

PRESS RELEASE

**EQUAL OPPORTUNITIES (PERSONS WITH DISABILITY) ACT
ST JAMES CAVALIER ART CENTRE
ARBITRATION AWARD IN FAVOUR OF DISABLED PERSONS
11th October, 2002**

The Commission held different meetings with the aim that the National Art Centre at St James Cavalier is accessible to all. In fact the greater part of this Complex is accessible to all. Unfortunately, a complaint was lodged with the Commission in connection with the stage of the round theatre, which is not accessible to all although it is one of the most important locations of this Complex. After diverse discussions, the administration of this Complex informed us that they were ready to set up an accessible stage if they are informed it is needed in advance. The Commission did not agree with this proposition and both parties agreed to refer the case to arbitration. This process has now been concluded and the award issued in favour of disabled persons. Consequently within six months, the aforementioned stage should be accessible to all in the same way.

The following are the main points of this complaint:

- ♣ December 2000 - Complaint was lodged
- ♣ July 2001 - An on-site visit was held between both parties
- ♣ December 2001 - The Ministry of the Environment informed the KNPD that the place was accessible. The KNPD did not accept this position
- ♣ March 2002 - The parties agreed to refer the case to arbitration.
- ♣ June 2002 - The first Arbitration sitting was held
- ♣ October 2002 - Issue of Award

The Commission observes with satisfaction what the arbiters have said - "At the foundation of this Act there is the principle that disabled persons should be

given the same dignity like any other person and nothing should be done which might create inequality in their regard".

In spite of this first historical award with respect to the Equal Opportunities (Persons with Disability) Act, the Commission none the less reiterates that, the success of this Act is mostly measured by the number of complaints that are solved by means of persuasion. This entails a slow but consistent process of change from a mentality based on the perception of disabled persons as charity receivers towards a mentality based on human rights. A big step which we believe is happening, although slowly.

Ref. A21/ SJC/ 021011