

Disability and Why the Personal is Political in Socio-Legal Research

As a sociologist working in a Business School, teaching employment relations, I have had reason to be suspicious of the role of law as a political and class-based tool. Providing positive employment rights, the law has also been utilised negatively by the State to limit the power of organised labour and undermine traditions of voluntarism in industrial relations. My experience of the law as a disabled person has also been contradictory. While the law has given me important rights, I have struggled with its definition of disability, its provisions, and applications as well as access to justice. In academic debate, the way in which law and politics are intertwined and influence industrial relations, is much more explicit than in the everyday lives of disabled people. Social practices help perpetuate often unquestioned ableism with political consequences, however, the medical and individual model of disability that dominates in law, has meant this is much less apparent. The social model of disability developed by the UK disability rights movement tries to address this. It argues that barriers in society rather than a persons' individual medical condition or impairment, are most disabling. By drawing attention to the collective sources of disadvantage and oppression that disable people in society, significantly, the personal is also revealed as political and of collective concern.

Two themes have run through my research: representation and justice. In 2017, a unique opportunity arose to combine these when a consortium of UK Disability Rights Organisations secured funding from the National Lottery to commission research partnerships between disabled people and academics. The objective was to co-produce evidence that would accurately reflect disabled people's lived experiences in society under the banner 'Nothing About Us Without Us', which lay at the heart of disability rights activism. Funders acknowledged the power of academics as knowledge producers. An integral part of the funding criteria, therefore, asked academics to demonstrate how disabled people would be involved in the design, leadership, data collection, recommendations, and impact arising from their proposed research.

Our project - *Legally Disabled? The Career Experiences of Disabled People in the Legal Profession in England and Wales* – was successful in securing funding. We formed a partnership with 'The Lawyers with Disabilities Division of The Law Society of England and Wales'. This helped to facilitate access and trust with a largely hidden group within law: disabled legal professionals. It also ensured that disabled people in the profession shaped all aspects of the research and dissemination. *Doing diversity in the legal profession in England*

and Wales: why do disabled people continue to be unexpected? is our first academic publication from the project. We were keen to reach a legal academic and practitioner audience and *JLS* provided a forum for interdisciplinary debate.

The article is concerned with the relationship between law, disablement, ableism, and justice, which are explored by posing the question - why is it that in a profession that has responded to criticisms of elitism by expanding its work on diversity and inclusion, disabled people continue not only to be under-represented but *unexpected*? The term *unexpected* was chosen to reflect the response of many key legal actors we questioned. Many were aware, but hadn't questioned, the *absence* of disabled people in the profession and admitted to having done little to improve their *presence*. Characterised as defendants, litigants, or recipients of the sector's charitable activities, disabled people were not viewed as professional advocates, partners, or participants in the legal process. The implications of this for the content, operation and practice of law are explored in our article, alongside findings suggesting that disabled people are present but remain largely hidden, with non-visible impairments. The active involvement of disabled people in the research process was vital. It facilitated ownership of its findings and a sound evidence base that their experiences were not anecdotal, which could be used to advocate for change within the profession. For many involved in the research it was the first time they realised why their personal experiences were of political relevance and how the research method of co-production enabled this.

(684 words)