

Andrew Downer v. Dudley Council

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> Changing Perspectives: London, England

The Government is making new laws which may give disabled children with learning difficulties more rights to attend an ordinary school. This law will be called the Special Educational Needs and Disability Rights In Education law. Also the Government wants the Education courts (Special Educational Needs Tribunal) to hear what the child wants. This would mean that the courts will need to allow children to speak up for themselves.

Andrew Downer tells about his successful fight to get into Castle High School, the school of his choice. Andrew's struggle went to court, a Special Educational Needs Tribunal. Dudley Council wanted to force 11-year-old Andrew Downer to attend Sutton Special School for children with moderate learning difficulties against his wishes.

According to Andrew "We go to court to fight for Castle High. I showed the court what I could do and let the court check who will win and see what is best. I gave all my work I do at Woodsetton (Primary) School. I had certificates. I wrote sentences for English, letter to mum, Jack Frost poem, history, King Edward VI, Working Lives of Children, and Maths work and Where Does Light Come From. "

Dudley Council told the court "Andrew's basic educational skills are at a low level: he is able to read at a simple level but does not always comprehend the meaning of the text. He is able to spell his full name and can produce a neat joined script...In numbers he can count and work up to ten. Socially, Andrew has some difficulties relating to peers and adults. He can become very anxious about activities and tasks. He is reported to be a quiet boy who lacks confidence and is extremely shy."

As well as sending his work to the court, Andrew wrote to the court saying, "They say I can only count up to 10. This is not true. I can count very well, take away, times and do some algebra. I can measure and do mental arithmetic, I can not see why they say I can not do this. I am a quiet boy but I listen to the teachers and adults in what they say. I work on my own and I ask for help from a teacher when I do not know. I can not help being quiet, that is how I am. I want to go to Castle High because I will learn better with my English, Maths and Technology. My cousins and friends are there so I will be able to mix with them."

After Dudley Council saw what Andrew had written to the court they had offered him a place at Pensnett School where he knew nobody. Andrew went to see for himself what Castle High,

Pensnett and Sutton School was like so that he could tell the court judges what he thought and saw during the court hearing.

"At Sutton School there were kids that played up, being rude. There were children who talked where the teachers talked. I saw all the pictures of colouring and painting. I saw them doing a work sheet. It was a bit babyish, doing baby work. At Pensnett, the school was too small and too far away. It did not look like a school. There were big corridors and few classrooms. There were not many kids there. At Castle High it was a big school and it was grown up. All the kids were working in Art Class. There was children writing in English class and making up poems and doing work sheets."

Andrew did not want to attend any school other than Castle High so he stayed at home for four weeks until the court hearing. In the meantime Andrew was given some work to do to see how different teaching methods worked which then could be discussed at the court hearing by Ann Baumber (Educational Psychologist). Lorraine Downer was given advice on how to help Andrew improve his English and Maths by using the different teaching methods. "I did work at home and at my brother's, the Maths and English work that Ann gave me, I did a sponsored bike ride for Dudley Epilepsy Association and raised 140 [pounds]," said Andrew.

On the day of the court hearing Andrew said "I told the court about my favourite subjects, why I did not want to go to Sutton and why I wanted to go to Castle High. I did work and I was not bored whilst the hearing was going on."

On hearing the court result, Andrew said, "It was good and happy. I was tired from stress of helping. I was glad I didn't go to Sutton School. I was glad I was at Castle High. I like playing, making models, cooking, Maths, English, reading, Science, PE, painting, computers, music in music class and history. I like being with other special needs children because you get easier work. We read together. We do more writing. It makes me confident and happy to be with other children with special needs and all the other children."

Andrew's mother Lorraine said after the court hearing that "It was all about Andrew. I think it would be unfair if he did not know what was going on. There are probably lots of parents who would had kept their children out of it. It was all about Andrew so he needed to be involved."

This article shows how children can speak up about their rights with the right support.

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