

empowerment for life

disabled asians claim their rights

asian people with disabilities alliance
association of blind asians
millennium disability agency

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yasmin prabhudas

Published by Asian People with Disabilities Alliance, Association of Blind Asians and Millennium Disability Agency

by Maria Eagle, Minister for Disabled People

Everyone has a part to play in challenging discrimination in all its forms and this excellent booklet goes some way to highlight the obstacles faced by disabled Asians, both in their own communities and in society at large. It also outlines their rights under the Disability Discrimination Act and gives voice to the thoughts and experiences of some Asian disabled people and their carers.

My role, as the Minister for Disabled People, is to help deliver the government's manifesto commitment 'to enable disabled people to play a full part in the community'. We are achieving this by highlighting disability issues, bringing forward new legislation to improve the civil rights of disabled people and encouraging everyone to improve access for disabled people to all areas of life.

This booklet has been funded by the European Commission and the Department for Work and Pensions as part of the UK European Year of Disabled People programme of activities with the aim of celebrating the achievements and potential of disabled people. The year also aims to promote the rights of disabled people and encourage their wider participation in society. This booklet will help Asian disabled people to do all of these things and I warmly welcome its publication.

Maria Eagle



According to Labour Force Survey data¹ there are 6.9 million disabled people of working age, almost one fifth of the working age population. Three per cent of the total population is Asian (of Indian, Pakistani or Bangladeshi descent).² Whilst the proportion of Asian people across all age groups who are long-term disabled is the same compared with that of the total population (19 per cent), Asian people over the age of 50 generally have higher rates of disability compared with the white population (44 per cent compared with 33 per cent).³

This booklet focuses on some of the issues Asian disabled people encounter. It contains:

- a summary of the Disability Discrimination Act and the rights it gives disabled people
- a summary of the European Human Rights Act
- a description of the barriers faced by Asian disabled people and how they can be overcome
- Asian disabled people's and carers' stories.

¹ Labour Force Survey, 2002.

² National Statistics Office, 2000.

³ Labour Force Survey, 2002.

This publication has been produced by Asian People with Disabilities Alliance (APDA) in partnership with the Association of Blind Asians (ABA) and the Millennium Disability Agency (MILDA). All three organisations design and deliver culturally sensitive user-led and needs-led support services within culturally conducive environments. The organisations are managed and led by disabled people with expertise in health, social care, education and enterprise.

For further information about the issues covered in this booklet, contact any of the organisations – details are shown on the inside back cover.

APDA has been run by Asian people with a personal experience of disability and caring since it was established in 1988. The organisation provides culturally appropriate health and social care support for Asian disabled people, their carers and families. It is also engaged in policy level activities and works in partnership with service planners and other mainstream bodies to help incorporate the needs of APDA's client group in care and support plans. It also acts as a resource for Asian disabled people, their carers and families, by providing a range of direct services including:

- specialised day care and social rehabilitation
- home support and care for housebound disabled people and their carers
- information and communication technology training
- work experience and training placements
- advice, information and peer counselling
- volunteer support.

Established in 1986, **ABA** is a voluntary organisation that aims to fill the gaps in service provision to meet the needs of Asian blind and partially sighted people and to support and encourage parents and relatives of visually impaired Asians. It does this through:

- a talking book service in Hindi/Urdu
- information in Asian languages on cassette or in other appropriate formats on welfare rights and other issues
- day-to-day advice, advocacy and support covering areas such as training, housing and employment
- monthly social activities, seminars and training events
- special support for elderly people through day centres and luncheon clubs
- annual one-day diagnostic clinics facilitated by leading ophthalmologists.

MILDA was set up in 1999 to assist young people and adults from minority ethnic communities, especially those who are differently-abled. It aims to promote positive images of disabled people, tackle social exclusion and assist with individuals' personal development, focusing on helping those who are unemployed to improve their job prospects. It offers a range of services including:

- advice, information and counselling
- education and training in areas such as computer literacy, disability awareness, childminding, sewing and English language
- leisure activities, such as a music project for children and adults.



and what it means for disabled people

The **Disability Discrimination Act** was passed in 1995. It protects disabled people from discrimination in employment, education, access to goods, facilities and services and the management, buying or renting of land or property.

The Act means it is unlawful for **employers** with more than 15 staff, to discriminate against disabled people in all aspects of employment: in application forms, interview arrangements, proficiency tests, job offers, terms of employment, promotion, transfers or training opportunities, benefits, dismissal and redundancy. The employer must also take reasonable steps to remove any disadvantages faced by disabled people because of employment arrangements or physical features of the premises. However, some occupations are exempt from this (for example, a number of positions in the police service, prison service, on board



ships, hovercrafts or aircrafts, the armed forces and work outside Great Britain). Some employers, such as charities for disabled people may discriminate in favour of disabled job applicants.

The Act also improves access for disabled people to **goods, services, facilities and premises**. It covers organisations and individuals in the UK who provide services to the public (service provider), whether they are private, public or voluntary sector organisations and regardless of whether or not there is a charge for the service. Since 1996 there has been a duty not to discriminate for reasons related to a person's disability. Service providers have a duty not to discriminate against disabled people by refusing them service, providing service on worse terms or providing a lower standard of service. Since 1 October 1999 there has been a duty to make reasonable adjustments if access for disabled people is impossible or unreasonably difficult.

A service provider may have to:

- change any practice, policy or procedure that makes it impossible or unreasonably difficult for disabled people to use a service (such as waiving a no dogs policy for blind customers accompanied by their guide dog)
- provide an auxiliary aid or service which would enable disabled people to use a service (for example, providing a British Sign Language interpreter at a public meeting where deaf people will be present)
- overcome physical barriers that make it impossible or unreasonably difficult for disabled people to use a service by providing the service through a reasonable alternative means (such as offering a catalogue of goods).

From October 2004 there will be a duty to take reasonable steps to remove, alter or provide a reasonable means of avoiding the physical features of a building that make access impossible or unreasonably difficult for disabled people (for example, installing a ramp to replace steps).

"The Disability Discrimination Act gives us a louder voice. It shows employers how to treat disabled people fairly."

Paizah Neave

The Special Educational Needs and Disability Act amended the Disability Discrimination Act to bring **education** within its scope and since September 2002 there has been a duty on local education authorities, schools, colleges, universities, providers of adult education and the youth service not to discriminate against disabled people in their access to education for a reason that is related to their disability. Local education authorities, schools and post-16 providers of education and related services are under a duty not to treat disabled people in education less favourably than their non-disabled peers and to make reasonable adjustments to ensure that disabled people in education do not suffer a substantial disadvantage compared with people who are not disabled. The duty to provide auxiliary aids and services will not apply to the post-16 sector until September 2003; the duty to remove or alter physical features will not apply to the post-16 sector until September 2005.

"We want the Disability Discrimination Act to be strengthened in favour of protective legislation. The Act hampers proper enforcement of anti-discrimination and the Disability Rights Commission should be given more powers. However, since the introduction of the Act, things have been improving. People said you didn't need regulations; you just needed to believe in the good nature of people. I think the Act complements the good nature of people. Rules are respected – it's a cultural thing."

Dr Majid





'The Disability Discrimination Act has no teeth. It's so weak that employers can easily escape. But the positive side of it is that it awakens people's thoughts and raises awareness of what people have to be mindful of.'

Mr Khalid

The Disability Discrimination Act provides regulation-making powers on accessibility to public transport. Means of **transport** are not currently covered under the duties covering access to goods, services, facilities and premises though consultation has taken place with the Department for Transport on removing the exemption for providers of transport services. The Department for Transport is using the powers provided by the Act to make regulations requiring all new licensed taxis, trains, trams, buses and coaches to be accessible to disabled people.

'Some mainstream providers are producing materials in accessible formats, for example, some cinemas have audio descriptions on headphones for visually impaired people. But others, like places of worship, often don't even have wheelchair access.'

Ghowreesan Ratnarajah


The Disability Rights Commission was established in April 2000 to secure the rights of disabled people. It aims to eliminate discrimination against disabled people, promote equal opportunities for disabled people, encourage good practice and advise the government on implementing disability legislation. Its main role is to:

- help disabled people secure their rights, arranging legal advice and other assistance
- provide information to disabled people, employers and service providers about their rights and duties under the Disability Discrimination Act
- prepare and review statutory codes of practice to help employers and service providers meet their obligations and implement good practice
- provide a conciliation service in disputes between disabled people and service providers about access to goods and services
- investigate unlawful acts by organisations and monitor how disabled people are being treated in particular organisations or sectors
- undertake research to support policy-making, raise issues and determine the effectiveness of disability legislation.

The Disability Rights Commission helpline provides information and advice about all aspects of the Disability Discrimination Act including help if you think you've been discriminated against on the grounds of your disability. Employers can also obtain information on good practice when employing disabled people.

For more information write to the commission at the DRC helpline, Freepost MID 02164, Stratford-upon-Avon CV37 9BR or get in touch from Monday to Friday between 8am and 8pm on 08457 622 633 (telephone), 08457 622 644 (textphone), 08457 778 878 (fax), ddahelp@stra.sitel.co.uk (email). You can also get more information on the commission's website www.drc-gb.org





The Human Rights Unit's role is to implement the Human Rights Act 1998 and to build a culture of rights and responsibilities. For more information about the Human Rights Act, contact the human rights helpdesk on 020 7210 1437 or email the unit at humanrightunit@homeoffice.gsi.gov.uk

Human Rights Act

The Human Rights Act came into force on 2 October 2000. Public authorities will have to comply with rights and freedoms guaranteed under the European Convention on Human Rights. The Act means that individuals have the right to certain freedoms including the right to liberty and security. Article 14 of the European Convention on Human Rights states that Convention rights must be protected without discrimination on any grounds, including disability and mental status.

Asian disabled people encounter a number of barriers in the Asian community and across society as a whole.

Disability in the Asian community, as in other communities, can be a **social stigma**. It is sometimes seen as a consequence of a badly-led previous life or of being 'possessed' by an evil force and is often thought to be something that brings 'shame' on the family. This is not only detrimental to the individual disabled person but to the whole family, which might feel ostracised by its own community. It can also be a view that is extended to self-help organisations themselves, which may, as a result, suffer from a lack of recognition in the community.

'When I was young I was taken to different places. I was told if I went to the temple my sight would be OK. It would wash off my sins. Or my parents would make me fast to get rid of my sins.'

Mr Mehta

Often the stigma is greater if someone has a learning difficulty or a mental health problem and can be coupled with a **poor understanding** of non-physical disabilities. For example, people who have learning difficulties can be regarded as having a mental illness, although in fact the two are quite different and require different kinds of care. Similarly, some Asian families can be dismissive of age-related disabilities, because they are considered to be part of the ageing process and treatment or care may not be sought. These negative attitudes and lack of understanding can lead not only to the isolation of the disabled person, but also to the deterioration of their condition and the breakdown of family life. It can also mean that Asian carers and families are reluctant to find out more about the services available to them.





'Within the Asian community, there exists a false perception of the nature and ability of self-help organisations set up by and for disabled people. Many people from the Asian community have a negative image of disability groups and disabled individuals as objects of pathos and charity, suitable only for handouts. This false perception is shared by many mainstream establishments who wrongly feel that such community groups do not have the professionalism or experience to manage large projects or funding initiatives.'

Michael Jeewa

As in other communities, carers or families can sometimes be **overprotective** towards a disabled person, preventing them from carrying out even simple tasks such as making a cup of tea. A disabled person is not considered to be capable of leading a full and active life and is seen as weaker than a non-disabled person. An overprotective environment can stop a disabled person from developing their potential, shatter their confidence and have a negative impact on their quality of life. In reality, disabled people can and do live independent and fulfilled lives and this should be encouraged and nurtured.

'Becoming independent is frowned upon.'

Mr Khalid

Access to places of worship and other community places can also be difficult for a person with disabilities, both on a social and physical level. Disabled people need to feel welcome wherever they go. They must be able to gain physical access to a building and once they are there, they should feel they are accepted.

'In society people feel you can't do many things. They'd rather you just sat there and they did everything for you. You become impaired to learn when you're overprotected like this.'

Mr Mehta

Not only do Asian disabled people come across difficulties in their own community, they also face **barriers in the wider community**. Many of these are similar to the issues that crop up in the Asian community itself, such as a lack of understanding and stigma. However, other issues arise because of the 'double' discrimination that Asian disabled people can face.

"People don't say because you're disabled we won't consider you. They ask instead, "How do you walk?" I reply, "With my legs."

Mr Khalid

One key area is in **employment**. Labour Force Survey data⁴ show that there are more than 2.8 million disabled people of all ethnic groups who are unemployed and claiming benefits, accounting for almost half the disabled working-age population. Disabled people are almost five times more likely than non-disabled people to be unemployed and employment rates vary between types of disability, but on the whole, people with mental illnesses and learning disabilities have the lowest rate of employment, reflecting the additional stigma faced by those who have a non-physical disability. If you add in the 'double discrimination' factor of race discrimination, it is likely that Asian disabled people are more disadvantaged than white disabled people when it comes to finding a job.

"I find there are two types of people – some are aware, some are not. Sometimes people ignore me if I'm out and about and won't communicate with me. It's also hard to get help in the supermarket."

Mrs Ravji

A similar picture arises in **education** with disabled people being twice as likely as non-disabled people to have no qualifications. This is true across all age and ethnic groups.⁵

"I prefer to come to an Asian organisation because I can speak Urdu here."

Aisha Rana



⁴ Labour Force Survey, 2002.
⁵ Labour Force Survey, 2002.



'We aim to make this a caring society, but the mission of care is incomplete if ethnic minorities' needs are not fairly met.'

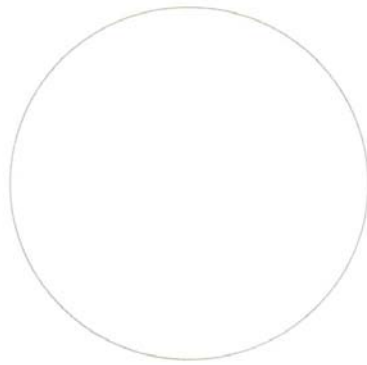
Dr Majid

Mainstream services frequently fail to meet the specific needs of Asian disabled people, such as appropriate diet, language and cultural observance, making many Asian disabled people, families and carers reluctant to approach mainstream organisations for help. Social services departments can sometimes be so caught up in bureaucracy that the needs of the disabled person become overlooked and consultation with the disabled person and their family fails to take place. This can be particularly distressing for families whose first language may not be English and who are not used to dealing with local authorities.

'Raising awareness is a key part of the disability movement – making people aware will benefit non-disabled as well as disabled people.'

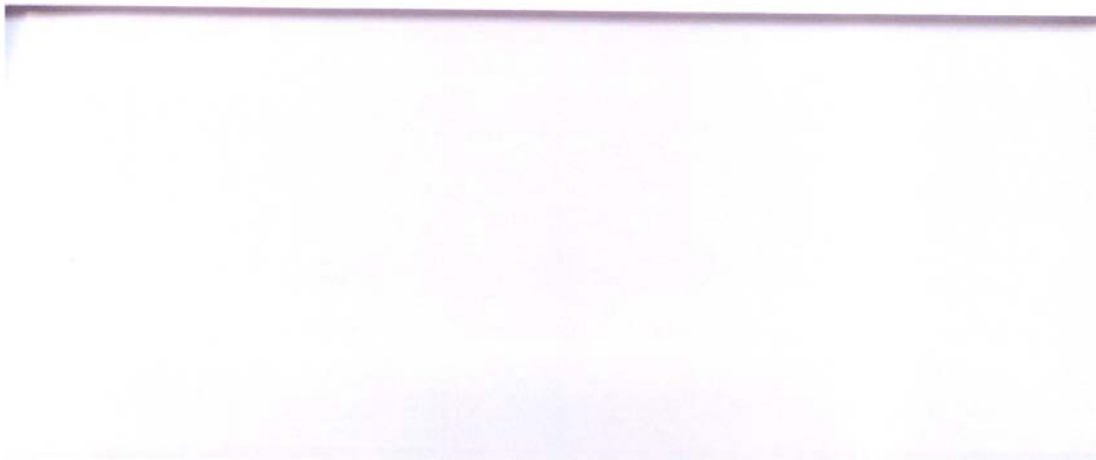
Mahesh Amin

The way to overcome these barriers is to ensure that all communities have access to **education** about disability. Education can help individuals not only to find out the facts about a particular disability, but also to gain an understanding of the issues affecting disabled people, which can break down prejudice, superstition and misunderstanding. It is also important to **encourage disabled people to take an active role** in society and to ensure they are able to voice their views and concerns. Mainstream providers need to **gain a greater awareness of the needs of different cultural groups** and ensure they are incorporated into their services. Key to this is providing **information in a variety of community languages** and developing a proactive approach to information dissemination and service promotion. In addition, **it is vital that disabled people and their families are consulted** in all aspects of care.



Dr Amir A Majid: barrister

'All the qualifications I have achieved, I have achieved without eyesight,' said Dr Majid, who was the first person in the world to gain the dual qualifications of doctor of civil law and barrister. 'People have negative attitudes and make assumptions about you. In the Asian community this cuts across religion, caste and educational background. But if you can realise your potential, you can get respect. You need to put care and attention to the task at hand,' he stated.



Currently a reader in international law at London Metropolitan University and part-time immigration judge since 1997, Dr Majid has been blind since the age of 17 as a result of retinal detachment. Despite experiencing prejudice, both in his home country of Pakistan and in England, Dr Majid, through pure determination, has come out on top. In 2000 he was appointed adviser to Margaret Hodge, the then minister for disabled people at the Department for Education and Employment, and in 2001 he was elected to the Royal National Institute for the Blind board of trustees. He is also a fellow of the Royal Society of Arts and a founder member of the Association of Blind Asians.

And Dr Majid's view of the future is bright: 'I'm an optimist. Disabled people are facing less and less discrimination and life is becoming more pleasant. Technology certainly helps, issues are coming forward and there is a growing awareness,' concluded Dr Majid.





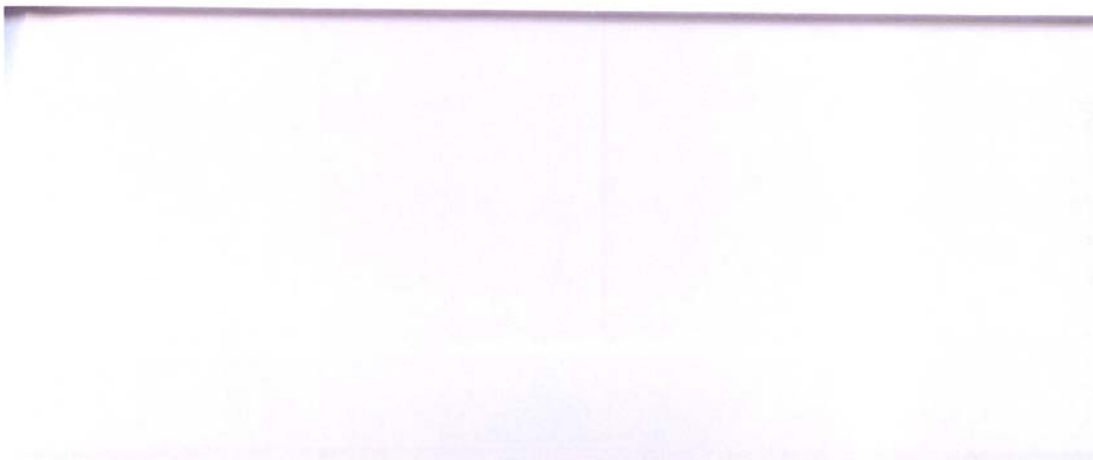
Ghowreesan Ratnarajah: administrator

Ghowreesan Ratnarajah who was born in Sri Lanka has always had a visual impairment. When he came to England he was determined to study, but found there were no facilities in his college. 'They had to do it from scratch, employing new staff and a support worker and bringing in visual awareness training from the Royal National Institute for the Blind. They had to buy equipment especially for me and although the problems were solved, I had to wait a long time,' recalled Ghowreesan.

When it came to finding employment, Ghowreesan came across more difficulties: 'I tried to find a job but couldn't because I'm blind and Asian as well,' he said. However, this setback was overcome when a family member stepped in. 'My brother decided to take me on in his carpet cleaning and upholstery company, where I answer the phones, take bookings and do web design, using a normal computer with a speech screen reader and Braille display.'

Ghowreesan has been a member of the Association of Blind Asians since 1995. 'They understand our situation. We have monthly social gatherings and we talk about our problems,' claimed Ghowreesan. Since then, he has himself become involved in the running of the organisation as secretary of the management committee.

'I hope that people will learn to treat each individual as an equal, without patronising us. Family members should allow people to do things for themselves,' added Ghowreesan.





Rama Chawda: carer and volunteer

Rama Chawda cares for her 35-year-old daughter Neena, who, following an accident at the age of 18 months, has been left with a mental and physical disability which means she can't do anything for herself. As a single mother, Rama has found life tough: 'You can't go anywhere in the community. I'm stuck indoors because I'm divorced and because of my daughter. They look at me and talk about my daughter's disability,' said Rama. She believes that these attitudes come about because people lack education about disability issues and she is keen to see all sections of society including the Asian community have greater access to information.

However, the support of APDA has helped her to turn her life around. 'In the last one or two years I started going out again. I started going to the day-care centre at APDA and I started to learn more about disability. The organisation has done me good and increased my confidence,' said Rama. It has also enabled her to find out about services that can help her with care and other entitlements. 'I learnt so much about where to go and what to do and how to get benefits,' claimed Rama.

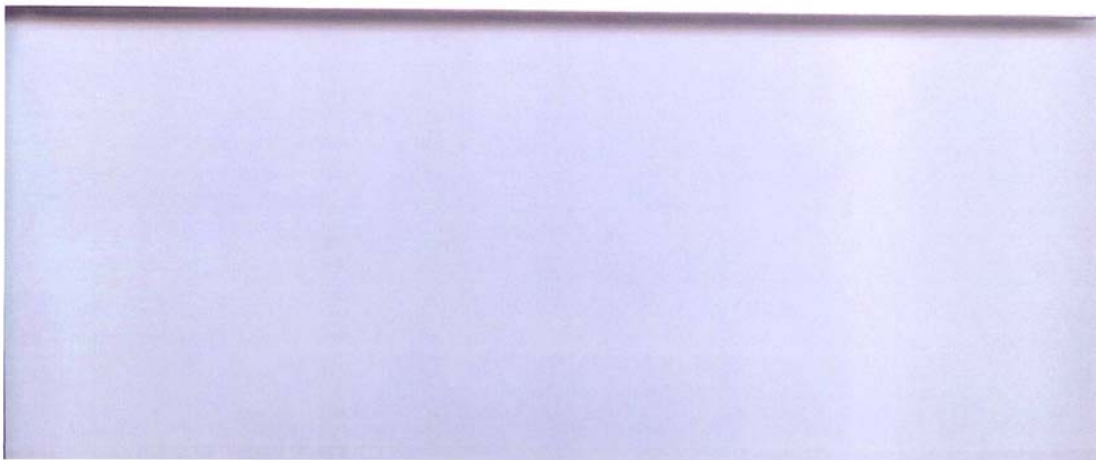
Rama now regularly volunteers with the organisation. 'APDA has taught me how to smile,' she stated.



Kanubhai Patel: carer

Volunteer and APDA committee member Kanubhai Patel looks after his 42-year-old son Atul, who has had epilepsy and learning difficulties since the age of three. When he arrived in England from Kenya in 1988, a 12 year battle to be housed by the council in accommodation that was appropriate for his son began. The struggle involved a psychiatrist, GP, Mencap and a local member of parliament and was finally resolved two years after the MP's involvement. 'I now have a house that is OK – it is suitable for my son. But they should have offered something sooner. Nobody listened to us and bureaucracy got in the way,' he stated.

Mr Patel believes that the difficulties arose because his family's concerns were not taken seriously. Education is a key factor in changing people's attitudes, whether they are people in the Asian community, society as a whole, or council workers: 'You have to get people to understand about disability,' said Kanubhai. In fact, he himself has made a point of finding out more about disability. 'I go to APDA so I can understand more and can help others,' he said. 'I've been a member of APDA for eight years and I learn something all the time.'





Paizah Neave: organisation chair and coordinator

Born in Malaysia and settling in England in 1972, Paizah Neave has always had small feet and weak legs, which means she has difficulty walking and needs to use a wheelchair. But this has not prevented her from pursuing a successful career in the non-profit sector: she has worked with organisations such as the BBC, Disabled Artist Worldwide Network and Disabled Black Londoners. She has also been a member of the mainstream performance group, the Green Candle Dance Company, and has participated on Radio Asia, offering advice on benefits, housing and immigration.

Her latest career move has involved establishing the Millennium Disability Agency in 1999 to help promote positive images of disability. She is currently chair as well as coordinator of the organisation and through its work Paizah hopes to encourage disabled participants to set up their own organisations. 'If more people do this, it will prove that disabled people can be self-employed,' claimed Paizah.

However, there have been challenges along the way too. 'It takes time to gain confidence in our own abilities. When I was young I never did PE. You're just told to sit down and you're not given the opportunity to try things. People think if you're disabled you're not strong, so why should you want to try and do things. Even now people ask me why I take the trouble to carry out home visits,' said Paizah. 'But I am determined to prove that disabled people can contribute and that they can be role models for others.'



INSIGHT

Despite the benefits gained from the Disability Discrimination Act, there is still some way to go to secure the full rights of disabled people. Service providers and local authorities can do much to break down the barriers faced by disabled Asians. They can:

'Everybody is equal in the world. Everybody has skills and abilities – they just need the opportunity to bring out those skills and abilities.'

Mahesh Amin

- run educational programmes on disability issues, accessible to people from all communities, including the Asian community
- produce information on disability issues in a variety of languages and formats
- ensure that staff members have access to community language interpreters
- establish links with Asian disabled people through outreach workers
- identify the needs of Asian disabled people and provide more services catering for these needs
- ensure that staff are aware of the needs of Asian disabled people
- improve systems for consulting disabled people and their families on decisions that will affect their lives
- encourage and fund organisations that are run by disabled people for disabled people.

'There are still lots of disabled people who are qualified in computer technology, physiotherapy and other subjects but they are not getting jobs. That's a priority area that needs addressing.'

Jitendra Depala

'Nothing is impossible – there's always a way around every obstacle. Keeping cool and calm you can overcome anything.'

Mahesh Amin





For more information about the issues raised in this
booklet contact any of the following organisations:

Asian People with Disabilities Alliance,
Disability Alliance Centre, The Old Refectory, Central Middlesex
Hospital, Acton Lane, Park Royal, London NW10 7NS, tel. 020 8961 6773.

Association of Blind Asians, Garrow House, 190 Kensal Road, North
Kensington, London W10 5BN, tel. 020 8962 2633.

Millennium Disability Agency, Black and Ethnic Minority Resource
Centre, Eton Road, Ilford, Essex IG11 2UE, tel. 020 8478 6251.

This booklet was funded by the European Commission
and the Department for Work and Pensions as part of the
UK European Year of Disabled People.

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design and printing by NE Design & Print, www.niceandeasy.co.uk

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'This booklet is by Asian people with disabilities. However, it is not just for Asian people with disabilities, it is for the Asian community in general, as we desperately need to break some of the self-created barriers that our disabled people face.'

Baroness Flather JP DL FRSA

'Disability is a world-wide concern that is now fortunately beginning to be dealt with. Always a good place to start is within our own community. I hope this booklet goes some way towards helping correct the negative perceptions of disability that some of us have.'

Lord Desai

'At last, we are finally finding the courage to genuinely help those people with disabilities in our own Asian community. Disability does and will affect everyone, and the earlier we engage with it the better it will be for all of us.'

Lord Dholakia OBE DL



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