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Defending the Indefensible

We are shocked to report the majority of service providers who have discriminated against, and harassed, disabled people unable to wear face coverings are not owning up and putting things right. Instead, most are defending the indefensible. Some even going so far as to assert they are entitled to refuse personal service to people unable to wear face coverings for medical reasons.

Disturbingly, many service providers are also turning events around on disabled people, saying their staff "feel threatened" when people point out government guidance regarding face coverings exemptions. A situation only occurring because of, for example, wrongful insistence on exemption evidence and even outright refusal of entry.

Most shocking of all are the number of NHS cases where people are refused treatment for being unable to wear a face covering. "No mask no treatment" policies are in force at a small minority of hospitals and GPs with wide variation across the UK. Almost unbelievably, some are defending their position even though it destroys the purpose of the NHS - to provide free health-care based on need.

We again apologise for the delay in responding to enquiries. We are inundated like never before because disability discrimination and harassment have become so common. We are a small not for profit company and are doing our best to get back to everyone remembering we have a six month time limit to work with for disability discrimination claims. We also have our usual social security work (mainly PIP) to deal with as well.

Face coverings claims initial responses

Following our first face coverings success, where a major service provider agreed to pay the Claimant £7,000 for refusing her access for being unable to wear a face covering, a raft of pre-action correspondence has transpired.

Our first priority is to ensure that disabled people unable to wear face coverings can use services safely and without being harassed. Apart from US based companies who don't understand UK equality law, it has not generally been difficult to get service providers to agree that disabled people exempt from wearing a face covering are entitled to go about their business on the same basis as everyone else, but on just one proviso, the words "I'm exempt" must be clearly stated if challenged. This is unsatisfactory for some, but the Guidance does allow service providers to check if someone wearing a mask is exempt or simply forgotten to wear a face covering. But that is as far as any service provider can legitimately go.

We have therefore asked Her Majesty's Government (HMG) to improve awareness of the face coverings exemptions regime and our Director has received this encouraging reply from the Minister.

Again HMG states, *"...we make it clear that some people may have a 'reasonable excuse' for not wearing face coverings, and that people do not need to prove they are exempt and should not be challenged about this. We are also clear that people should remove their face coverings to aid communication where asked, and that those accompanying or assisting people for whom a face covering will inhibit communication are not required to wear face coverings"*.

Although we're making good progress with increasing understanding, compensation is taking longer. In fact, people using our free template letter have achieved more than our own letters to service providers! Several people using our template have already had offers of compensation whilst our own efforts have so far resulted in all services seeking lengthy time extensions to investigate. Please note there is usually a six month time limit to get your case to court.

It was kind of several people to offer donations and, although we never expect this, we have added a donations button to our site for those who want to and are able to. The button also responds to the requests we have had from some customers to pay their fees using PayPal, although we do not encourage this due to charges.

We hope in some small way we have made getting out and about easier and less stressful. Remember the exemptions system is there so that those unable to wear face coverings can still use services. Those bizarrely behaving people who believe there should be no exemptions are effectively saying those unable to wear face coverings, including children, should be banned from all services. Fortunately that is not the position of the Government and those who pursue such a ridiculous agenda are likely to continue to cause compensation claims. The number of such people in work is likely to decrease as they will become increasingly expensive for employers.

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