

**All are Welcome** ♿ ♀ ♂

**Exploring the implications of the Disability Discrimination Act 1995 for Parish Communities**

***"Christ loves us as we are, with our own particular gifts and limitations, strengths and weaknesses. Christ's liberating message of love and hope celebrates difference because He values each and every person as unique and equal"***  
***(Valuing Difference, Bishop's Conference 1998).***

As God's people, we are called to ensure that the inclusion of **all people** into the life and Mission of the Church, becomes a reality. The presence of a person with a disability is a call to the community to examine its practice and actively live the Sacraments. Inclusion challenges us, the Church, to explore and realise the deepest identity of the parish community. We are called to manifest all that lies at the very heart of the Church and its place in the world; welcome inclusion, friendship, hospitality, faith sharing, sponsorship, and liturgical worship. Each person, no matter their ability, has a unique place within the body of Christ.

*Canon Law ( 208) tells us that:*

*Flowing from their rebirth in Christ, there is a genuine equality of dignity and action among all of Christ's faithful. Because of their equality they all contribute, each according to his/her own condition and office, to the building up of the body of Christ*

Christ gives each person, in his or her individuality and uniqueness, status and value. For many years, within the mainstream of society, people with varying degrees of disability have campaigned for the status and equality which is often denied them. Many people with disabilities are denied access to services simply because of their *disability* rather than because of an inability to participate in services to which they, as a human being, have rights. The Disability Discrimination Act 1995 ("DDA") is an innovative and visionary piece of legislation directly resulting from their campaign. Over the past nine years the DDA has been implemented in three sections. Within the world of disability, these have been years of waiting, preparation and expectation.

However, this message of human rights, inclusion and acceptance is nothing new to the Christian faith. Throughout Christ's ministry, we can find him calling upon and teaching through the lives of the marginalized and rejected. He called them to the forefront of his teaching, often using their witness as examples of simple acts of faith, love and service. Through the love and dignity shown to those who were marginalized, Christ revealed the very nature of God's love and accepting manner.

## Information on the Disability Discrimination Act 1995 and its implications for the Catholic Church in England and Wales.

The Church is considered a 'Service Provider' and resides under the category of **Leisure**. This is how the DDA has placed duties on those providing services to the public and the implications it has, nationally, for every parish community:

- **Since 2 December 1996**, it has been illegal for service providers to treat disabled people less favourably for a reason related to their disability (*DDA part i*) *This means that if, for example, a disabled person were to ask for catechesis, or wishes to participate in parish activities and were refused because of their disability (without reasonable justification) the parish would be **acting outside of the Law**.*
- **Since 1 October 1999**, service providers have had to make 'Reasonable Adjustments' for disabled people, such as providing extra help or making changes to the way in which they provide their services (*DDA part ii*). *This means that if, for example, a person with a learning disability wants to receive a sacrament or participate in a parish activity and is refused because the parish does not adapt their resources and programmes (reasonable adjustment to meet specific needs), the parish **would be acting outside of the Law**. This also applies to the provision of sign language and reasonable adjustments for people who have physical and sensory disabilities.*
- **From 1 October 2004**, service providers may have to make other reasonable adjustments in relation to the physical features of their premises to overcome physical barriers to access. *This means that if a parish provides public facilities for people who **do not** have a disability and do not provide accessible facilities for those who **do** have a disability **they would be acting outside of the Law**. The Disability Rights Commission ("the Commission"), expects all public services to provide toilets for the disabled (or make adjustments such as rails, to existing facilities) and access such as ramps and loop systems. This is especially so if parish halls are rented out for public/private activities.*

**Full implementation of part three of the Disability Discrimination Act 1995 took place on the 1 October 2004, after which service providers have to make "reasonable adjustments" to the physical features of their premises to overcome physical barriers of access.**

**DDA 4.6 states that from 1 October 2004, where a physical feature makes it impossible or unreasonably difficult for disabled people to make use of services, a service provider will have to take reasonable steps to:**

- **remove the feature; or**
- **alter it so that it no longer has that effect; or**
- **provide a reasonable means of avoiding it; or**
- **provide a reasonable alternative method of making the services available.**

The physical features of a premises are:

- **Any feature arising from the design or construction of a building or the premises occupied by the service provider.**
- **Any feature on those premises or any approach to, exit from or access to such a building**
- **Any fixtures, fittings, furnishings, furniture, equipment or materials in or on such premises.**
- **Any fixtures, fittings, furnishings, equipment brought onto the premises (other than those occupied by or on behalf of the service provider) in the course of and for the purpose of providing services to the public.**
- **Any other physical element or quality of land comprised in the premises occupied by the service provider.**

**All these features are covered whether temporary or permanent.**

Examples of adaptations which need to be made to these, are:

- **widening a doorway;**
- **providing a permanent ramp for a wheelchair user;**
- **relocating light switches, door handles or shelves for someone who has difficulty in reaching;**
- **providing appropriate contrast in decor to assist the safe mobility of a visually impaired person;**
- **installing a permanent induction loop system**

The third stage of the DDA is now in force and we should meet the statement made within 4.2 of the DDA and:

‘Consider whether your services are accessible to disabled people. You should anticipate their needs and the adjustments that may have to be made for them, rather than wait until a disabled person wants to use a service you provide. You could also ask your customers whether they have any special requirements and what adjustments may need to be made. Once you have put a reasonable adjustment in place, make sure, when appropriate, that you draw the attention of disabled people to its existence.’

**The Commission does not place unnecessary financial burdens upon parishes which do not have extensive finances but will expect the parish to have some form of 'action plan' in place for providing physical, sensory and intellectual access for all. If this is not in place after 2004, the parish will be acting outside of the law and could be reported to the Commission, accused of discrimination. The action plan must be proactive. This means that the parish should not only be thinking about access for present parishioners who are disabled but should be ready to provide service to any disabled person who may come along in the future.**

### ***What is meant by 'Reasonable Adjustments'?***

In exploring the facilities and activities within a parish, look for barriers of access and then be prepared to make adjustments if the need arises. An example of this would be if your RCIA group meets in an upstairs room and a wheelchair user joins the group, a reasonable

adjustment would be that you meet in a different room on the ground floor. If your parish centre/ hall has steps providing access, a reasonable adjustment will be to provide a ramp. Reasonable adjustments will not require excessive spending but will require you to think about how present services could be changed to meet different needs.

Most local councils have ' Access Officers' who will inspect parish facilities and advise about the adjustments which will need to be made. Some councils have funds to assist you in making your parish accessible and you will be able to apply for financial assistance. There are also many trust funds that will provide additional funds for parish groups who are committed to access and inclusion.

An action plan will need to be based on providing **Physical Access** for people with physical/mobility needs. **Sensory Access** for people who are Deaf and Blind, and **Intellectual/Cognitive Access** for people who have learning disabilities. The action plan should be formed upon the changes you will need to make to the Church, public areas and parish activities. The sensory changes will need to take into account the way in which Deaf and Blind people are able to share in parish information, i.e., for Blind people you will need to think about producing written information in audio tapes and large print. For Deaf people you will need to think about providing an interpreter who will sign at Masses/parish events. For people with learning disabilities you will need to think about adapting catechesis/liturgy and parish activities so that simplified concepts may enhance their understanding and experience of faith.

These are **all reasonable adjustments** and **requirements of the DDA**, however, as a faith community, we should all be active in spreading the Good news that Christ came so that we may all may 'live life to the full' (John 10:10). We should be ensuring that the "adaptation of the preaching of the revealed word must always remain a law for all evangelisation' (GS44. GDC 169). Access should not be implemented because of legislation but because we are called to love our neighbour as ourselves and to live in love and service to all.

**It is always in consultation with people with disabilities that we will learn and know how to meet such necessary requirements. It is fundamental to our Christian faith to learn with our hearts from each other.**

*The parish community provides a place in the world where people with disabilities can develop real friendships, develop and discover their own spirituality and embark upon a journey towards a real and personal encounter with Christ... they can find purpose and awareness of all they are called to be for Christ and His Church. Here is one such story from the real life experiences of June and Martin Dante .....*



The lives of those who are disabled are often prophetic stories that, as I have mentioned, give witness to the light of Christ. They bring about moments of revelation, transformation and a deep clarity of what 'service' means. One such story is that of Martin, a thirty-year-old man with a learning disability. Martin's mother had responded to his birth by rejecting God and the Church and seeing him as a punishment. This is a common reaction amongst parents of disabled children due to the negative image disability carries within society. Therefore, in her own words, she too was in a place of exile and the following event became a moment of transformation and enlightenment. When Martin was seven his behaviour became very challenging and on one occasion he was particularly hyperactive. After some hours of this behaviour, his mother's nerves began to fray and she insisted that he go to bed so that she could rest. She took him firmly by the hand and together they climbed the stairs. Martin continually protested calling his mother's name many times. Eventually, when at the top of the stairs, she answered his by now desperate demands for her attention. Asking him what it was he wanted he replied, "My feet are dirty". His mother took him into the bathroom and 'began to wash his feet and wipe them with a towel' (Jn 13:5). Martin had become silent and finally his mother had begun to sense peace. Breaking this moment of silence he spoke with a calm clarity "Mum", he said, "Do you love me?"(Jn 21:15). This was a moment of 'painful testing'<sup>1</sup> for her. She later commented 'I could not look up as I knew that I would be faced with a young man of about thirty, with long hair and olive coloured skin. He would be asking me ' June, I know that this is difficult to accept but do you love me enough to serve this child that I have given you?'<sup>2</sup> This became an experience that transformed the lives of this family.

They began, tentatively, to attend their local parish as June had realised that she had been called by God to give witness to others and to ensure that her son was served, not only physically and emotionally but also spiritually. The parish community has since become central to his life but more importantly, Martin has become central to the life of the parish community. This intimate encounter with the Word of God had touched their lives directly and had commanded them to a place 'where the weakest and most humble are given the prominent place'<sup>3</sup>: 'With you I will make an everlasting covenant out of the favours promised to David. See, I have made you a witness to the peoples, a leader and a master of the nations (Isaiah 55: 3-4).

*As told by June Dante 2001*



<sup>1</sup> The scandal of service: Jean Vanier chap 3 The significance of the washing of the feet.

<sup>2</sup> June Dante: Lent 2002

<sup>3</sup> The scandal of service: Jean Vanier chap 3 The significance of the washing of the feet.

Pope John Paul II states in his encyclical on the laity, *Christifidelis Laici*, that;

***The parish is not principally a structure, a territory, or a building, but rather the family of God, a fellowship afire with a unifying spirit, a familial and welcoming home, the community of the faithful....***

***... the parish is to be a place in the world for the community of believers to gather together as a sign and instrument of the vocation of all to communion, a house of welcome to all and a place of service to all.*** *Christifidelis Laici* 26, 27

*This story shows that inclusion can take place and that the presence of people with disability enriches the life of a parish community. People grow in love of God and come to a deeper understanding of what true equality means and the way in which it enables us to live Christ's Greatest commandment,*

' Love one another as I have loved you'

Cristina Gangemi