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- 1. District Judge Merrick**
- 2. Deborah Jones (or the solicitor acting for Brighton and Hove City Council in the Case)**

Dear District Judge Merrick and Deborah Jones,

Brighton County Court: Claim No. 5BNO3502 Bennett v. Brighton & Hove City Council

I have received the court form containing your orders dated 4 January 2006. I have also received the form notifying me that the Case Management Conference will be held at 12.00 noon on 21 February 2006. I confirm that I shall be there and I seek consent for Miss Emma Marcello to be present as my reader.

I am not completely sure what order number 3 means. I do not know when I have to submit my further proposed Directions but I will do so in the next few days – certainly before 21 February 2006. I wish them to be added to my initial proposed Directions which I have called Document 27.

I have received the Council's amended defence dated 1 February 2006 (Document 35). I have made my comments on that defence on the attached Document 36 entitled 'Response to Brighton & Hove Council's Amended Defence dated 1 February 2006'. That amended defence is, I regret to say, not worth the paper it is written on. It seems to make claims about the situations in the Council's buildings in December 2005 rather than on the dates on which I alleged that I perceived deficiencies. The Council has adopted three strands of refutation. A: The Council has already installed induction loops; B: the Council will put induction loops in if I stay my action until September 2006 (Document 30); C: The Council can't afford to do the work anyway. These strands are all self-contradictory and ridiculous. It would be much better if the Council were to stop digging itself deeper into the mire and confront the issues. I'm not convinced that anyone in the Council understands what induction loops are or has a clue how to proceed sensibly. I contrast the Council's behaviour with that of the management of the Dome Concert Hall. The situation there was that for

years the management had claimed that there was an induction loop there and pointed to notices to that effect. Patrons using hearing aids who complained that they couldn't pick up an induction loop signal were told that the induction loop was temporarily out of order and would be fixed 'soon'. Their tickets were often reimbursed. I had campaigned on this issue and the big chance to call the management's bluff came when a letter was published in the Argus on 31 May 2004 complaining about this practice. I wrote a letter published in the Argus on 5 June 2004 (Document 39) which was instrumental in ending this nonsense. I commend the reading of that letter especially as it explains clearly what an induction loop is. The upshot of this expose was that the Dome's management admitted that they never had had an induction loop but were anxious to make amends. I was helped by the fact that Arts Council South East were annoyed that they had given the Dome grants on the basis that provision was made for disabled people but that that provision was never made. A working group was set up comprising DAAG members and the Dome management and useful progress has been made in 'disability access' including the installation of a first class infrared system in the Dome which I have tested satisfactorily several times. If the Council were also to undertake a Damascene conversion it would save my having to spend more hours on this case and would save a Council Tax payer a lot of money.

I was very annoyed when Mrs Jones hinted in court that there was something wrong with my hearing aids. I do not know whether that aspersion was off her own bat or she had been put up to it. I know as much about hearing aids as any lay person in Brighton & Hove and keep my hearing aids in good condition. I refer to the article on this subject I had published in Talking Sense, Summer 2005 (Document 40)

I also adduce an article in the magazine Hearing Concern of Winter 2005 (Document 41). This might help explain induction loops a little more and the importance of correct installation.

From time to time it has been hinted that I don't understand induction loops/infrared systems and that I am not competent to test whether they work or not. I should like to point out that I have tested, at no charge, induction loops for the management of such important buildings as the Natural History Museum and Tate Modern. In Summer 2005, at the request of the Royal Institution, I visited their premises in Mayfair three times. The first occasion was to assess what they needed, the second was to test the installed induction loop on a dry run and the third was to attend a lecture when the induction loop system was used. It gave me great satisfaction to do this in the very chamber where Michael Faraday had told the world about his discovery of electro-magnetism upon which induction loops depend.

I also test induction loops overseas as I play a role in the International

Movement of Deafblind people. Please see Document 42 which is an account of my representing Sense at the Hellen Keller World Conference in Tampere, Finland, in June 2005. I have tested induction loops at other international conferences. Noone has ever doubted my credibility either in the UK or overseas. I am also on the International Committee of the World Federation of Deafblind people and we particularly campaign for functioning induction loops throughout the world. Our campaigning work has been input into 'the United Nations Standard Rules on the Equalisation of opportunities for persons with disabilities'.

I am an active member of the Local Access Forum and I was appointed to this body mainly to represent the interest of disabled people although I must and do speak on all matters of interest. The legislation (Countryside and Rights of Way Act) which set up the LAFs is very strong on disability issues and so it is ironic that the local LAF meetings are held in venues where there are no functioning induction loops. It is doubly ironic that on 5 October 2005 I represented my local LAF at an LAF 'Training day in the South East', held at Church House, Westminster where I was able to take advantage of the perfectly functioning induction loop (Document 43).

Induction loops, like charity, should begin at home. I make it my practice to make complaints when I find that the alleged induction loops in Council buildings are either not there or not functioning. I get little response to these complaints and I enclose as Document 44 a letter dated 10 February 2006 from Steve Piper, Head of Venues. Who are these '3 independent workers'? I suspect they work for the Council and are therefore in no way independent. I note the slur against my hearing aids in the sentence '...I can only assume that the fault may be with your own equipment'. We hearing-impaired people are fed up with these baseless charges.

I was amazed to read Mr Piper's words 'You will be pleased to hear that we will shortly be installing an infra-red system which I am told will eliminate problems such as have been experienced recently'. I am not at all pleased that money is going to be wasted installing an infrared system in Hove Council Chamber which already has a very good quality induction loop in it. If the will were there, it would be an easy matter to restore that induction loop to the standard it was just after it had been installed.

I have already submitted two witness statements and I now have one from the local councillor. I am promised two others from other local councillors. I hope to have these available by 21 February 2006.

I shall be calling for the Council to produce witnesses to back up its claims. I cannot see that the substantive hearing could take less than 3-4 days in court.

I stress that at no time has the Council attempted to hammer out practical

solutions to the problems. This is silly because I am an ardent, neutral and free agent. Sadly, the Chief Executive is mistaken when he says in his letter to me dated 7 February 2005 that I had met Council staff at Brighton Town Hall to discuss the situation there. My spies tell me that work has been going on in various committee rooms but I suspect it is all uncoordinated.

I am taking a new mini-file containing Documents 36-45 inclusive to the Court and to King's House for the Council. This letter is Document 45.

Yours sincerely,

Colin B Bennett

15 February 2006