in the future but there are no funds at the moment. If he would care to telephone the form teacher would be happy to speak with him about his son's school work.

A letter from a T.V. researcher for a rough deals programme that Jay had contacted about the way barriers are produced by systems as well as buildings, “we are sorry we cannot use your story, but we have got so many people wanting be on the programme about rough deals (especially holidays) - we cannot use them all”.

An argument is developing in the other room, then a sudden rush of teenagers into the kitchen. “Dad will you tell her that I will kill her if she doesn’t stop nicking my stuff.”

“It’s not YOURS your snivelling little grot bag – you are always nicking my stuff.”

“DAD, its not fair you always take her side.” Storms out - doors slamming.

“Daaad, there’s a school trip coming up – can I have £40 please?”

As he starts peeling potatoes Jay says ok – he knows he will not have the money to take the kids on holiday himself this year any more than he has for the past 10 years.

In the leafy suburbs, the judge remarks, “The thing is with them is if they would just make a bit more effort they could overcome all these things they say are society’s fault. I mean good god we’ve got all them knobbly dropped kerbs and bleeping crossings and lifts that speak for goodness sake, not to mention all the benefits and state support. They have even got their own law now.

“It’s not our fault is it if they’ve got something wrong with them? They’ve got to understand that having something wrong with you means you can’t do the same things as everyone else. Wanting all houses to be

accessible, I mean please! Mind you if I couldn't walk or I went blind or anything like that I'd kill myself, wouldn't you?

"But this lot oh well they block the streets inconveniencing normal people trying to get home from work. They wrecked that charity ball you know – and we were fund raising for them so they would have somewhere to go to be looked after, they call it segregation, but it isn't is it when they are being cared for. Well I'm not having it – if they take direct action they take the consequences, I'll see them in court alright.

"Still I am sure some of the truly handicapped will be pleased with the money I raise next month with my trek in the Vietnam rainforest. I am really looking forward to that - such an adventure and it is for a good cause, I have quite a few sponsors already. I will need to get some walking clothes and boots though, still it is all in a good cause before our holiday together darling and it will be a relief to not have any of those extremist to deal with! They will never be satisfied"

The next morning Jay takes advantage of the fact that teenagers don't do mornings. He reads the news reports of his court trial yesterday morning. The report says that he had been found guilty of resisting arrest (Jay called in passive resistance) and fined £500 plus costs the report quoted the judges summing up, "the disabled are unrealistic they need to be more patient and accept their limitations and stop blaming normal people. It's ridiculous the deaf wanting interpreters in court, the blind wanting everything read out for them and the handicapped wanting to get into every building. The disabled have to accept their disabilities and let normal people get on with their business". The editorial comments that "the disabled

should be satisfied with all that is done for them and the generosity of those that give to charity.”

Only as I might have expected thinks Jay as he turns to read an article written by a disabled academic someone has sent him. “The social model of impairment, or more accurately the biopsychosocial model allows us to understand the impact of impairment which has been ignored by the social model of disability. The social model of disability places the disabled into a role of passive victims of societal structures. The social model of impairment is becoming more widely accepted amongst modern academics it explains how impairment is the problem and understanding impairment will explain how the disabled can fit into normal society. This would allow the disabled to deal with their impairments and to accept normal society rather than the dissatisfaction they have with society caused by using the social model.”

“Good old Tim Bacon, pontificating from some ivory tower”, thinks Jay wryly as he picks up another paper, this time it is of one of his favourite speeches. It is Martin Luther King’s “I have a dream speech” of 1963. Jay reflects on how this speech on its fortieth anniversary still applies and the links of oppression remain to this day. He read King’s words again, and two sentences stand out,

“But we refuse to believe that the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation.”

“No, no, we are not satisfied, and we will not be satisfied until justice rolls down like waters and righteousness like a mighty stream.”

Jay starts to tackle the pile of letters.